



FONDATION ROBERT
SCHUMAN

European issues

n°410

8th November 2016

Europe and sovereignty: Reality, limits and outlook

Conference of 29th September 2016 - Report

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**PART 1: SOVEREIGNTY, POWER, INFLUENCE:
WHAT DO THESE TERMS MEAN IN THE 21ST CENTURY?**

The illusion of total national sovereignty in the 21st century

Brexit, populism and euroscepticism have brought the theme of sovereignty back to the centre of debate. But what does the concept of sovereignty really mean in the 21st century? Indeed the term has to be defined and some theoretical ideas have to be introduced if we are to study and clarify the impact these ideas have on political decision makers, on their vision of the State and of the European Union. The variety of views about sovereignty in Europe is significant in terms of European policies, and the Union must take these into account so that it can move forward.

Sovereignty: one term, several interpretations.

Within Europe and the Union national and European political decision makers have several different views of sovereignty. Political science often defines it as the ability to achieve a goal or to assert one's will. More commonly sovereignty can be defined as supreme authority, over which there is no other higher authority. This is often the sense given to the term and used by Europhobic populists when they call for a return to national sovereignty, of which the European Union is said to have deprived their State. In this sense sovereignty seems to be understood as a freedom, which means not being, or no longer being forced to do what others want us to do. However, in the Union approaches to sovereignty are complex, since positive and negative ideas of it coexist. In simple terms we can lay out a dominant model in which some see a defensive kind of sovereignty, a means of protection

from external threats, whilst others see it rather as a means to attract external assets by transferring certain competences to the supranational level, to increase the visibility of their individual interests and assets by pooling the latter. This model, which in fact pitches national protection against regional integration, opposes two types of State. On the one hand, there are the former dominant States like France and the UK, which are still attached to certain attributes of sovereignty; on the other, there are smaller States that are more oriented towards taking greater advantage of cooperation. Although this model conceals the complexity of views regarding sovereignty, it does however tend to explain the existence of different political agendas and ways of exercising power in Europe. Hence, sovereignty does not appear to be considered in a uniform manner. It opposes those who see it as an opening to those who see it as a means to closure, both on a national and European political level, which can seriously affect policy in Europe. The aim is now to place these ideas of sovereignty in the context of the 21st century, to refine the study of these complex relations, which are not sovereignty but sovereignties.

Sovereignty in the 21st century: a false revival and a real development

In the 21st century the definition of sovereignty as a supreme authority seems simplistic, since it is based on an obsolete vision, dating back to the 19th century. Without denying the continued importance of States and the Westphalian model, it has to be admitted that sovereignty is nuanced; it is an asymmetrical idea that depends on the sphere of power in which it is exercised. This is all the more true in the 21st century since globalisation is leading to increasing interdependence between

States in different ways and in an increasing number of areas of power. For example, although defence is presented as the last attribute of State sovereignty, it has to be acknowledged that the protection of the national territory increasingly depends on cooperation and not on sovereignty, understood as the exclusive realm of the State. The same applies to economic issues in which the authority of States that are subject to crises and budgetary cuts, clearly seems to be weakened. Of course, some States seem better able to retain their authority than others, depending on the area; sovereignty is also an issue of capability, which varies according to wealth, size and geographical situation. But States cannot preserve their individual and after all, illusory sovereignty intact on an individual basis. In the 21st century there can be no total national sovereignty in the face of global problems like terrorism or global warming. Today sovereignty raises the issue of subsidiarity, then the level of national public action often loses its relevance.

Given this reality the apparent revival of sovereigntist discourse - populist claims to an idealised sovereignty, which are now emerging in shape of walls which aim to recover authority over national borders in the Europe of Schengen - is dangerous. Indeed, it is not so much a revival of sovereignty, but more a revival of the illusion of sovereignty. In fact the idea whereby the State can solve a global issue alone on a national level is based on a modern and even pre-modern view of sovereignty, whilst the post-modern meaning takes on board the need for cooperation and integration to solve problems that largely extend beyond the national framework. It seems that in the 21st century more political unity is required in a time when major States like China, the US and Russia are asserting themselves in the face of which regional groups like the European Union can compete. In a context of interdependence in which cooperation is vital, in areas such as the economy, defence and the climate, we have to consider a type of multi-tiered sovereignty as the embodiment of modern sovereignty, a premise in which the States are sovereign to varying degrees and in different areas.

The watering down of the traditional idea of sovereignty does not mean that power is no longer a target, but rather a change in the way power and the issues at stake are considered.

On the contrary the politics of modern power can be interpreted more widely and in various ways which call for joint, coordinated response. If we conclude that there is no revival but a change in the idea of sovereignty or at least a redefinition of what it means, we might also suggest that there has been a change in the idea of power in a globalised world. Indeed, over the last fifteen years traditional power politics seem to have faded to the benefit of soft power. And yet, international competition is growing in many areas and even seems to be moving from soft to hard power, as seen in the rise in military spending outside of Europe. Russia illustrates the relevance of power politics in the 21st century. Indeed this country embodies a modern or pre-modern type of power or vision of sovereignty, and yet it projects this power in a postmodern manner, in many ways, including by way of military power. And the economic sanctions that the European Union is firmly applying at present are not enough to counter this military threat. The economic chapter is and must only be part of a multiple response to external threats, and the Union must rise to the challenge and implement a proactive power policy and not one of response in a world whose polarisation cannot be ignored.

How should Europe position itself in regard to the redefinition of relations between power and sovereignty?

The Union must respond to its citizens concerns. In 21st century Europe, which mainly comprises small and medium sized States, the speakers agree that the European Union has to do more to assert itself - this being the most credible response to challenges raised by global issues and the linking of different levels of sovereignty. Moreover, it was suggested that these two questions are related, since they are both sources of euroscepticism

amongst European citizens. Indeed a limited number of Europeans believe that the European Union intervenes too much, and at the same time it restricts the sovereignty of the States, which they believe would be better able to settle problems themselves. A much higher number also believe that the Union does not intervene enough. They therefore acknowledge that the Union should have a more important place at national and world levels, and criticise it when does not assume its role and seems unable to settle major problems, such as the continued after effects of the financial or the migratory crises. This clearly demonstrates that citizens want are a more effective Europe over the wish to return to national sovereignty. There seems therefore to be a discrepancy between citizens' expectations and those expressed by Eurosceptic political leaders to be used by Union as it reminds people of certain evident truths.

Hence we should recall that the principles of the way the Union is organised are negotiation, compromise and integration. The integration of the many nations of Europe must therefore be based on pluralism and not on the de facto demos of various minorities, whether these are political, religious or linguistic for example. Pluralism should allow each of these minorities equal voice. This is reflected in the way Europe is organised based on the vertical distribution of power, but also on horizontal distribution between the Commission, the Council and the Parliament. What we have to understand is that a system based on pluralism and on a multitude of States needs to organise transfers of sovereignty, not as part of any particular ideology, but in a practical response to requirements, like adapting to globalisation and to a certain polarisation of the world, on the basis of common interests and shared values. We should always recall that these transfers are not forced on the States, but that they are based on the treaties and their acceptance/membership. This is the very reason why integration is slow, but we have to realise that it is slow because it is strong, in spite of the fact that one State decided recently to leave the Union. This was demonstrated when the British

administration was asked and was unable to name a single area in which it deemed that exclusive or shared competence with the European Union should be transferred back to the national level.

Above all in response to external threats, the Union has to consolidate its internal organisation via greater vertical integration, better federal, national, regional and local integration. The idea is that by an improved use of skills at each level, the Union's administrative capability, and also legislative transposition can be improved and the unity of political will fostered. Indeed the financial and migratory crises are not so much the responsibility of the Commission, the Council or the European Parliament, but rather a lack of legislative transposition, a lack of administrative capacity and a lack of political will. This is why we must strengthen the Union's vertical integration to provide it with the means to rise to endogenous, but especially exogenous issues in a globalised environment, in which the "small nations" are unable to solve issues which are beyond them, as seen with the funds disbursed by the Union to help the States in difficulty: 700 billion € in aid to countries in difficulty after 2008. The creation of a European coast-guard shows that the institution needs to be able to act on a horizontal level, as a "Complementary executive capacity", additional aid limited in time and in a field of action provided to a State that is overwhelmed by a problem in a specific area, in addition to the legislative capacity, which is not enough to contain global issues.

At a time when sovereignty seems to be the only capacity to be resisting external pressure, i.e. not to be suffering the negative effects of globalisation, the European Union can offer a framework that will help its members protect themselves from external threats via its normative and diplomatic capacities, and at the same time attract external assets, notably via its economic and commercial capacities, which no State can do alone.

This first round table aimed to describe ideas of sovereignty and power in the 21st century in order to show that the Union must organise itself internally

in order to be able to rise to the challenges that are linked to these two ideas. If we take on board the first two ideas the second round table looked more concretely in the way the Union acts and the need for it to assert itself in international relations.

PART 2: NATIONAL POWER AND EUROPEAN INFLUENCE: HOW CAN THESE WORK TOGETHER? CAN EUROPE BECOME AN EMERGING POWER?

In this regard some participants pointed to the growing feeling of despair and disillusion amongst the EU's Member States, who believe that it is not playing its full international role. The Union is often absent from political and geopolitical negotiations, which take the shape of a kind of exclusive dialogue between the major States, like the US or Russia or even Germany and France, which begs the question of the very nature of the EU as an international player. Even though it is usually there to rise to major crises, this presence is rather more visible after the fact.

Continuation of the Westphalian model in the international arena

Within international debate the two reasons most often put forward to explain this point are that European foreign policy is the policy of its Member States, which have different interests and experiences, thereby making it difficult to implement; and that this is a "regalian" area which is more difficult to manage from a central point of view. However, according to the speakers, this is not enough to explain the present context, since in some areas the small and medium sized States have very strong interests to assert and play a fundamental role. At the same time, in terms of "Justice and Internal Affairs", the European approach is moving forward and the intergovernmental method is on the decline. This process is slower in the area of foreign policy because the States are often against the idea of relinquishing their power to the European level. Some believe that this opposition is rather

a consequence of the past: after the failure of the European Community of Defence, two models emerged, one that typified the European Commission and the other, the States. Values and "soft power", on the one hand, and sovereignty, power, interests and generally, "hard power" on the other. The Lisbon Treaty attempted to bring these two levels together via the creation of the European External Action Service. Europe would be built by turning its back on power, placing long parentheses between political integration to the benefit of economic inter-dependence. But this vision of evident opposition between the Union and the States is not shared by all. Some suggest that the States' power would not be the same without the Union, and European policies are often made in complement with the Member States.

Moreover regarding disappointment about Europe's diplomatic weakness, discussion continues. Some believe that the Union has been present in the peace processes undertaken amongst its neighbours, notably in the Balkans, thanks to the leverage of membership; but that it has not succeeded in asserting itself as a negotiator in Ukraine or more recently in Syria, leaving responsibility in the hands of the States. However, others stressed the EU's diplomatic advantage over the Member States: it can make objective rather than dogmatic analyses of reality, whilst the Member States sometimes seem guided by a desire to see the situation develop in a certain direction. Given the criticism that highlights the Union's lack of action regarding the crises in Syria, Iraq and Libya, we should recall the complexity of these situations and compare the Union's presence with that of other players, who are not necessarily more effective. Whilst acknowledging that the Union could do more it is vital to note the positive results it has achieved in international politics, where sometimes it is the motor behind the action (Iran). Hence there is no question of challenging the role played by the Union as an emerging power: it is already a major player and a true international power, but it needs to strengthen this aspect however.

The Union's foreign policy: imbalance between soft and hard power

The Union's foreign policy is deemed to be an undeniable asset for the States, as far as certain crises and situations are concerned. Its role in the management of crises is one of the Union's added values, because only a few States and international institutions can act as it does in the international arena. The European Union's Global Strategy also follows this line. According to some speakers it has mainly had the merit of creating a framework for the definition of the Union's main interests, so that priorities can be established as seen in the example of the immediate neighbourhood. It is therefore a first step in the construction of an area of discussion of international affairs beyond the simple confines of the European Council. The latter in fact is said to have been given a vast amount of power at the expense of other institutions and Member States, which was institutionalised by the Lisbon Treaty, which excluded the Foreign Affairs Ministers from the European Council.

The concepts of "soft power" and normative power as continuous, vital elements that are characteristic of the Union's action were stressed by all speakers. For example the enlargement policy is still a functioning normative power, since there are still countries that would like to join the European Union. In addition to this the Union has been a pioneer in terms of the environment and climate change and it has become the champion of "consensus building" in international relations. Maintaining its soft power, promoting its values and its consensus building skills are vital to its survival, but these do not dispense it from having the capacity for "hard power" which would enable it to commit more deeply to the areas of security and defence. Although the speakers believe that the creation of a future European army is unrealistic, since this idea is not supported by the Member States at present, this capacity should find expression in the goal to create an effective crisis management force. The global strategy put to the Member States by Federica Mogherini in June 2016 falls within this area in part. It is clear that

no State can rise to the external challenges which are affecting the Union internally alone, and that we have to strengthen cooperation and collaboration mechanisms.

Putting the Union back in centre of the international community: a necessity

In a bid to fill in the gap that exists between the Union and its Member States some fundamental questions need to be answered. The first involves the role the Union is to play and the position it is to adopt in the international arena. The standard formula "from payer to player" should match true will on the part of the Member States, which seems to be lacking right now, especially from a military point of view.

A second vital factor is the definition of clear common interests for the Union. Of course the Global Strategy is a first step towards the definition of these goals but the Union must define its interests and existing external threats clearly, so that it can defend and assert itself as a true international power and position itself in relation to powers like the US, China and Russia, which are building their sphere of influence. In this regard an honest, authentic approach to cooperation on the part of the Member States is particularly important. After having defined foreign policy priorities, the latter then have to be implemented, which requires common action and the definition of priorities. Finally flexibility is required for the execution of common policies without accepting a model of a geometrically variable Europe of which the States are not too fond.

In sum, given the problems of credibility which are undermining it, the European Union should consolidate its soft power, its values and its economic model and then explore the need for hard power, which cannot just be limited to the application of economic sanctions, which are effective of course but which will not be enough in the future. Vigilance is vital because some States take it for granted that they can settle European problems without Europe.

In a world in which global interdependence is growing and the Westphalian model continues to apply, the European Union – which symbolises this reality – must adapt to assert itself in an international competition that remains multipolar. Although the US is the most recent super power, this will not last forever and the Union has to play a role in managing this transition. The Union must immediately consider what European sovereignty and power are in view of other economic, diplomatic and strategic players. It must assert itself militarily as a crisis management force that can act in the field and assert itself in the traditional frameworks of European defence, which are NATO and the

States. It also has to assert itself from a diplomatic point of view at a time when it is absent from the negotiating table regarding Syria. At the same time it is via the law and the regulation of globalisation that the EU has a major role to play – a normative role from a world point of view, which will help it attract growth from the rest of the world and yet remain a Europe that protects, to open up, whilst standing firm, ensuring the reciprocity of the agreements that are concluded, the respect and promotion of values and interests that are the foundations of the European Union.

Report drafted by François Frigot and Ester Bonadonna, Robert Schuman Foundation

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CONFERENCE OF 29TH SEPTEMBER 2016 - PROGRAMME
"Europe and sovereignty: Reality, limits and outlook"

SPEAKERS

9.00-9.05 Welcome address: Jo COELMONT, Senior Fellow, Egmont - Royal Institute for International Relations

9.05-10.00 Introduction: Klaus WELLE, Secretary General, European Parliament

10.00-11.30 Round Table 1: Sovereignty, power, influence: what does this mean in the XXIst century?

Moderator: **Jean-Paul PERRUCHE**, EuroDéfense-France, former Director General Military Staff of the European Union

Pierre VERCAUTEREN, Professor, UCL Mons

Maxime LEFEBVRE, Ambassador, Professor, Sciences Po

Giovanni GREVI, Senior Fellow, European Policy Centre

12.00-13.30 Round Table 2: National Powers and European Influence: how can these be articulated?
How can the EU become an emerging power?

Moderator : **Jean-Dominique GIULIANI**, Chair of the Robert Schuman Foundation

Pierre VIMONT, Associate Fellow Carnegie Europe, Former Secretary General, EEAS

Rosa BALFOUR, Senior Fellow, German Marshall Fund of the United States

Pedro SERRANO, Deputy Secretary General for CSDP and crisis response, EEAS