The European Commission

How the European Commission constructed European Union governance policy and how it attempts to export it

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Introduction: Why we need to deconstruct European Union governance

This chapter examines the development of the European Union’s (EU) conception of the concept of ‘governance’ and explains how the European Commission has sought to define and clarify EU governance itself. The chapter illustrates how references to ‘good governance’ are mainstreamed throughout EU policy-making, describing how and why the EU’s view of the desirability of its own form of governance is deemed exportable. Over 50 years’ consolidation of its internal and external policy instruments, political, economic, commercial, financial and, above all, normative, have enabled the EU to defend and promote European interests and values—both within the European space and in relations with its partners and rivals abroad. The existence of the EU has clearly contributed to the reshaping of political and economic relations within Europe. By challenging the centrality of the nation-state, both within Europe and in world politics, the EU has also played a major part in establishing and consolidating an original form of supranational governance in Europe and a role model for other regions of the world. Paradoxically, it has done this despite shifting public support. The permissive consensus, which accompanied and facilitated European integration until the 1970s, has evolved into a large measure of public disaffection with ‘Europe’. There is even divided support among European elites—once the backbone of an avowedly federalist ambition. ‘Good governance’ in Europe and elsewhere is none the less a major political priority for the EU, though it is increasingly clear that Europe needs to legitimate the practice of EU governance, which few people understand and thus few people support. Legitimacy requires understanding and support, as many observers agree—not least former European Commissioner Pascal Lamy, who has argued that:

L’Union est très en avance par rapport aux autres tentatives d’intégration régionale, comme l’Alena, le Mercosur ou l’Asean. Elle a su faire le saut technologique du pouvoir supranationale, mais il n’y a toujours pas de légitimité supranationale. Cela fait plusieurs décennies que l’on
frotte le silex institutionnel et que le feu démocratique ne prend pas. C’est un problème pour l’Europe mais aussi pour les autres continents qui, eux aussi, vont buter sur ce plafond démocratique si l’Europe politique échoue. Mais je ne pense pas que cela soit irrémédiable. Il nous faut mieux comprendre les enjeux d’identité, de sentiment d’appartenance, de culture et de civilisation qui ont été négligés jusqu’à présent. Trop de juristes et d’économistes, pas assez d’anthropologues ou de sociologues.

(Lamy 2009)

In support of this view, the chapter thus questions the nature of EU governance and by extension its use as a model for governance elsewhere. The EU’s ambitions for ‘ever closer union’ within the EU and its endeavours to provide a non-militaristic, ethical reference point in international affairs are well known, but there are doubts about the legitimacy of the EU arising from the EU’s ‘democratic deficit’, evident tensions between national and European political cultures and associated critical reflections on assumptions about political identity and citizenship. These are not insoluble issues, but they do require thought and active explanation to disabused publics and elites.

First, the EU’s ambition to legitimate its own political parameters within the EU needs explanation. Second, the export of its governance culture through political pro-activism and international capacity building also needs both explanation and conscious support of EU leaders, civil society and citizens. In sum, political legitimation at home and abroad is the necessary practical counterpart of the EU’s economic power, and it is an increasingly necessary ethical support structure for the EU’s proactive stance in global affairs, which now even includes growing resort to military means (Grevi, Helly and Keohane 2010).

Un peu d’histoire: from regional governance to global governance

The immediate post-Second World War period witnessed the creation of a European governance discourse. It focused on the benefits of European integration—the achievement of peace in Europe and the guarantee of enduring peace by the provision of institutionalized conflict-prevention mechanisms. In practice, as the EU grew the ‘Community method’ was the institutional path to political agreement where Europe’s governments had hitherto conflicting interests. The community method was a kind of embryonic federalism. Strong policies obtained public support. They included the ‘four freedoms’ and an economic calculation of enhanced efficiency through the pooling of sovereignty. This was actively promoted not only for the intrinsic values involved, but also as a neo-functionalist road to political integration (Haas 1961). Accompanying this self-interested economic motivation was the existence of bipolar power confrontation and security concerns arising during the Cold War. Perceptions of the Soviet threat were an important catalyst for integration, however real the threat actually was (Gaddis 1997, 2005).

The years following the end of the Cold War saw a steady increase in global governance discourse, with the arrival of concepts such as ‘human security’, ‘peacebuilding’ and the ‘responsibility to protect’. The wider development context with ‘millennium development goals’ in which the EU figured as a major donor served to strengthen the idea that global governance was changing many of the basic concepts at international level on which the Westphalian system of international relations had been based. Regional integration was no longer a specifically European ambition. Globalization demonstrated that the power of nation-states was slight, in the face of issues that knew no national boundaries. A leading proponent of the new thinking was a senior EU official, Robert Cooper (2002), best known for his exposition of the doctrine of ‘new liberal imperialism’, with such ideas as the designation of countries as
‘failed states’, ‘modern states’ and ‘post-modern states’. His world-view was instrumental in the development of the European Security and Defence Policy.

The EU had long advocated its own integration model as one means of achievement of peace world-wide; its policy-making for external affairs now became imbued with and oriented by all the new concepts. The end of the bipolar power confrontation in the 1990s in fact ushered in a new age of liberal optimism, the EU turning to ‘effective multilateralism’ as its recipe for and contribution to lasting peace, this time at global level. Even the national bases of diplomacy evolved, and the EU began work after 2000 on the creation of new diplomatic arrangements, where a central diplomatic corps was to represent the EU alongside Europe’s national diplomacies. In short, ‘Representation—of sovereigns, interests or ideas—(has been) replaced by metaphors of constructing and building by which issues were to be managed and problems were to be solved’ (Sharp 2004: 76), and this was part of the message of the new European governance. It was reinforced as an EU policy priority in the aftermath of the terrorist attacks on the USA in the late 1990s and early 2000s and the consequent rethinking and reorientation of policy that took place throughout the Western world.

What is EU governance?

There was long a technocratic focus to the Commission’s use of the term ‘governance’. Policy on governance centred on public financial management, avoiding corruption, achieving financial accountability and efficient delivery of good public services. After the turn of the century, however, the Commission developed a ‘whole of government’ approach to governance, leaving behind the concentration on sound accountancy and economic morality. The Commission’s current use of the term, particularly externally in the fields of international assistance, human rights, gender equality, democratization and local ownership, etc., is imbued with a normative stance displayed coherently across the policy board, as the Commission, the EU’s project manager, became wedded to mainstreaming good governance policy across the gamut of policy, including, within the EU, such disparate issues as management of transport, health, food security and HIV/AIDS policy. Externally, international agreements on trade, aid and technical assistance included new forms of conditionality; the EU’s international agreements presupposed good governance as a *sine qua non*. In the external area good micro-level performance was always a yardstick for the success of the EU’s development partners’ macro-level governance. Insistence on sound financial management of a given capacity-building project was no longer an end in itself. It became part of policy prescription and a tool for evaluation of overall governance in the country concerned.

At its most simple level ‘governance’ means the manner in which power relations are shared and managed between governments, state institutions (international or domestic), civil society and citizens. The Commission’s views are broadly set out in various ‘communications’, beginning with the Commission White Paper on European Governance of 2001 (European Commission 2001a), which was the basis for public legitimation of the EU’s system of governance, which fluctuated in institutional terms, sector-by-sector, between untrammelled national sovereignty and European-level supranational decision-making, known as ‘the Community method’. The EU’s notions of governance are permanently evolving, however, for they are essentially contested, subject to political negotiation and influenced by an ever more apparent dialectic—indeed, paradox—between resurgent political nationalism and national inability to cope unaided with the rapidly evolving international economic and political agenda.

The wealth of literature on EU governance, too extensive for this chapter to review or analyse, demonstrates a high degree of conceptual fragmentation. Practical use of the term in the
EU focuses on sound and efficient management of the state within a liberal democratic political framework and its advocacy outside the EU. The variety of interpretations of the term requires analysis to discover, in each formal use, exactly what the user means. Moreover, EU governance manifests itself at three broad levels; first, as a mode of relations between government and stakeholders in the EU internal political process; second, as a criterion for efficient economic and political management of the state (both within and outside the EU); and third, as a working ethical principle—non-corrupt, efficient management of field-level policies within the EU and in the EU’s technical and development assistance abroad. All three notions are relevant because of the Commission’s manifold actor status. It is instigator and co-ordinator of EU internal policies. It has a managerial role in the external outcomes of these internal policies, and until the advent of the Lisbon Treaty spoke as a fairly independent political actor in international affairs. This was incumbent on it in those areas where its legal responsibility to represent the European Communities was clear. Moreover, its economic and political roles as a development agency, as a donor and as the external voice of the EU required it.4

The issue of policy classification is important to any practical investigation of EU policy-making. Formal administrative history may classify events, policies and funding as ‘governance’ issues, issues of sound economic management or sectoral policies such as peacebuilding or conflict prevention. Telling an ingenious tale about the history and desirability of good governance cannot be based on administrative evidence, if there is no conceptual order and a lack of precision in the archives and in the available research documentation. Archiving is only helpful if the overall concepts are part of official policy at the relevant point in time—in short, and in practical terms, if they have ‘governance’ stamped on the box files. If the Commission decides, after the fact, that managing certain random policy areas amounts to an overall policy stance on ‘governance’, it is none the less difficult to locate the component historical working files, albeit easy to locate records of election support, support to rule of law, human rights or financial micro-management, if this is to what ‘good governance’ amounts. Deconstructing the term ‘governance’ may simplify the analytical process, but it does also unhelpfully allow a measure of subjective evaluation to enter the conceptual framework.

Working definitions of governance not only include what the observer deems helpful or interprets as governance in practice. There are three levels of conceptual relevance: treaty-based ‘grand’ objectives such as promoting democracy and the rule of law (TEC Art 177) or preserving peace and security (TEU title V Art.11); intermediate objectives, such as projecting stability or enhancing multilateralism, such as the European Security Strategy or policy orientations and statements on Effective Multilateralism; and specific immediate implications of practical policy at development project level. It is worth underlining that discussion of ‘EU governance’ must encompass both the EU’s own governance and its policy-making process with project and policy management undertaken to assist others. Unsurprisingly, the wealth of issues raised and the potential methodological pitfalls in reviewing them complicates assessment of the Commission’s success, in delivering sustainable institutional development, promoting systemic change, or simply contributing to ‘good governance’. The search for ‘governance’, let alone ‘good governance’ may therefore be elusive.

One reason for its elusiveness is the existence of a form of cognitive dissonance, which seemingly prevents Europe’s leaders from forthright discussion of related paradoxes. Europe’s heads of state and government have been drawn over 60 years into ever more complex planning to face new and powerful constraints on national and European governance. In the 10 years since 2000 they have negotiated in a ‘Convention’, produced a draft Constitution and, faced with public rejection, settled for the Lisbon Treaty. Officials still debate the complexities of practical policy implementation of the Lisbon Treaty, frequently resisting the supranational implications of the
Treaty, despite the supposed ambitions of their leaders. If ever the devil was in the detail, the Lisbon Treaty provides exemplary evidence. ‘Good Governance’ may be an essentially contested concept, just as the road to agreement on the mix between national and supranational policy-making is also essentially contested.

**Good governance in EU internal affairs**

The EU’s internal governance today is not only the result of a process of conscious reflection on the methods of government and the relations between government and citizens intended by the founding fathers, who had federalism in mind as an end goal and neo-functionalism as a strategy for attaining it. It is also the result of outside pressures. Globalization has undoubtedly had a significant effect on political, social and economic interaction within all European states. EU governance involves complex processes of governing, multiple actors and no strong, state-like central government. It is characterized by highly diversified EU procedures and practices, involving formal and informal negotiation, lobbying, co-operation and consensus building. Underlying this practical level there is a multilevel and multi-actor structure. New and original forms of EU governance have altered the relations within the EU between national government departments, creating specifically European modes of interaction between national governmental institutions and EU institutions. There are concomitant innovative links between the EU, national and local institutions and national civil society (Spence 2004). These new features are not always welcome. The EU institutions’ direct dealings with national civil society are a notable source of stress on systems of national governance, and this arguably contributes to contentions that the EU lacks legitimacy, for it is true that many key national constituencies and civil society no longer look to the national governmental framework for guidance and authoritative co-ordination of policy. They frequently no longer focus their advocacy on national policy, because the authoritative centre of policy-making has shifted to Brussels or Strasbourg (for an insightful discussion of how territorial exclusivity is replaced by functional boundaries and how national interests are thereby ‘delocalized’, with extensive sociological implications, see Adler-Nissen 2009).

What ‘good’ governance might mean in the EU context is thus a moot point; whatever it is, it is certainly EU-specific. It is prized by its advocates (among whom, officially at least, are Europe’s political leaders) as a political system where conflict prevention and reconciliation replace revenge, and where a Kantian form of co-operation replaces the anarchy of international relations. Thus, Barroso (2009a) states not only that ‘the EU is not content to simply lead by example: we are actively challenging the global community to share our ambition’, but also adds ‘In his 1795 treatise Perpetual Peace: a Philosophical Sketch, Immanuel Kant said: “… there is only one way that states … can leave the lawless condition, which involves nothing but war; it is that, like individual human beings, they give up their savage (lawless) freedom, accommodate themselves to public coercive laws and so form an (always growing) state of nations … that would finally encompass all the nations of the earth … Our Kantian order is indeed a historical achievement”. In addition, notions of international justice and fairness are innate in the belief system of EU governance in a Rawlsian sense of what would be acceptable if a form of political ‘original position’ in the European area and in international relations in general could somehow be conjured from the messiness of current political arrangements (Rawls 1999: chapter 3). For the Commission good governance ‘depends on involvement and participation […] based on feedback, networks and involvement from policy creation to implementation at all levels’ (European Commission 2001a: 11), a concept ‘broad enough to comprise public management as well as political dimensions, while at the same time vague enough to allow a fair measure of
discretion and flexibility in interpretation as to what “good” governance would or would not condone’ (European Commission 2003c: 7). This is a discourse analyst’s playground.

The Commission’s White Paper on Governance in fact posited five principles of good governance, reflecting widely agreed norms of liberal democracy: openness, participation, accountability, effectiveness and coherence; to these we might add ‘subsidiarity’, i.e. effective ‘multilevel’ governance, with issues of public management decided at context-appropriate levels rather than exclusively by central government bodies. EU governance clearly must assume a specific view of national sovereignty. The EU is a state–like supranational structure and it has by common governmental assent of its 27 members undermined sovereignty and the authority of nation-states—in principle for the better. ‘Undermining’ national authority, and thus presumably by extension its legitimacy, is not formally held by Europe’s national decision-makers to be detrimental; in principle the EU treaties assume an acceptance of the EU’s dilution of the national power focus, which again in principle officially enhances national interests, increases legitimacy and improves governance.

Though political support for this set of views varies, formally European integration assumes that without the EU national power and interests would be respectively less and fewer. EU membership thus by definition enhances national interests and ipso facto the interests of Europe’s citizens. Moreover, the EU’s in-built beneficence, i.e. its offer of four fundamental, market-related freedoms to its citizens, seemingly bears witness to its legitimacy. Yet, a large constituency of opinion rejects this argument, arguing to the contrary that the EU’s governance actually undermines democracy and legitimacy and poses a threat to nationhood and national citizenship. Indeed, the United Kingdom’s Independence Party contends that the EU has ‘an alien system of government that will ultimately prove to be totally unacceptable to the British people’. Thus, Europe’s national government elites and public opinions are themselves far from unanimous in support of ‘more Europe’. The tribulations of ratification of the Lisbon Treaty amply demonstrated this (for a recent sophisticated view of legitimation problems in Europe see Foret 2008).

The advocacy of the five precepts of good governance which ‘underpin democracy and the rule of law in the Member States, but … apply to all levels of government—global, European, national, regional and local’ (European Commission 2001a), assumes a direct relationship between government and civil society, the public’s largely self-appointed interest-based representatives, but not the public itself. The Commission’s modest espousal of a participatory notion of democracy, rather than a notion restricted to free and fair elections, prompted Commissioner Wallström to argue that: ‘It is the democratic right of citizens to be informed about debates and decisions that will affect them; to enable them to engage and participate. And to give them a voice. Participation in political life is what gives politics its legitimacy … communication must serve democracy [ … ] participatory democracy—lively dialogue and debate—should mobilize citizens to take part in the process of representative democracy’ (Wallström 2009).

Does this line of argument risk diverting attention from the EU’s practical ‘democratic deficit’ so denounced by others? The democratic deficit is a concept invoked principally in the argument that the EU and its various bodies are inaccessible to the ordinary citizen because their operating methods are so complex, while the operating methods themselves often downgrade if not avoid democratic control. This view incorporates the idea that the EU institutional set-up is dominated by an institution combining legislative and governmental powers (the Council of the European Union) and an institution lacking direct democratic legitimacy (the European Commission), with a Parliament asked for its view but with no power to veto policy and thus unable to control the other two institutions. Over time this view has become somewhat tempered by the growth in the European Parliament’s powers as a branch of the legislative power. These are enhanced
by the Lisbon Treaty, since the ordinary legislative procedure (as the current co-decision procedure will be known) becomes the general rule and is extended to almost all areas of European legislation, including justice and home affairs (see Dehaene 2009). The Commission is at pains to explain and resolve the EU’s ‘democratic deficit’ (on which, see Milev 2004; Moravcsik 2001), despite frequent attempts by national politicians to vilify its public discourse. Indeed, one of many historical attempts to restrain the Commission was the Italian Prime Minister’s endeavour in 2009 to silence all but its President and his spokesman (see ‘Berlusconi seeks to shut Commission up’, *European Voice*, 3 September 2009). If defenders of the EU’s form of governance hold the electoral legitimacy variable, they themselves thereby bolster the ‘democratic deficit’ critique. A further issue is the irresolvable problem for EU democratic practice of a democratically elected national government finding itself in a minority in a qualified majority Council vote, outvoted and thus impotent through higher-level governance practices, which nullify national democratic legitimation and legitimacy. While majority voting may be a crucial feature of democracy itself, the assumption is usually that the democratic system itself is, in fact, legitimate, i.e. accepted by ‘the people’. Opinion polls throughout the EU reveal more cynicism than support for EU decision-making.

Can the Commission’s defence of the ‘community method’ (now more correctly the ‘EU method’) as the ideal European democratic decision-making structure be simply an argument for expedience, for administrative and political effectiveness? The advocacy of European activism in international relations may not be simply based on the EU’s own self-assessed good governance as a model. The EU’s political persuasion may be based on expedience and efficiency, and not the moral and legal case. Yet senior Council official Robert Cooper argues that ‘Multilateralism and the rule of law have an intrinsic value. We value pluralism and the rule of law domestically; it is difficult for democratic societies … to escape from the idea that they are desirable internationally as well’ (Cooper 2003a).

The Commission’s White Paper was in part a reaction against post-Maastricht divergence from the ‘Community method’ of decision-making based on the ‘Community method’: interaction between the EU institutions, with qualified majority voting in the Council of Ministers, no formal redress available to an outvoted or contentious national ministry, albeit with the formal ‘atomic bomb’ solution of the ‘Luxembourg Compromise’ (Westlake 2004: Chapter 14). Commission President Romano Prodi defended the Community method before the European Parliament, lamenting that: ‘Within the institutions, practices have developed that have distorted the original Community idea conceived by Europe’s founding fathers. Practices not intended by the treaty’. The Commission’s White Paper was particularly Community-method focused. It advocated a system with no exclusive claim to authoritative government at the nation-state or regional level, with political authority residing at a level appropriate to the matter at issue, according to a co-ordinated division of powers—the principle of subsidiarity joined to the practice of the qualified majority vote—in short, the federal principle, redefined as ‘the Community method’; applying supranationality within the EU and almost daring other regional organizations to follow suit.

This was not just vague political philosophy, but a practical management approach in a world of overlapping forms of economic and political authority, where optimal partnership between levels of government and categories of actor seemed key to resolving policy challenges beyond state capacity or legal competence. The challenge to traditional domestic, regional and international governance was enormous, for in practice the EU’s legal system provides for primacy of EU law over national law, a European Commission which can and does take EU member states to court for disrespect of their treaty obligations and a European Court which can and does rule against nominally sovereign states, constraining them to change national legislation or
incur large fines, even if, in some kind of ironic final analysis, it might be argued that ‘The ECJ can say whatever it wants, the real question is why anyone should heed it’ (Alter 1996: 458).

**EU governance: The internal-external logic**

A system of global governance is emerging, where authority is increasingly shared between several layers of international relations, with the regional level increasingly held to be a significant intermediate layer of governance between the nation-state and global level institutions. The European regional level is without doubt the furthest advanced of any sub-global attempt to re-align political structures with the practical unviability of philosophical/legal claims of the sacrosanctity of state sovereignty (Krasner 1999). In this global context the EU’s internal political development also affects EU attitudes to some of the basic issues of international society: ‘global’ governance itself, respect for state sovereignty and non-interference in the domestic affairs of others. EU governance epitomizes the idea that the Westphalian order, within Europe at least, while not yet dead, is clearly moribund. Many of the underlying premises of this revolutionary development are transposed into the EU’s normative recommendations for the governance systems of its international partners and thereby for global governance itself. EU norms appear in relation to other states in the conditionality imposed by the European Commission in exchange for aid and assistance. Political and financial support come at the price of acceptance of some of the basic tenets of EU governance itself. At the level of other regional organizations, the EU’s advocacy of privileged relations with the UN and its agencies and the large sums of money channelled through the UN to finance good governance abroad demonstrate the practical mechanics of targeted advocacy. Regionally, the evolution of governance in the Economic Community of West African States (ECOWAS) and the African Union (AU) are two examples of governance relations applicable at regional rather than state level.

Emulation by others is also in the EU’s overall security interest. The updated European Security Strategy in 2008 summed this up well:

> Our experience gives the EU a particular role in fostering regional integration. Where others seek to emulate us, in line with their particular circumstances, we should support them.6

The EU should support them because of the recognition that the EU’s own ethical norms carry implications, indeed challenges, for evolving global governance, just as they do for the national politics of the EU member states, where they require a certain legitimation through the argument, as one European Commissioner has put it, that ‘building a secure and economically strong Europe and playing a leading role in world affairs is the only sensible response to globalisation. That means building a stronger EU foreign policy. The stronger we are, the more we can achieve’ (Ferrero-Waldner 2006). Since the combined weight of the EU in economic and financial terms as a partner for states abroad clearly surpasses that of any individual state, the size and quality of EU donorship worldwide not only increases the visibility of the EU’s external action, but also lends strength to its claim to legitimacy. The value of funds committed during 2008 reached €9,330m., an increase of more than 90% since 2001 (European Commission 2009d). The dominant EU discourse is epitomized by one Commissioner’s view that the supposed link between EU capability and international moral obligation is persuasive: ‘Nous pouvons ensemble véritablement façonner un monde plus juste et plus équitable, et donc peser sur le destin du monde. Et parce que nous le pouvons, nous le devons’ (Michel 2006). Commission
President Barroso goes even further, asking ‘Do we want to lead, shaping globalisation on the basis of our values and our interests—or will we leave the initiative to others and accept an outcome shaped by them?’ (Barroso 2009b). Prosperity and contentment for the European winner of the Cold War seemingly implies responsibility.

**EU norms and international relations**

EU policy is multilateralist: a conception of external governance that conditions primarily the international relationships of six of the Commission’s Directorates-General (DG Trade, DG Development, DG External Relations, DG AIDCO, DG Enlargement and DG ECHO), which regularly conduct relations with foreign countries, though also many others, from DG Agriculture through DG Environment to DG SANCO (health), which are also involved in crucial global-level debates in areas of their responsibility. ‘Effective multilateralism’ is the *leitmotiv* for EU policy on all internationalized EU-internal issues, from global warming through pandemics to financial crisis. In addition, policy-makers hold good governance precepts to be integral to their overall normative stance in international relations, viewing liberal democracy, whatever its form and disregarding the views of its discontents, as a universally valid, just and fair system.

Importantly, the EU’s external relations are more than the international effects of internal policies. There is also the intergovernmental Common Foreign and Security Policy (CFSP) and what was the European Security and Defence Policy (ESDP), since Lisbon the Common Security and Defence Policy (CSDP), which, as Javier Solana argued, ‘derives (its strength) from its consensual basis, which lends it moral and legal legitimacy’ (Solana 2009a). Both the UN and the EU ‘mask rough political reality through ostentatiously pompous rhetoric’, as one academic puts it. In the area of CSDP, sooner or later the EU will have to address a string of areas where there has been no substantial European debate so far, but where precepts of EU and global governance are likely to be put to the test: does the EU-supported Responsibility to Protect imply the possible use of force without a UN mandate? Indeed, is regime change by the use of force in the framework of the obligation to protect acceptable? Can there be an acceptable doctrine of pre-emption against international terrorism? This is not simply a matter of uninformed public conjecture (see Bzostek 2008: 1–6, which discusses a series of senior politicians’ views on the issue). What can be done in practice to lessen the practical difficulties of ‘unreasonable vetoes’, whether in the UN Security Council or in the European Council, while the world waits for overall reform of the UN and its Security Council? These are all fundamental questions concerning global governance, where the role of the EU as the major contributor to UN funding implies an expectation that it take a stand on such issues.

**Representing the EU**

The EU’s relatively successful external use—so far—of its soft power may not be the end of the EU’s governance story. The Maastricht Treaty already required the EU to ‘assert its identity on the international scene’ (Art B TEU) while, in a form of bland yet amusingly plausible contradiction, respecting ‘the national identities of its Member States’ (Art F TEU)—a tall, if not impossible order. Practically, there are continued doubts about which EU institution represents the EU on the world scene, though there is little doubt that expectations from international actors are that ‘someone’ will answer their call on Europe itself to act, as opposed to its constituent nation-state parts. Whether it is Cathy Ashton, the new High Representative for the CFSP and Vice-President of the Commission, in the end, is a moot point. Importantly, unlike within its domestic arena, abroad the EU is an actor recognized and welcomed by all. States
have historically achieved legitimacy after hard-won internal battles, but the EU has had a form of legitimacy thrust upon it from outside. The outside world recognizes the EU, welcomes it and places high expectations on it, thus endowing it with an exogenous form of legitimacy. Senior Commission officials have formally recognized this, reportedly stating that ‘Outside the EU, the EU’s image as a “civilian power”, working in the context of multilateralism and reflecting a positive experience of integration, rule of law and 50 years of peace within its borders, is a source of legitimacy’ (Wright and Auvinen 2009). Importantly, however, as Barker argues, a ‘regime’s empirical or historical actions of legitimation are distinct from any normative assessment which may be made of them by political scientists or historians’ (Barker 2001: 27–29), and we might add that on this basis the self-assessment of its own civil servants may be no authoritative guide either. The EU is actively engaged in international affairs and can claim a degree of exogenous legitimacy, but doubts persist about its ability to obtain endogenous legitimation.

The EU governance model and global governance

The term ‘global governance’ has been defined as ‘cooperative problem-solving arrangements on a global plane … the complex of formal and informal institutions, mechanisms, relationships, and the processes between and among states, markets, citizens, and organisations—both intergovernmental and non-governmental—through which collective interests are articulated, rights and obligations are established, and differences are mediated’ (Thakur and van Langenhove 2006: 233). The Commission’s view of governance fits this definition extremely well. Fifty years of continuous constitutional navel-gazing in Europe have turned precisely around the terms of what is in fact a normative judgement, based on an optimistic assessment of the empirical achievement of consensus between 27 nation-states, their readiness to accept majority voting in most fields, decentralized partnerships with national regional and local authorities and actors, and tangible support to international regional and global institutions, incorporating Europe-level decisions with legal weight and implementation and enforcement of decisions through the compulsory and automatic jurisdiction of a supranational court at EU level. The EU’s system of governance is publicly legitimated by its historical achievement: the triumph of strong multilateral institutions and EU-level legal rules over isolationism, protectionism and nationalism.

The original White Paper on European Governance formally committed the Commission to applying the principles of good governance to its global responsibilities and to upholding the objective of increasing the effectiveness and enforcement powers of international institutions. So, as a holder of international power and authority the EU therefore produces expectations for global governance both through its policy statements and through its own behaviour, including the governance standards it not only expects, but also requires from its partners abroad. The manner in which the EU, through the European Commission, its management arm, meets its partners’ expectations and imposes its requirements on them is clearly important. The need to mitigate the negative consequences of globalization, to introduce structure into the anarchical world of international relations and to provide transnational regulatory frameworks are all reflections of the EU’s own internal rationale, that of a shift from self-interested nation-states to an EU composed of states whose national interests remain alive in relation to each other, yet simultaneously constrained by the commitment to negotiation and compromise. EU policies abroad may not be totally disinterested, but the EU is certainly proactive in demonstrating principled commitment to good governance and an absence of self-serving interests. How it does this is reviewed in the following sections.
**Enlargement, the near neighbourhood and the developing world**

Potential members of the EU are guided by the ‘Copenhagen Criteria’:

Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights, respect for and protection of minorities, the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union. Membership presupposes the candidate’s ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union.7

The EU thereby took a clear normative stance on how Europe should develop after 1989. The EU model was the model to follow. Having won the Cold War the West, not least the EU, could not simply walk away from the consequences. It now decided to set a virtuous example to the former victims of totalitarian systems. They had triumphed without revolution and almost by chance over their Communist bullies. In one sense they had caught their Western sympathizers unawares, for even as the two Germanys unified, many in the West fought the implications and believed (or hoped) that Germany was a ‘one off’ (Spence 1991). Offering or imposing Western liberalism was the least the West could do. It was, anyway, an objectively obvious corollary to the expansive nature of capitalism, as both Marx and Schumpeter would have agreed (insightful analysis of related themes can be found in Bailey 2006).

Yet one impression in Central and Eastern Europe has been that ‘a certain past and a certain type of Erinnerungsarbeit that is largely of Western European significance is being imposed on them, and this is leading to resentment and to a lack of identity with Europe’—even that Poles, for example, do not feel accepted by those with whom they wish to identify (see Challand 2009). Indeed, paradoxically, even a Polish Commissioner can ruefully reflect: ‘many of my compatriots, and to be honest sometimes I myself, resented the conditionality reflected in the Copenhagen conditions’ (Hübner 2006). In a sense, EU efforts to turn other states’ governance into the ‘good’ governance of Western Europe results from an almost obsession with what Western Europe owes and to whom. To the vexation of some (from Turkey to the Balkans), as the EU makes diplomatic friendship conditional on acceptance of its own rules of governance, it has currently constrained itself to close its gates lest its own internal governance suffer through lack of political, administrative and economic ‘absorption capacity’. The key issue is the dichotomy between ‘on the one hand … the appeal that European democratic norms hold for society, and on the other hand the hazards of the partial or unbalanced progress of the political and economic reform processes that are at the basis of corrupted systems’ (Emerson and Youngs 2009: 23).

For those states unlikely to join the EU (though they may wish to), in May 2009 the EU launched its ‘Eastern Partnership’ with Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine at a summit in Prague, Czech Republic. The aim was to encourage these six states to address pro-democracy and free-market reforms in return for closer ties with the EU in areas such as trade and travel. The initiative was intended to help stabilize the region by encouraging partner countries to work on joint projects, including conflict resolution and governance implications. The EU’s 16 neighbouring countries8 are also currently receiving a substantial programme of economic and other aid in exchange for various governance reforms, following a strategy launched in 2004.9

**Good governance, conditionality and the EU’s development policy**

Since 2000 the promotion of good governance and state-building has been a major objective of EU development policy, the subject of a comprehensive policy framework and large financial
commitments. Commission and Council policy documents trace the policy history beginning with the Joint Council and Commission Statement on EC Development Policy,\textsuperscript{10} which identified institutional strengthening as one of six priority areas, and the Communication on Governance and Development.\textsuperscript{11} Governance issues also feature prominently in the European Consensus on Development,\textsuperscript{12} and the EU Strategy for Africa,\textsuperscript{13} which attempt to develop a harmonized approach to governance within the development context. The EU’s governance initiative in Africa, for example, has become an innovative way of implementing policy on governance in individual African developing countries. It provides additional funding to countries according to their commitments to achieve results in democratic governance reform programmes. Some €2,700m. from the 10th European Development Fund (EDF) were set aside for this purpose in the African, Caribbean and Pacific Regions (ACP) for 2008–13 out of a total development sum of €13,500m. for ACP countries. In addition, the EU provides political and financial support to the African Peer Review Mechanism, which is a regional basis for comparative policy implementation, a form of participatory self-assessment for encouraging reforms at country level, mutual learning and strengthening ownership. While 80% of the EDF is allocated through Country Strategy Papers, which may also include governance support, the remaining 20% (the €2,700m.) is actually set aside as an additional ‘incentive tranche’, allocated on the basis of partner countries’ commitments to governance plans of action. The Commission sees this conditionality as a collaborative approach—joint responsibility for attaining targets, a major target being the achievement of good governance, inspired by the Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee’s guidelines.

**EU governance as a model for regional and global governance**

The EU is the most advanced attempt at regional integration, and European governance is by design a model for new modes of regional governance elsewhere, as the AU’s institutional structures bear ample witness. They are almost a carbon copy of the EU’s, with a Commission, a Council and committees and institutions carrying the same generic titles as their European counterparts. The European model is a regional system of multilevel governance that combines institutionalized and regulated co-operation between national governments, local authorities and institutions with supranational powers and a well-codified and highly evolved international legal framework able to withstand, so far, the claims of national particularism, and to lay claim to success in conflict prevention within its borders and without. It is even postulated as a model for a new international/global order.

Regional organizations have proliferated and diversified since chapter eight of the UN charter identified them as a key component of global governance. Despite differences on what a regional organization actually is\textsuperscript{14} or whether functional organizations such as the (British) Commonwealth or ‘la Francophonie’ are regional organizations at all,\textsuperscript{15} the strengthening of co-operation between the UN and regional organizations now rests on a firm footing. It was an uncontroversial aspect of the 2005 debate on UN reform and is the consensus declared in the Summit Outcome Document (paragraph 170 (a)), which provided for expansion of ‘consultation and cooperation between the United Nations and regional and sub-regional organizations through formalised agreements between their respective secretariats’. In January 2010 the UN Security Council agreed a report on the issue, indicating new interest and substantially increasing significance.

The EU’s commitment to ‘effective multilateralism’ is a practical manifestation of its ambition to play an important role in key international institutions, and a practical demonstration of its
commitment to reinforcing the role of regional organizations for global governance. It was welcomed both by the UN and by other regional organizations themselves. Relations have been enhanced between the officials of the Commission and international organizations, under the supervisory umbrella of the Secretariat-General of the UN with its various component parts—the Department for Political Affairs, for Peacekeeping or Disarmament—and agencies, such as the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Food and Agriculture Organization (FAO), the United Nations High Commissioner for Refugees (UNHCR), the Office for the Coordination of Humanitarian Affairs, etc. The EU’s long-standing and complex sui generis bilateral relationship with the UN is the basis of extraordinarily close working relationships and the emergence of a shared governance framework based on the Commission’s policy options set out in papers on ‘building an effective partnership with the UN in the field of development and humanitarian affairs’ (European Commission 2001d) and ‘EU-UN relations: The choice of multilateralism’ (European Commission 2003c). These statements of general purpose have been fleshed out in practice by strategic partnerships developing policy dialogue and co-operation in development and humanitarian affairs covered internationally by both the UN family and the EU. Dialogue with various UN funds, programmes and specialized agencies—the United Nations Development Programme (UNDP), the World Health Organization (WHO), FAO, the International Labour Organization (ILO), UNHCR and World Food Programme—are made more precise by additional agreements, exchanges of letters and ‘desk-to-desk dialogue’ in the context of strong relations between the UN and regional and sub-regional organizations, pursuant to Chapter VIII of the UN Charter. These agreements, part of the EU’s effective multilateralism, are publicly defended. Robert Cooper, Director-General of External and Political-Military Affairs in the Council Secretariat has argued: ‘We value pluralism and the rule of law domestically, and it is difficult for democratic societies … to escape from the idea that they are desirable internationally as well … Those who want pluralism and multilateralism to survive have a duty to make the United Nations effective’ (as the leaders of the democracies strikingly failed to do in the case of the League of Nations) (Cooper 2003b: 164, 168). Likewise, the 2003 European Security Strategy stressed that effective multilateralism is:

… more than rhetorical professions of faith. It means taking global rules seriously, whether they concern the preservation of peace or the limitation of carbon emissions; it means helping other countries to implement and abide by these rules; it means engaging actively in multilateral forums, and promoting a forward-looking agenda that is not limited to a narrow defence of national interests.

(European Commission 2003d: 3)

It is not surprising that the implication of this highly structured activity is permanent diplomatic representation of the EU (before implementation of the Lisbon Treaty, legally the European Communities) to the UN in New York, Geneva, Vienna, Nairobi, Paris and Rome and the European Commission’s formal status as the only non-state participant in several UN multilateral agreements. The UN and its agencies are represented at regional level world-wide and regionalism plays a key role in nominations to UN posts, in caucusing to co-ordinate policy within the UN, in the rotation of the holder of the post of Secretary-General and in the existence at the UN of an observer status for regional organizations. The watchword is now inter-regionalism, as regional organizations attempt to regulate their relations with each other. Despite the fact that regional integration has traditionally been primarily motivated by trade interests, with economic performance in sensibly sized market structures a main political objective,
there are clear political and security interests at stake as well (for a recent comprehensive analysis of the economics of various regional integration endeavours, see de Lombaerde, Estevadeordal and Suominen 2007: 275–83). In meetings between the UN and regional organizations, given its self-perception as a supranational entity, the EU (previously the Commission, then increasingly the Council Secretariat and soon the European External Action Service) sits uneasily alongside such organizations as la Francophonie or the North Atlantic Treaty Organization (NATO), which have cultural or military specificity, are not specifically ‘regional’ as such, and have no EU-like pretensions of ‘unknown destinations’, involving regional integration, quasistatehood, supranationality and the tacit decline of the nation-state. The multiplicity of EU-UN relations put the Commission in a privileged position in terms of the institutional structures of global governance (for a most useful analytical account of EU-UN relations, see Gourlay 2010). It did this not least because of its financial generosity and its sui generis umbilical link with the UN through ‘effective multilateralism’ and its strong financial partnership, the latter subject to a special framework contract, known as the ‘FAFA’. EuropeAid’s annual reports evidence 38 UN agencies in receipt of European Community funding. In sum, a good deal of time and money are invested by the Commission in flanking the commitment to EU enlargement, technical assistance to its neighbours, development aid, support for regional organizations and individual countries, and in all these cases providing a model for their institutional governance. Indeed, the EU’s basic document on EU-UN co-operation is peppered with references to the aspirations of the EU to be a model for other regional organizations (European Commission 2003c).

**Good governance: An intrinsic value or traditional self-interest?**

A normative or ethical stance might seem a refreshingly new attitude in international affairs, but in practice it may simply point to the EU’s methods of legitimation rather than evidence of its legitimacy. Meanwhile, self-interest may linger beneath the rhetorical surface. Of course, as inter alia Habermas has pointed out, the claim to a normative role as a proponent of liberal democracy has been somewhat tarnished by support of some EU member states in the US invasion of Iraq and the ‘war on terror’ (Habermas 2008: 108) (for an analysis of some of the human rights issues involved in terrorism issues see Geyer 2008). Yet, the European Commission’s report, ‘A Project for the European Union’ sums up the EU’s own perception of its inclination to export its governance model:

> The EU has a special role to play as regards globalisation. While many European operators are taking full advantage of globalisation, concerns are being voiced over what is seen as a situation in which what certain countries and certain economic entities do have an impact, which no one seems to control. This perception inevitably affects the operation of democracies and the legitimacy of public authorities … it is through the EU … that the people can defend their model of society … Europe is a leading international player and is better placed than others to help in the governance and stabilisation of the international system.  
> *(European Commission 2002: 11)*

If the EU’s emerging role as liberal democratic conscience of the UN, if not the world, and its commitment to supranationalism underlie the contention that its relations with civil society and government in an area only recently freed from national conflict provide a guide to which global governance might aspire, a legitimate question is: might self-interest where lie?

The EU’s take on governance has an important influence on its own security, its citizens’ well-being, its environment, its export markets, and its access to goods and raw materials. If
Europe’s model of governance, its open society, its professed will to promote stability, security and prosperity, as well as liberal democracy, and its own model of regional integration are its professed norms and the philosophical basis of its internal and external legitimation, it also discreetly promotes a modern form of capitalism—the social market economy; a capitalism distinct from the US non-interventionist, individualistic, totally free-market concept of capitalism. (An interesting summary of the norms and values embodied in the EU’s draft constitution can be found in Emerson 2005.) One key EU interest thus lies in differentiating its social market capitalism from the US model.

Making the EU an uncontested normative or ethical civil power in international affairs is increasingly coloured by a newly stated intention to use its military power to support, export and, if need be, enforce these norms of good governance. However, the EU’s overall stance in international affairs is barely democratically supervised and its Common Security and Defence Policy is only tenuously linked to customary conceptions of ‘defence’. NATO is the practical manager of European defence. Thus, the assumption of a permissive consensus for military action by the EU, on condition of legitimacy of a prior UN decision, is based on a form of legitimacy notionally conferred on the EU by its international partners and other institutions of global governance. Legitimacy is deemed to be acquired from above in the absence of pressures from below. Some, seemingly, are born legitimate, some achieve legitimacy and some have legitimacy thrust upon them, to paraphrase Shakespeare. As Alyson Bailes has argued, there is an apparent paradox between the EU states’ reticence to commit to a full-blown defence policy in its own legitimate defence (pace the solidarity clause in the Lisbon Treaty) and the readiness of some of them to side with the USA in specific military actions abroad. The paradox may be no more than ‘apparent’, however.

The EU thus speaks of the ‘D’ in ESDP with alacrity, though fighting shy of precise definition. ‘Defence’ policy, in this context, merely covers the widening relevance of military matters to EU governance. To match the rhetoric for every country outside OECD there are ‘country strategies’, with ‘governance profiles’, which provide a justification for EC assistance with institutional capacity building. The EU holds some 30 human rights dialogues and consultations with countries around the world, raises human rights issues, observes democratic elections, and gives technical assistance, budget support and training for law-making, political parties and media freedom. The Commission has concluded external agreements with some 167 countries, all containing a clause covering respect for human rights and democratic principles. Through the European Instrument for Democracy and Human Rights in 2008 the EU provided direct grant support worth some €108m. to civil society organizations world-wide. The Council adopted conclusions on the EU’s policy on democracy building in late 2009 as a first step to ‘a European Consensus on Democracy’ (DEMAS 2009).

Despite all this and despite the optimistic assertions that the EU is a two-fold contributor to global governance, as both model and actor (Ortega 2007: 91; European Foreign Affairs Review 2005), the EU’s long-held view that good governance at home is comfortably exportable has become questionable since ESDP arrived. As the EU shifts from being a purely civilian power to an international security actor, its largesse abroad has simultaneously, if not consequently, become increasingly conditional. All liberal democratic international actors hone and re-hone the concept of the Responsibility to Protect and grapple with the issue of when robust intervention in the affairs of others imperils notions of state sovereignty and independence along the basic premise of the Westphalian world of states. For instance, Cooper (2003b) argues that ‘the era of the strong state—1648–1989—has now passed and we are moving towards a system of overlapping roles and responsibilities with governments, international institutions and the private sector all involved, but none of them entirely in control’ (ibid.: 80). For over 400 years...
‘Sovereignty … meant immunity from outside scrutiny or sanction: whatever happened within a state’s borders and its territorial possessions, however grotesque and morally indefensible, was nobody else’s business’ (Evans 2008: 16). Questioning it may have a noble side, but it might simultaneously disguise an extension of self-interest—appearing to be doing the right thing, but maybe for the wrong reason (Bicchi 2006)? The European Security Strategy insists that:

The quality of international society depends on the quality of the governments that are its foundation. The best protection for our security is a world of well-governed democratic states. Spreading good governance, supporting social and political reform, dealing with corruption and abuse of power, establishing the rule of law and protecting human rights are the best means of strengthening the international order.

(European Security Strategy)

In any case, the EU’s normative aspirations are separate from the means to achieve them. ‘Possession goals’ (energy security, market access) lie potentially under the mantle of value-oriented ‘milieu goals’ (democracy, good governance, human rights) (Tocci 2008). Increasingly, the perception of the EU’s neutrality and disinterested concern, distinguished from the partisan nature of its individual member states (the United Kingdom in Sierra Leone, France in Côte d’Ivoire) enables it to mediate where state actors might not. Its global reach enables it, in principle, to act in any region of the world with the support of its now half-century presence on the ground through over 130 Commission Delegations, and at a time when EU member states are reducing the number of resident representatives world-wide. Its readiness to offer both short-term crisis action and long-term technical support (e.g. through the Stability Instrument) is clearly beguiling for its less fortunate partners.

Europe’s soft power remains crucial, and its commitment to policy coherence, in particular where EU policies have significant impacts on developments in other countries, is allied to a broad array of instruments, which facilitate its ‘actorness’ as an exporter of values. The process is slow, but as the external relations Commissioner has argued, ‘one cannot simply export or impose … democratic institutions. But what the EU can and must do is use its transformative power and make sure that reform can grow from within. We want to foster societal change rather than “regime change”’ (Ferrero-Waldner 2007). Her colleague, the enlargement Commissioner, is even firmer, arguing ‘where we can use the prospect of membership as an anchor for democratic transformation, difficult reforms and enhancing freedoms, we must use it to the maximum … ’ (Rehn 2005), and Commission President José Manuel Barroso himself adds:

It is a permanent challenge to find a balance between diversity and pluralism, and unity and integration. Precisely because of that, Europe is an example for the world. It is difficult to see how effective global governance involving sovereign states can be conducted in any other way. So what some see as a disadvantage (cumbersome decision-making) for the EU today, will come to be seen as an advantage in an emerging, rules-based, world order.

(Barroso 2009a)

Conclusion

In sum, this chapter has argued that there are two problematic issues for EU governance. First, as many observers comment, while the EU itself is ‘arguably the biggest democratic success story in history … [they] lament the inability of the EU to translate its own experience of integration into a more integrated approach to supporting sustainable democracy across the
world’ (International Institute for Democracy and Electoral Assistance 2009: 7). Second, if the recognized democratic deficit issue relativizes the notion of ‘good governance’ internally (as we have seen above), there may be also legitimate questions for external policy-making, and not least for the democratic consolidation of the Common Security and Defence Policy (Wagner 2005). A question mark hangs over EU readiness to pursue its norms with hard power and to extend its foreign policy into the military sphere. While polls point to solid support for a European security and defence policy, it is well known that such support in principle is not long sustained when the casualties of war become evident (ibid.). The UN sanctions EU missions and thus provides ‘the unique legitimacy of its global membership’, as the Commission’s External Relations Commissioner has put it (Ferrero-Waldner 2009). However, the use of ‘hard power’ may not prove to the liking of those whose contentment with the EU’s soft power has formed part of Europe’s permissive consensus for ever closer Union. Manners argues that this horse may already have bolted, as the EU’s hard power develops and its responsibilities expand to encompass military intervention, defence industry procurement, security sector reform, disarmament, demobilization, reinsertion of former combatants and policies on small arms and weapons of mass destruction—all arguably eminently good causes (Manners 2002, 2006b, 2008). The EU’s ambitions reach further into the main crisis points around the world and it is becoming militarily active in joint disarmament exercises, humanitarian and rescue missions, military advice and conflict prevention and peace-keeping. Its Lisbon Treaty may be interpreted as a formal attempt to legitimize these developments, providing a diplomatic focal point to address issues arising.

Kagan (2003) may, in the end, be right: the EU may prove to be the world’s ‘Jupiter’, with the USA the world’s ‘Mars’, if the EU does not resolve the dilemmas raised by the increasing doubts about its internal legitimacy, and thus of EU governance. The tension between federal and intergovernmental models risks undermining the coherence between the rhetoric of EU politics and the practical implementation of policy. In return, the integrity of the EU’s internal governance risks paying a price for developments in external policy-making as the EU shifts from purely civilian to a military mode. Awkward questions for citizen identification and legitimacy arise with expanding external, including military, activity. Nye has presciently argued that ‘The absence of a warrior ethic in modern democracies means that the use of force requires an elaborate moral justification to ensure popular support’ (Nye 2004). The problem is that it is far from certain that an informed public would support the military option. Opinion polls do demonstrate as much of a permissive consensus for the strengthening of the EU’s role as a military actor20 as they do for the absence of identifiable legitimacy for EU governance itself. At the very least a moral issue lurks in the background, but a practical risk is ultimate public disaffection at both levels. Indeed, lawyers have long grappled with the implications of this (see Petersmann 1996).

The EU represents something new in terms of the nature and degree of access by civil society to decision-making structures, but identifiable legitimacy has clearly not been an immediate consequence. In practice, the stuff of European politics has become less national, increasingly ‘Brusselized’ and ultimately globalized, while the stuff of European citizens’ identification has become more national and more sceptical of the output from ‘Brussels’. The EU might be deemed to have the support of ‘the people’, if it manages successfully to co-opt civil society and demonstrate that it has done so. Yet it may simultaneously merely be demonstrating successful mobilization across borders with a focus on market capture, advocacy, funding opportunities and inside-track partnerships for civil society and thereby actually distancing EU governance from its original democratic, if not federalist, purpose. The EU’s democratic deficit opens it to criticism, if only because even attempting to define the EU’s ground rules—‘subsidiarity’, for
example—when levels and content of policy competence are essentially contested, somehow makes policy-makers shun the fundamental dispute about EU governance itself.

While there should be no foregone conclusions about the EU’s self-interest, the long-term repercussions of EU activism actually carry implications for the nature of international governance itself. There are four important questions raised. First, will emerging EU security policies and structures enhance both the EU roles: as a contributor to global economic governance, and as an integral and influential part of emerging global security governance? Second, will an emerging European identity possibly prove capable of reconciliation with existing national identities, political culture and policy options? Third, will the rebound effects for EU governance, as the EU evolves from a purely civil power to a power imbued with military capacity, be beneficial to global governance or represent a return to power politics? Fourth, will a commitment of principle to co-operation with the UN at global level prove compatible with the subsidiarity-inspired principle of local ownership and decentralized decision-making accepted for development projects at country-strategy level?

Co-operation, for example, in the countries chosen by the UN Peacebuilding Commission as a focus for their activities is locally led by UNDP and the EU’s delegations in the country concerned, and this in full co-operative spirit with ‘local owners’. This is subsidiarity at work. However, just as sound management of local aid programmes may create good governance without ‘governance’ as the explicit objective, the converse is also true: local rulers may design and implement laws to protect their own interests—and that with the EU’s willing assistance. For the time being, governments and society must be resigned to the ambition of globally generalized subsidiarity and good global governance, without global or regional government, as a provisional solution to the challenge of globalization. Certainly, the notion in the EU that Europe is greater than the sum of its none the less important parts is a strikingly apt model for the regionalism of others and for the UN. The limits to the model’s persuasive potential are likely to be found in the extent to which such supranational co-operative arrangements are perceived as threats to unambiguous national presence. Stresses within EU governance, brought about, for example, by the debate on the limits of political generosity to ethnic or religious minorities, or on the military component of governance at EU level, are issue areas replete with implications at both domestic and international levels.

Meanwhile, European governance may well prove a positive contribution to global governance as an institutional role model for other regions, both in terms of its manner of co-ordinating and resolving issues and its capacity to provide a normative framework for others to resolve their own national and regional conundrums. Evidence from ECOWAS and the AU seems to show that EU governance and government are models on which they base their own institutional modalities. They have taken on the EU’s lessons for governance both because the EU’s policy makes acceptance of its precepts for governance a *sine qua non* of fruitful relations, but also because of the undoubted success of the EU institutional model—even if this is questioned internally in the EU and its legitimacy is as hard to find as it is to define. In short, Europe’s apparent consensus—*pace* the democratic deficit—on governance may still be the practical basis for a similar consensus at regional and global level.

The ethical justification of EU policy by an appeal to the presumed universal values of the EU’s own governance (with its democratic and legitimacy deficits) puts EU policy on morally shaky ground. Not only this, but EU citizens, or the Commission or governments speaking in their name, cannot reliably predict the local effects of the transfer of their own norms of governance to the EU’s dependent partners. Indeed, the latter may not be able reliably to discern whence these governance norms even come. As Habermas perceptively points out, ‘Citizens of a democratic political community sooner or later become aware of cognitive dissonances if universalistic claims
cannot be squared with the particularistic character of the obvious driving interests’ (Habermas 2006: 185). So, the EU has to figure out whether it really can advocate abroad concepts of governance that it is unable to ensure at home. While the EU’s governance precepts may increasingly inspire EU-UN relations, some large leaps of faith certainly need to accompany Europe’s political rhetoric if global governance is to contribute, in the long term, to some acceptable form of global government. This is not on the practical agenda of policy-making, though its supporters do often raise it as ‘any other business’.

Notes

1 First Counsellor, Delegation of the European Union to the United Nations and other International Organizations in Geneva. The views expressed in this chapter are those of the author and do not reflect the position of the European Commission.
2 The concept of ‘permissive consensus’ in relation to public support for the goal of European integration was first analysed in Lindberg and Scheingold (1970: 41).
3 The Commission website states that ‘One of the great achievements of the EU has been to create a frontier-free area within which (1) people, (2) goods, (3) services and (4) money can all move around freely. This four-fold freedom of movement is sometimes referred to as ‘the four freedoms’. See europa.eu/abc/eurojargon/index_en.htm.
4 How the EU’s new European External Action Service will handle these representative tasks remains to be seen. Where the Commission spoke comfortably from behind its own nameplate in formal forums, it will henceforth be speaking from an explicitly EU seat. This may change perceptions within and outside the EU about the nature, content and co-ordination aspects of external representation.
5 See www.ukip.org/page/vision.
7 These membership criteria were laid down at the June 1993 European Council in Copenhagen, Denmark, from which they take their name. See Presidency Conclusions, Copenhagen European Council 1993.
8 The 16 neighbours are Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, the Palestinian Autonomous Areas, Syria, Tunisia and Ukraine. Belarus, Libya and Syria will attend as observers.
12 Joint statement by the Council and the representatives of the governments of the member states meeting within the council, the European parliament and the commission on European Union development policy: ‘the European consensus’ (2006/c 46/01).
14 I.e. whether or not it is a regional organization in terms of chapter 8 of the UN charter—the EU claims it is not.
15 They both are for the purposes of UN co-ordination of and relations with regional and other organizations.
16 EuropeAid Annual Reports, ec.europa.eu/europeaid/who/partners/international-organisations/index_en.htm.
17 In 2008 alone the Commission managed electoral assistance programmes in 17 countries and supported a range of projects to strengthen national parliaments, costing some €66m.
18 On whether the Responsibility to Protect always implies force, see Kreide 2009.
19 For an official view see European Commission 2008f.
20 See, for example, *Eurobarometer* No. 62, 2004. The EU receives the largest degree of support from Danes on defence policy: 37% of left-wing voters think the EU should make decisions about European defence policy, while only 24% think it should be NATO and 27% the national government. Among right-wing respondents the support for EU decision-making in this area is as high as 42%. Some 71% in Spain favour the EU having a rapid military reaction force that could be sent quickly to trouble spots when an international crisis occurs.