

# A more capable EU?

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ARTICLE



## A more capable EU? Assessing the role of the EU's institutions in defence capability development

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### ABSTRACT

Are EU institutions able to perform their preferred role within defence capability development? Highlighting increased demands for a stronger EU role in security, we explore how EU institutions have promoted their role within CSDP. Using role theory, we investigate the European Commission, the EDA, the EEAS and the European Parliament's ability to promote pooled and shared defence resources in European capability development. We argue that this depends on the combination of the alignment of their original role treaty/design-based mandate with the role they perceive having; the role expectations of the big three Member States (Germany, France, UK); and the changing international environment, which may alter both role perceptions and role expectations. We find that the Commission and the EEAS have managed on occasion to promote pooled and shared defence resources overcoming Member State objections, showing autonomy in creating increased defence capability independently of MS leading to more integration within CSDP.

### KEYWORDS

CSDP; EU institutions; defence capability development; role theory; United Kingdom; France; Germany

## Introduction

At the 2013 European Council Meeting, EU Member States declared that 'defence matters' (European Council 2013). Since then, defence became more prominent, especially within recent international developments (such as security threats in the EU periphery, the US shift to Asia and the EU financial crisis). This has created additional momentum for capability development at the EU level, also evidenced in the EU's political agenda through the EU Global Strategy (EUGS) which declared that 'Europeans must be better equipped' (Mogherini 2016, 19). However how much the EU can create successful capability initiatives depends on its institutions, acting as a motor for defence capability development. Hence the main research question is: are EU institutions able to perform their preferred role within defence capability development? Here we focus on the role of the European Commission (EC), the European External Action Service (EEAS), the European Parliament (EP) and the European Defence Agency (EDA) using a comparative case study design.

Considering the original military rationale behind the creation of the Common Security and Defence Policy (CSDP) and the observed gap between political rhetoric

on EU defence and the military means to achieve it (Hill 1993; Toje 2008), we explore the opportunities and constraints that EU institutions have within this largely intergovernmental policy area. Using elements from role theory, we examine whether EU institutions involved within CSDP possess the potential to become motors for capability development post- the Lisbon Treaty. This is due to significant institutional changes such as the EEAS creation and the increased EP powers in foreign affairs. We argue that the institutional room for manoeuvre partly depends on the role expectations coming from the Member States (MS). Therefore, our first sub-question becomes: is there a divergence between the big three MS and the EU institutions regarding the role that the latter should play within defence capability development?

It is clear that individual institutions have occasionally managed to circumvent the Big 3 MS' objections. This leads to the second sub-question: When do roles change and why? Borrowing the idea of role change (Aggestam 2004; Chappell 2012) we explore the demand for, the facilitating factors and the mechanisms through which institutions can advance (or not) the role of pooled and shared defence resources. Hence, we focus on change or lack thereof in the performed role. We argue that defence capability development depends on two elements: (a) the alignment of their original role mandate as prescribed by their design with the role these institutions perceive themselves to have; and (b) the role expectations of the big three MS: Germany, France and the UK<sup>1</sup>. As CSDP has traditionally been intergovernmental, it is expected that EU institutions' success in promoting defence capability development would depend on whether this aligns with the MS role expectations, particularly those coming from the big three MS. Role theory enables us to understand when roles change and why as it delineates the different actors' perceptions of institutional roles. This is in contrast to new institutionalist approaches as we are not focusing on the development of the institutional framework as such but rather on the end point i.e. the role prescribed and how that role is performed or not within defence capability development.

As we highlight, the Commission and to a lesser extent the EEAS have managed in certain situations to capitalise on changes in the international security environment to promote the norm of pooled and shared defence resources by either circumventing MS objections or taking advantage of changing MS role expectations. Hence, they have some autonomy to advance European integration in traditionally intergovernmental CSDP matters. This has important implications when considering the balance between intergovernmentalism and supranationalism within CSDP. Not only can institutions advance CSDP and assist in filling defence capability gaps, but also potentially shape the direction of CSDP by capturing MS interests and weakening the norm of defence sovereignty. Hence, with this article, we contribute to the emerging literature on the weakening of intergovernmentalism post-Lisbon in European security and defence more broadly, with implications for democratic legitimacy (Rosén and Raube 2018; Tonra 2018).

### **Role theory in EU defence**

Our starting point is the current institutional framework that governs defence capability development as agreed upon initially by the MS. Therefore, a key element to our analysis is the dynamics developing between role perceptions/expectations and the role performance of the institutions involved in EU external affairs. Role theory provides the

necessary conceptual tools to explore these dynamics and brings in institutions as autonomous actors – in line with new institutional theories. It therefore becomes a useful overarching framework to understand synergies and outcomes in the interaction between MS and EU institutions (Aggestam and Johansson 2017).

Institutional behaviour is driven by meanings, scripts, practices and norms existing within its operational environment (Hall and Taylor 1996). Deciding on a specific course of action, depends on the appropriateness of that action following the assessment of different scenarios but constrained or facilitated by institutional capabilities developed within prescribed institutional roles. Following the ‘logic of appropriateness’ (March and Olsen 2005), policy-making is understood as ‘driven by rules of appropriate or exemplary behaviour, organized into institutions’ – which leads to legitimacy of action, becoming ‘natural, rightful and expected’ (March and Olsen 2009, 3). Nonetheless, action is also affected by norms – which are integrated into particular roles and lead to ‘patterns of expected or appropriate behaviour’ (Elgström and Smith 2006, 5). These norms create perceptions and expectations tied onto beliefs ‘about what is appropriate, legitimate or just regarding the goals, end and modalities’ (Meyer 2006, 20). Within this logic, role theory goes beyond path dependency and critical junctures shaping institutions, or perceiving institutions as aggregating MS interests. Instead role theory allows us to examine the gap between what is expected from institutional actors in EU external affairs and their perception of those expectations. Hence, the value added by role theory relates to its emphasis on, ‘cognitive or institutional structures as causes for certain roles and (...) roles [as] “embedded” in certain social orders or arrangements, which in turn give meaning and reasons for specific action’ (Harnisch, Frank, and Maull 2011, 7–8). Thus, each institution has a social identity which shapes its role in defence capability development as highlighted in section 3.

Hence, role theory relies on three interacting elements: (a) Role conceptions; (b) Role expectations; and (c) Role performance. The interaction between these three elements allows us to ascertain whether role conflict both internally and externally (see Aggestam and Johansson 2017) is an outcome of the differential between conceptions/expectations and performance.

*Role conceptions* ‘include the policymakers’ own definitions of the general kinds of decision, commitments, rules and actions suitable to their state’ (Holsti 1970, 245–6). In an institutional context, this element combines the conception of the role by the institutional actor internally and the *role expectation* developed within other policy actors (in our case other MS) regarding the role that EU institutions should play. This aligns with Harnisch, Frank, and Maull (2011, 8) in terms of the ‘ego’ part of the role (conception) and the ‘alter’ part (expectation). *Role performance* is then based on the respective actor role conception as seen through their policy initiatives, and the assessment of the intended policy outcome. For the purposes of this article, the aim is to explore the context-specific role which EU institutions have within defence capability development, rather than look at the overall meta-system the EU creates. Thus, what *role conceptions* do they have and can they perform that role as expected by themselves and the MS (Bengtsson and Elgström 2011, 114). The combination of conception, expectation and performance creates so-called ‘role sets’ which translate into their understanding of appropriate behaviour within defence capability development. Role sets are not static but can vary depending on the interplay between

MS' expectations and institutions' conceptions on the respective role prescribed in treaties or relevant documents (see below).

By using role theory, we contribute to an increased understanding of the leeway institutions have in defence to implement roles which the MS had not initially supported. Thus, we can go beyond an intergovernmental reading of defence capability development and elicit where institutional role performance can circumvent MS objections. Additionally, we outline where support occurs, thus highlighting where advancement can be made.

### **'Role set' variations within EU defence capability development**

As defence capability development within the EU is primarily, but not exclusively, an intergovernmental policy-making area, we see the role the MS expect the institutions to play within CSDP as central in enabling them to perform their role conceptions. Traditionally, CSDP is an area where institutions play an operational management role (Exadaktylos 2012) for quality assurance, oversight and facilitation of MS initiatives and collective actions. Looking at the new institutionalist elements of this article, if institutions have a degree of autonomy, then we expect that institutions will go beyond their operational role and develop design procedures; i.e. their own *modus operandi*. In this case, institutions can potentially turn into 'promoters' within defence capability development.

The norm of pooled and shared defence resources i.e. the rules, practices and ways of doing things, we argue, as agreed for the creation of military and dual use capabilities by the MS has been set as a key task for the involved institutions to take forward.<sup>2</sup> Hence institutions can either (a) provide a platform for the MS to develop the necessary capabilities, going no further (b) enhance this norm through their own procedures whilst still serving MS interests or (c) develop the norm by carving out a role of themselves, presenting and positioning their own initiatives within the EU's institutional architecture. Based on their policy documents and/or initiatives, we understand that EU institutions perceive their role as promoters of the norm of pooled and shared defence resources (see section 4). A promoter role implies that an institution actively pursues and advocates a particular policy path within their institutional documentation and through initiatives they propose, even coming up with new proposals hence aligning with point (c) above. Pooled and shared defence resources include collectively using nationally or multilaterally procured equipment at the EU level as well as role-sharing when MS 'relinquish some capabilities with the assumption or the guarantee that other countries will make them available when necessary' (EDA 2013).

EU institutions have been prevented from effectively playing this role by the big three MS who consider this to imping on their defence sovereignty<sup>3</sup> (Bátora 2009), as it does not align with expectations regarding what these institutions' proper role should be. We aim to chart where EU institutions are prevented from performing their expressed role conception due to MS' role expectations of these institutions and to understand the mechanisms behind the convergence or divergence in role conceptions and expectations. Whilst role expectations have been considered as peripheral to role conceptions (Holsti 1970, 243), we argue that within an intergovernmental area such as defence, MS expectations, are critical to the ability of institutions to promote the norm of pooled and shared defence resources.

Regarding role expectations, we concentrate on those of the UK, France and Germany (the 3 largest MS) because these three have both led and blocked CSDP initiatives. In the latter case, all three have been promoters of defence sovereignty to a greater or lesser degree:<sup>4</sup> France is protective towards its defence industry, as has Germany, e.g. when Chancellor Merkel blocked the merger between EADS and BAE Systems fearing loss of influence (Repinski, Schult, and Traufetter 2013). Germany has also hesitated on the use of force, limiting its participation in the military realm, although it has become more willing to deploy due to a conflict between this and its reflective multilateralism (Chappell 2012). Whilst this is an important difference between Germany and the other two MS, this does not necessarily limit Germany's participation in EU defence capability projects vis-à-vis the UK and France (see Chappell, Mawdsley, and Whitman 2016).

Additionally, all three cooperate in creating military capabilities with other countries. The UK has been developing capability more through NATO, underscoring British Atlanticism (Interview with an Official, Brussels, 2012).<sup>5</sup> Meanwhile, French Europeanism in defence has been waning, as indicated by the Franco-British Lancaster House agreement and the Franco-German Declaration. This might indicate a weakening of defence sovereignty, yet bilateral defence cooperation does not automatically lead to pooling and sharing within the EU. In the sections below, we underscore how far role expectations of these three MS have constrained EU institutions in performing their role conception.

As outlined in the introduction, one of our key claims is the conflict between the EU institutions' role conception and the role expectations of these three MS in defence capability development. However, rejecting a more pessimistic assessment (see Müller 2016) we underline that institutions have room for manoeuvre, and MS have varying defence sovereignty concerns.

Hence, as the norm of defence sovereignty appears to be weakening, we may be witnessing incremental role change and 'roles are sensitive to situational context and time' (Aggestam 2006, 23). The economic crisis alongside the fluid international environment for example, can open a window of opportunity for roles to alter. Nonetheless, these windows of opportunity may not always lead to change. Using these windows depends on facilitating factors, such as contingent events including changes in international leadership, consequences of previous action, institutional policy and norm entrepreneurs, as well as resource allocation.

## **Operationalisation of roles in defence capability development**

Starting from the basic understanding of role theory between roles prescribed and roles undertaken, we conceive prescribed roles to take on two forms: first, what MS expected of the institutions; second the way institutions conceptualise their own roles within the processes of defence capability development. To explore role expectation, we examine how the role prescribed by the MS through Treaties, official EU documents and communication from the MS to Council meetings has been interpreted by the MS. Regarding role conception, we look at the scope of the institution's initiatives and, whether they consider their prescribed role, go beyond or are not permitted to perform it. For the purposes of this article, defence capability development includes policy-making areas, such as strategies which lead to capability development (e.g. the EUGS) and defence planning (e.g. CARD), initiatives which lead to research and development and to the

creation of capabilities and the legislation underpinning it (e.g. the EDF, PESCO and the directive on defence procurement). When role expectations and conceptions are brought together, we have the following outcomes (Table 1):

- (a) *Expectations and conceptions coincide*: here, the pressure for changing roles is relatively low, as MS and institutions have similar views on how the institution should perform its role. Therefore, no notable change is expected (Expectation 1).
- (b) *Expectations and conceptions conflict (complete mismatch)*: here, the way (some or all) MS and the institution view the institutional role differ substantially (very low match). Hence, we expect high pressures either on the institution to accept its prescribed mandate, or for the MS to accept a different role for the institution. Consequently, these pressures can result in: (1) the institution accepting its role as originally prescribed and there is no significant change – e.g. intergovernmental mechanisms at play, whereby MS can veto certain actions (Expectation 2); (2) the MS accepting the new mandates the institution brings forward and there is change from the originally prescribed role – e.g. through court action or similar mechanisms of intervention – aligning MS with the institutional role conception (Expectation 3).
- (c) *Expectations and conceptions are in conflict but there is alignment in some areas (partial mismatch)*: here, the institution and the MS agree on certain elements of the institutional role but diverge in key aspects where the institution wants to advance its role; and, MS may be willing to make some concessions. In this case, the pressures to change depend on mutually agreed compromises and therefore, through deliberation some change will result trying to accommodate both sides' positions (Expectation 4). The facilitating element in this case is the degree of institutional autonomy which allows the institution to project solutions to match the adapted interests of the MS in defence capability development.

Following from the expectations outlined above, we identify four institutions involved directly or indirectly in developing defence capabilities: the EC, the EP, the EEAS and the EDA. All institutions, including the Parliament (although to a lesser extent), sit at the forefront of particular initiatives on capability development and agenda-setting aspects.

**Table 1.** Expectations from role theory.

Role Prescribed		PRESSURES	Role undertaken	Facilitating factors
<i>Role Expectations from MS</i>	<i>Role Conceptions of Institutions</i>		<i>Role Performance</i>	
Coincide		LOW	Expectation 1: NO CHANGE	Events, actions, entrepreneurs, resource allocation (military and monetary) None
Complete mismatch		HIGH	Expectation 2: Alignment with MS position Expectation 3: Alignment with Institutional position	Veto Court Action
Partial mismatch		MEDIUM	Expectation 4: Partial change based on compromise	Institutional Autonomy



The Commission is a supranational institution and therefore its role identity is constructed around the promotion of supranational EU interests, particularly pushing its traditional competences into the defence realm which was outside its original competences (see section 4). It has become particularly pro-active since 2008 and has progressively made incursions into defence, culminating with the creation of the European Defence Fund (EDF) in 2017. Whilst the EDA is an intergovernmental agency, its core rationale relates to defence capability development. The EDA was set up in 2004, to be a promoter of pooled and shared defence resources as evidenced in section 4 which highlights its identity of pushing this area forward. The EEAS, created by the Lisbon Treaty, is a good example of shared competence and as such has both supranational and intergovernmental elements in terms of tasks, procedures and working practices. The EEAS provides the broader political framework to underpin defence capability development and has been doing this since the European Council in 2013, culminating in 2016 with the EUGS. In this sense, the EEAS can potentially act as a supranational institution in bringing forward ideas underpinning the norm of pooling and sharing within the strategies it creates (see section 4).

The Parliament has relatively little direct role to play apart from its sub-committee on Security and Defence (SEDE) and its budgetary authority in the civilian dimension of CSDP. It has been resorting to indirect influence by regularly liaising with both the HR/EEAS and the Commission and having its views considered (Rosén and Raube 2018). However, despite its increased activism in this area since 2013, the Parliament acts within its expanded competences as prescribed in the Lisbon Treaty, this not in conflict with MS role expectations. Therefore, it is an excellent benchmark case to apply to our expectations. We do not look separately at the role of the High Representative (HR), as the political agent behind this institution is integrated within the context the EEAS and the dynamics developing with the Commission and the EDA (Furness 2013).<sup>6</sup> Finally, we note that the EEAS, EDA and the Commission play different roles in promoting the norm of defence capability development as highlighted above in line with their overall position in the EU's defence architecture.

In terms of research design, we deploy a comparative case study analysis based on the four expectations outlined above, examining the dynamics between institutions and MS in the development of defence capabilities. Evidence was collected through 16 elite semi-structured interviews within the institutions (EDA, EP, EEAS and Commission) and the MS Permanent Representations (UK, Germany and France) between June 2012 and June 2018, all of which have been used in the analysis. The interviews have been anonymised given the sensitivity of the subject matter. All interviewees have been involved in processes related to defence capability development. Interviews were coded thematically based on the different expectations and conceptions of institutional roles, as highlighted by the interviewees to extract certain motifs and narratives, and used as corroborating mechanisms on the document analysis. We have used evidence from institutional initiatives documented within institutional archives, reports on activity, communications from the Commission, EU directives, Council conclusions and annual reports, fact sheets on initiatives and similar documentation coming from the MS. These primarily relate to the period 2013–2018. The Council in 2013 discussed CSDP for the first time since 2008 and can be considered the starting point for an increased focus on defence, subsequently taking off in 2016, following the UK's decision to leave the EU. As an exception we need to recognise the Commission's involvement in narrowing when

Article 346 was applied which occurred prior to this time frame and helps us understand the increased role of the Commission from 2013 onwards.

### **EU institutions: transcending role expectations?**

Our analysis examines the dichotomy between prescribed role (job description assigned at Treaty/mandate level) and role undertaken when the institution is called to perform that role (implementation level). We look deeper within the creation of that Role Set and more specifically at the 'fit' between expected role according to MS perception and conceived role according to the institution. The analysis unfolds per expectation: (1) coinciding perceptions; (2) full mismatch of role perceptions leading to no change; (3) full mismatch of role perceptions leading to change; and, (4) partial mismatch leading to some accommodation or change.

#### ***Coinciding role perceptions/expectations***

Traditionally, the EP has an indirect role in defence capability development. Since the 2002 inter-institutional agreement, the EP has access to confidential information relating to CFSP and CSDP, as codified in the Lisbon Treaty. Thus, Article 36 TEU requires the HR to regularly inform and consult the EP on CFSP. This has evolved to include joint consultation meetings and exchanges between the EP and senior CSDP officials. The EP can have an indirect normative influence through SEDE, and through procedural influence on budget issues together with the Council in CFSP (TEU, Title 3, Article 14.1). Although this relates mostly to the civilian dimension, its role may become pivotal due to the dual-use character of some capabilities.

The EP has become more competent in fulfilling its prescribed role. It has incorporated bi-annual debates on CFSP progress reports, asks questions, and makes recommendations to the Council and the HR. Indeed, SEDE has been very active in requesting additional information on PESCO and military mobility developments in the first half of 2018 (Interview with an Official, Brussels, 2018). Moreover, it has produced reports on security and defence policy issues, including capabilities, and has increased parliamentary oversight on intensified defence cooperation. The link between the EP and national parliaments alongside the EP's budgetary role will play an important role in capability development (SEDE 2016, 62/65). This is because co-funding between the EU and MS regarding research and investments in dual use capabilities in military operations is expected to increase (SEDE 2016, 65). Hence the EP has a role in regulating funding for the development of prototypes of defence capabilities through usual legislative procedures whereas in other initiatives, e.g. PESCO and CARD it has no formal role (Interview with an Official, Brussels, 2018). Furthermore, the EP has resorted to informal and indirect leverage over initiatives such as the EDF. It expressed its support for the Commission's proposal early on, demanding a key role in what it saw as the development of a Defence Union. Thanks to the Parliament's proactive approach, the Commission incorporated several of its proposals in the EDF framework (Rosén and Raube 2018, 77). However, the EP underlined its legislative, budgetary, political control and consultation functions when demanding a bigger role in security and defence (European Parliament 2017, in Rosén and Raube 2018).

Therefore, although the Parliament plays an undoubtedly larger role in security and defence, it remains within its Treaty-prescribed role and thus does not conflict with the MS' role expectations. Indeed, the big three do not consider it as a threat to their initiatives. Hence the EP's role is largely uncontroversial (Interview with an Official, Brussels 2018). From a German perspective, the EP is welcome to provide input and inspiration, however the institution needs to respect MS positions (Interview with an Official, Brussels, 2018). Nonetheless, Germany does not detect any EP intention to expand its prescribed role (Interview with an Official, Brussels, 2018). The UK, clearly wants the EP to remain within Treaty boundaries, arguing that, while the EP has the right to be consulted, 'it is the member states who remain in charge' (European Scrutiny Committee 2014).

### ***Complete mismatch of role perceptions/expectations but no change***

The EDA's original role prescription is to support the development of defence capabilities, enhance European armaments cooperation, and promote research aimed at leadership in strategic technologies for future defence and security capabilities (Council Joint Action 2004/551/CFSP). Later, the Lisbon Treaty defined an overarching mandate: '[It] shall identify operational requirements, shall promote measures to satisfy those requirements, shall contribute to identifying and, where appropriate, implementing any measure needed to strengthen the industrial and technological base of the defence sector, shall participate in defining a European capabilities and armaments policy, and shall assist the Council in evaluating the improvement of military capabilities' (TEU 2012, art. 42(3)). The EDA has followed and fully implemented this mandate. In its annual reports and strategic documents, it has consistently emphasised improvement of joint planning, prioritisation, development, procurement and operation of capabilities among MS, based on collaborative projects and pooling and sharing (EDA 2015, 2016, 2017a). For example, the EDA sees the regular Capability Development Plan (CDP) as a tool that 'facilitates the decision-making process at the EU level [allowing it] to identify priorities and opportunities for cooperation' (CDP 2015, 1; EDA 2017b). Currently the EDA is leading all new initiatives in security and defence – PESCO, the EDF and CARD – by providing priorities in capability development through the CDP process, sitting in the PESCO and CARD Secretariats, and leading the preparatory action on defence research within the research strand of the EDF (Domecq 2017; Interview with Official, Brussels 2018).

Yet, MS have consistently constrained and prevented the EDA from fully implementing its broad mandate, effectively limiting its ability to assume some institutional autonomy in capability development, and ensured that MS preserved their initiative and leadership (Interview with an Official, Brussels 2018). For example, the EDA has been active in organising training, exercises and education on Cyber Defence technologies, plus contributing to the Cyber Defence Policy Framework. However, the big three have outlined a narrow role expectation, namely that the EDA should remain committed only to support-actions and soft skills (Interview with an Official, Brussels, 2015). Regarding Remotely Piloted Aircraft Systems, Germany, France and Italy have set up a formal working group to analyse options for a future European drones' programme. However, France and Germany have distanced themselves from the EDA, each having a different view on drone systems types to be developed (Interview with an Official, Brussels, 2015).

France and the UK have also been taking steps to develop their own project on military drones in the context of the Lancaster House Agreement (Wright 2014). The EDA's budget is a particular red line for the UK, and despite slow increases since 2004, is still unsubstantial (Mawdsley 2013, 55). It is the UK's constant argument for maintaining budget discipline (Interviews with Officials, Brussels, 2012, 2015, 2018; House of Lords 2013) that has kept the budget around €31 million for 2010–2017 (EDA 2015; EDA 2016; EDA 2017a; Emmot 2016).

Overall there is a complete mismatch between the EDA's understanding of its treaty-prescribed role and MS expectations. While the Agency tried to fully implement its broad mandate and push forward various capability development initiatives, MS viewed it as a support body with limited autonomy that should not lead in capability development. As a result, MS interpret the EDA's current role in a narrow scope fully aligning with their expectations.

Turning to the EEAS, its main prescribed role, as agreed by the MS in the Lisbon Treaty (Art. 18 and 27), is supporting the HR/VP in formulating proposals and implementing CFSP and CSDP following strategic guidance by the Council. Regarding defence capability development, the primary role MS expect implies the provision and promotion of wider political frameworks for external action such as the comprehensive approach to security, the EUGS and its implementation plan, and specific strategic documents (e.g. the Maritime and Cyber security strategies) prepared by the EEAS.

Reportedly, the EEAS actual strength in capability development relates to dual use capabilities as an integral part of the Comprehensive Approach (Interview with Officials, Brussels, 2013; Commission/HR 2013a). The EUGS lists among the EU's core priorities the security and defence of the Union. It strongly appeals to a concerted effort in capability development, by emphasizing that MS need to develop technological and industrial means to acquire and sustain capabilities that enable the Union to act autonomously (Mogherini 2016, 20). However, the big three's position on the EEAS outlines their distinctive role expectations – namely that the Service should have limited initiative in defence capability development.

From the beginning, the UK has been avoiding any supranationalisation of the EEAS' tasks, preventing it from becoming 'some sort of "Trojan Horse" for more EU integration' (Fiott 2015). The UK opposed any consular role for the EEAS to avoid it duplicating the UK's global network, remaining sceptical about the EEAS representing the EU in international organisations. Combined with the rejection of the Commission/EEAS dual owned capabilities initiative (see below), the UK's role expectation towards the EEAS in defence capability development was strictly limited. Similarly, France views the EEAS having a complementary role to the national foreign affairs ministries, by bringing greater coherence in CFSP/CSDP and enhancing EU visibility internationally. Moreover, France considers it as a vehicle to upload French national interests and preferences to the EU (e.g. strategy on Sahel) but acting autonomously whenever its vital national interests are at stake (Mali) (Terpan 2013). Thus, France's role expectations towards the EEAS align with the UK. Germany has been a vocal advocate for a capable EU diplomatic service since a strong EEAS could contribute to a stronger CSDP, without threatening its intergovernmental nature (Adebahr 2013, 16). Moreover, German diplomats expect a common diplomatic culture to evolve over time, which was not threatening to their

own diplomatic identity (Adebahr 2013, 13–14). Hence, Germany's role expectation of the EEAS is more towards a promoter of a common EU diplomatic corps.

Finally, the Commission, despite its political initiatives in defence capabilities, has not always been successful in increasing its role. A prime example here is the Commission's contribution to the 2013 December European Council (2013, 4–5). The most controversial element was its proposal that the Commission and the EEAS should work on a joint assessment, which would lead to a proposal on the EU owning dual use capabilities. The UK objected as it impinged on UK sovereignty (Murrison 2013, 2). Beyond the UK's vocal resistance, Germany remained unconvinced whilst France supported the proposal (Interviews with Officials, Brussels, 2015). These mixed views demonstrate the differences between the big three regarding the Commission and the EEAS' role, which the UK vetoed, supporting the expectation that when MS veto there is no change between role expectation and role performance.

### ***Complete mismatch of role perceptions/expectations leading to change***

The mismatch of role perception between the Commission and the MS has occasionally resulted in institutional role change in favour of the Commission. Indeed, the Commission's increasing supranational role has been 'quite extraordinary' (Interview with an Official, Brussels, 2018) because it was not originally designed to deal with intergovernmental defence issues. MS suffer a gap in dual use capabilities for defence and civilian tasks, and these need to be procured subject to single market legislation. Initially, the Commission tackled opt-outs from the internal market. MS took a broad interpretation of Article 346 placing defence equipment market outside internal market regulations (as intergovernmental), while the Commission considered defence equipment as 'part of the internal market, with some minor exceptions' (Aalto 2008, 37). Hence the Commission's role conception as a promoter of pooled and shared defence resources, going beyond its original role prescription, is underlined by its broader role as promoter and guarantor of the internal market.

The Commission's role performance has focused on two areas. First, it issued an interpretative communication on Art. 346's application, emphasising its restrictiveness and that the exception was not automatic (Commission 2006, 5–6; Mawdsley 2013, 39). Indeed, the Commission encouraged MS to move beyond defence sovereignty and take an EU approach including 'fostering intra-European competition' where essential interests of security could be undermined (2006, 7).

Second, the Commission initiated the 2009 Directive on defence procurement, focusing on limiting offsets and delineating the boundary between military and civilian equipment procurement (Aalto 2008, 39; Mawdsley 2013, 39). Using a favourable ECJ judgement to ensure MS acceptance (Müller 2016, 367; Blauberger and Weiss 2013) the Directive has been transposed into national legislation although success appears to be limited (Interviews with Officials, Brussels, 2013 and 2015; Commission 2015). Interestingly the UK, France and Germany all supported it (Ministry of Defence 2013, 3; Westerwelle et al. 2013). The UK however, emphasized its 'correct' application, adding concerns over the risk of further Commission initiatives and involvement in 'external market matters' of defence (Murrison 2013, 2–3), warning that the Commission should

not over-extend its role. The key here was the presence of the ECJ ruling which confirms our expectation that in such cases mismatch leads to change.

### ***Partial mismatch of role perceptions/expectations leading to accommodation***

Whether the Commission's proposals are accepted or rejected by the big three depends on whether the Commission already has competence in the civilian element or any extension into civ-mil conflicts with other bodies. A good example is the Commission's role in standardisation and certification for civil-military equipment. Here, the UK raised issues regarding potential duplication with NATO (Murrison 2013, 2–3), reflecting their Atlanticist orientation while France and Germany supported the extension of the Commission's role (Westerwelle et al. 2013, 3). The UK did not consider the Commission an appropriate actor vis-à-vis NATO in contrast to Germany and France. These differences were reflected in Council conclusions, stating that despite the Commission and the EDA developing a map for defence industrial standards, compatibility with NATO must be maintained (European Council 2013, 8–10). The Commission (2014, 6, 10) also highlighted its civilian expertise and competences in non-military security, differentiating itself from MS and the EDA as responsible for military aspects, and being careful in implementing the norm of promoter of pooled defence resources.

However, the Commission has captured MS interests. The greatest Commission achievement in its political proposals relate to research, including preparatory action for CSDP related research (Commission 2013, 4–5) outlined in the European Defence Action Plan (EDAP) (Commission 2016), and the 'Launching the European Defence Fund 2017' (Commission 2017). The big three supported the preparatory action, which was surprising for the UK (Interview with an Official, Brussels, 2015), contradicting their position during discussions over Horizon 2020 when defence was excluded from 'security' research (Edler and James 2015; Westerwelle et al. 2013, 3). Effectively, the Commission used the blueprint and underpinning logic from the European Strategic Programmes on Research in Information Technology (ESPRIT) and the programme in communication (RACE) and applied it to defence (Mawdsley 2017, 207). Hence arguments around market-shaping (strategic autonomy), economies of scale and spreading technological advancements appeared in the Commission's argument regarding defence research, seen as 'an example of mimetic institutional isomorphism' (Mawdsley 2017). By doing so, the Commission legitimately extended its competence in an area that would not appear to be legitimate.

Regarding the UK, when it considers an institution has moved beyond its remit and thus, legitimacy to act it pushes against the Commission's initiative. The reason the UK was supportive of this extension is in the potential benefits for the UK defence industry, bringing 'new innovative capability to market' and 'stimulating cross-border innovation' (European Committee 2015; Ministry of Defence 2017, 2). However, the UK's opinion differs between the research window (including the preparatory action and the European Defence Research Programme) and the capability window. Regarding the latter, the UK has concerns over financing and added value (Ministry of Defence 2017, 2–3). British support was assisted by the Commission, who was careful to reiterate in the EDAP the primacy of national sovereignty in defence, especially regarding consistency with NATO (Ministry of Defence 2017, 2).

France and Germany followed a different rationale. In their joint contribution towards the 2013 European Council they stipulate that ‘the Commission and EDA should be tasked to work on solutions with industry and research institutions to set up a European framework allowing and improving the mutual use of civilian and military research results for dual use applications’ (Westerwelle et al. 2013, 3). For Germany, the ‘Europeanisation’ of the defence industry was required to react to current international crises and strengthen CSDP (Die Bundesregierung 2015, 1). Nonetheless, the requirement to balance the strength of the Commission’s involvement with a strong MS role was also emphasized (Interview with an official, Brussels, 2018). France emphasised the importance of the EU’s strategic autonomy to defend EU interests and citizens, connected to defence investment and subsequently to the EDF (Le Drian 2017; Ministère de la Défense 2017).

Similarly, the EEAS managed to put forward policy initiatives albeit eventually amended by MS into a less ambitious version. Hence, whilst the EEAS has an opportunity to initiate new ideas and potentially shape MS options in this field (Interview with officials, Brussels, 2018), MS maintain the final say. Looking at CARD, the EUGS called for an ambitious process of ‘gradual synchronisation and mutual adaptation’ of MS defence plans, and priorities for European defence cooperation, pointing to a more top-down and less inter-governmental process (Koenig and Walter-Franke 2017, 14). However, once France and Germany commenced the ‘European semester’ on defence capabilities, the other MS opted for a less ambitious version: namely setting up a strictly intergovernmental and voluntary CARD. In May 2017, the Council underlined that CARD will mainly be about information-sharing; building on existing planning tools and processes; and avoiding unnecessary additional administrative effort (Koenig and Walter-Franke 2017, 15). Although MS were successful in limiting the EEAS’ original proposal, the process demonstrated that some institutional ideas can be accommodated as long as the EEAS’ legitimacy allows it to reach a compromise with the MS. Thus, in the case of partial mismatch, roles change when MS interests are captured by the institution’s proposals.

### **EU institutions: an increasing role in defence capability development?**

Looking at the findings, our expectations in Section 2 are confirmed. As expected, the EP has no direct role in defence capabilities and indirect effects have not been observed through instruments, such as SEDE or budgetary powers in the civilian dimension. It has succeeded in having its views considered by the Commission in the development of the EDF, but it did so using its Treaty-prescribed roles and thus remaining within MS’ role expectations. Regarding the EEAS, the pressures for assuming an enhanced role are high due to the narrative behind its creation. However, the lack of institutional autonomy and the ability of MS to veto policy initiatives have restricted change from the role prescribed to the role undertaken. Nonetheless the EEAS has found some autonomy in its role even if CARD was watered down by the MS. Likewise, the very foundation of the EDA called for direct involvement with the development of defence capabilities and the mechanisms for pooling and sharing resources. However, while it wants to perform its role conception of a promoter of pooled and shared defence resources, MS frequently prevent it from performing its prescribed role.

The most interesting finding from our analysis relates to the Commission's role. Following a tradition of creative interpretation and strategies for augmenting its role, changes in the Commission's role depend on the policy area and the type of MS pressures. Within areas of its competence, the Commission has used court action to ensure that MS respect its expanding role. Thus, the change becomes significant. In areas where the Commission already has competence, as with funding for civilian dimension research, it expanded its role into defence, emulating strategies previously deployed in other policy-making areas.

These findings have implications for CSDP's potential supranationalisation. Even when one of the big three (primarily the UK) articulated warnings regarding the Commission's role in defence, it made its political initiatives palatable by using frames previously accepted by MS or through taking advantage of its legitimacy in the civilian dimension to push an agenda. The Commission frequently grabs the opportunity to increase competencies due to the fact that capability gaps primarily relate to dual use capabilities. Moreover, salient concepts such as strategic autonomy, feed into the Commission's language to align its initiatives to MS concerns. In this way, it turns controversial ideas into acceptable solutions.

Finally, the EEAS begins to find its voice. Its introduction of the primary idea underpinning CARD highlights an autonomous role, even though constrained. Thus, it has been pushing a more integrationist agenda which does not always align with the big three. Hence, as the norm of defence sovereignty is weakening on the part of France and Germany, it is strengthening in institutional autonomy for both the EEAS and the Commission. [Table 2](#) summarises the findings per institution.

## Conclusions

We found that the Commission can largely overcome MS gridlock pursuing a semi-autonomous role in capability development. This is more interesting in capability initiatives rather than the extension of single market criteria, considering that the Commission had no original role prescription in defence. The EP conforms to its prescribed mandate as anticipated considering its low level of involvement in CSDP and becomes therefore, a good benchmark case. The fact that defence is discussed within an EP sub-committee indicates the enduring salience of intergovernmentalism. Interestingly, we found that the EDA and MS have diverging interpretations of the EDA's mandate, leading to conflict between MS role expectations and EDA role perceptions. However, unlike the Commission, the EDA has been unable to circumvent MS reservations regarding its role, hence we observe no change in its role performance. Finally, the narrative created by the Treaties regarding the EEAS as a novel institution within the structures of EU external relations, has been slow to materialise in practice because MS have actively prevented the EEAS from becoming a fully-fledged diplomatic service. However, more recently the EEAS began to take advantage of changes in the international security environment to grow its institutional autonomy. Hence, the EEAS, like the Commission, can potentially advance the norm of defence capability development, and increase supranationalism within CSDP. These institutions' incursions into areas touching on MS sovereignty could create immense changes in CSDP and in MS defence capabilities, depending on how the new initiatives are utilised.



**Table 2.** Findings.

Cases	Role expectations and conceptions	Pressure	Facilitating/constraining factors	Role Performed
<b>EP</b>	Coincide	Low	Absence of role	No change
<b>EEAS – politico- strategic initiatives</b>	Complete mismatch	High	Lack of institutional autonomy, veto player	Aligned with MS position
<b>EDA</b>	Complete mismatch	High	Lack of institutional autonomy, veto player	Aligned with MS position
<b>EC – no previous competence</b>	Complete mismatch	High	Veto player	Aligned with MS position
<b>EC – single market competence</b>	Complete mismatch	High	Court Action	Aligned with Commission's position
<b>EC – previous civilian competence</b>	Partial mismatch	Medium	Veto player, institutional autonomy and legitimacy, security environment	Contained changes based on compromises between the Commission and the MS
<b>EEAS – policy initiatives</b>	Partial mismatch	Medium	Veto player, institutional autonomy and legitimacy, security environment	Contained changes based on compromises between the EEAS and the MS

The findings also highlight how Brexit may impact CSDP. Whilst the UK has impeded defence capability development and acted as a key veto player, Germany has also harboured doubts regarding some institutional advances. Hence the idea that CSDP will rapidly advance once the UK has left is fanciful. It also assumes that France and Germany will share a common CSDP vision, which, as discussed, is not always true.

Finally, our framework can be applied further, e.g. in the setting up of the PESCO Secretariat. Here the question is whether the Secretariat ends up with institutional autonomy, becoming a forum for the EDA and the EEAS (particularly the EU Military Staff) to advance the norm of pooled and shared defence resources, or whether it is hamstrung by the MS. Considering PESCO's potential in advancing the norm of pooled and shared defence resources, its role could be pivotal in closing capability gaps. Within the changing international environment and the desire of the EU and its MS to ensure strategic autonomy, more institutional autonomy may be required for CSDP to begin to fulfil its potential.

## Notes

1. Whilst the UK voted to leave (23 June 2016), it remains in the analysis as this article seeks to understand the EU's institutions' influence in defence capability development over time.
2. Pooled and shared defence resources can be considered as a policy option, however, we treat this as a norm as it became the overarching principle for defence capability development within the EU (European Union 2007).
3. Implying that they provide for their security in-house.
4. Each country's role is based both on interests and norms which underpin these. For example, a country's Atlanticism or Europeanism arises from its interpretation of its history which informs the norms underpinning its role conceptions (Chappell 2012).
5. The impact of the UK's departure from direct EU institutional structures is unclear at the time of writing.
6. The HR role encapsulates three elements: head of the EDA, head of the EEAS and Commission VP.

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