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Liberal Intergovernmentalism
And
CFSP policy-making

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OUTLINE

I. What is Liberal Intergovernmentalism?

Where does it come from?

Why should LI be relevant in the CFSP field?

Where does LI fit compared to other theories to explain CFSP outcomes?

II. How would LI explain CFSP outcomes?

General assumptions

Assumptions applied to the CFSP field

III. Relevance and Insufficiencies of LI to explain CFSP

General opinion on IG

My findings based on three case studies

There are three types of CFSP issues:

- 1)exclusively CFSP issues (these use traditional CFSP types of decisions, such as declarations, common positions, joint actions, common strategies);
- 2)mixed CFSP - EC issues (these are CFSP issues which legally require EC decisions in order to be implemented);
- 3)European Security and Defence Policy (ESDP) or pure security issues.

Intergovernmentalist assumptions:

Member State	Intergovernmentalist assumptions
Role in the CFSP decision-making process	<ul style="list-style-type: none"> • Crucial actor • Unitary actor, in the sense that the national position is unique
Characteristics of the national interest	<ul style="list-style-type: none"> • Preference formation is prior to the negotiation • Preferences are unaffected by norms and inter-state bargaining
Rationality of the state	<p>The State is a rational actor, i.e. it is:</p> <ul style="list-style-type: none"> • goal-oriented (its aim is to enhance security if threats are present, to realise ideational goals, to expand economy) • a utility maximiser (it calculates the costs and benefits of an agreement) • with ordered preferences (in a hierarchy) • self interested
Concern with gains that can come out of a negotiation process	<p>The State is concerned with absolute gains (i.e. it is a rational egoist and cares only for its own gains, and it is indifferent to what others do)</p>
Role of previous decisions	<p>The State is aware of the consequences of the decisions it takes (i.e. there is no path-dependency)</p>

Intergovernmentalist assumptions in the CFSP field

Assumption 1

A distinction will be made between whether I am studying a common policy in the CFSP field with or without economic consequences for the states.

A common policy with no economic consequences for one or more big Member States will only exist if it has positive geopolitical implications for these states.

A common policy with economic consequences for one or more big Member States will only exist if the economic consequences are positive for these states.

Assumption 2

A common policy will only exist when all the big Member States agree, and it is likely to be an LCD agreement. No other actor plays a significant role in the making of this common policy.

Moravcsik would envisage the following situations:

1. No final common policy:
 - with states opposing one another openly;
 - with states being discreet about the disagreements between themselves.
2. A final LCD common policy:
 - whereby all the states obtain their initial preferences;
 - whereby some states make minor concessions to protect their reputation.
3. A final more than LCD common policy:
 - when one country gets its preferences through, while the other countries do not have intense preferences on the issue discussed;
 - when a state changes position under a credible threat of exclusion.

General opinion on IG:

- LI focuses on grand bargains.
- It does not believe in path-dependency.
- The bargaining patterns are predictable. States know the different options available. It does not believe in socialisation process.
- LI does not believe in a role of the Commission.
- LI does not explain the non-economic aspects of institutions and political cooperation in the Treaty negotiations (Forster 1998).

My findings:

In the sphere of issues of major importance to big Member States, intergovernmentalism is generally the best way to explain a policy outcome.

However, intergovernmentalism does not always explain all CFSP policy outcomes. My findings are that two other actors, namely the Commission and the US, have to be taken into account, and that past decisions constrain states' positions.

Case studies

Type of decisions	Case studies	Big Member States that consider the issues discussed of major importance	Findings
“exclusively CFSP” decisions	The EU policies on the condemnation of China at the UN’s Commission on Human Rights from 1997 until 2002	France and Germany	US: partial influence Commission: no influence Past decisions: no influence
“mixed CFSP and EC” decisions	The EU sanctions policies against FRY from January until April 2000	The UK, France and Germany	US: influence Commission: influence Past decisions: influence
“ESDP” or pure security decisions	The EU policies on the links between NATO and the EU from 1998 until 2001	The UK and France	US: influence Commission: no influence Past decisions: influence

The EU Common Policies on the Condemnation of China at the United Nations' Commission on Human Rights from 1997 until 2002

Years	Resolution US	EU and the co-sponsoring of the US resolution	EU and China's no action motion	China's no action motion	China condemned
1990-1994	Yes	Yes	Against	Succeeded	No
1995	Yes	Yes	Against	Failed	No
1996	Yes	Yes	Against	Succeeded	No
1997	Yes (co-sponsored the Danish resolution)	No	Not mentioned (the EU Member States voted against it)	Succeeded	No
1998	No	No	Not applicable	Not applicable	No
1999	Yes	No	Not mentioned	Succeeded	No
2000	Yes	No	Against informally	Succeeded	No
2001	Yes	No	Against publicly	Succeeded	No
2002	No	No	Not applicable	Not applicable	No

	Common position	Characteristic	Relevant theories
Until 1996	Yes (sponsoring)	LCD	IG
1997	No	No agreement	IG
1998	Yes (no sponsoring and no support of a resolution against China)	LCD	IG Influence of the US on the EU outcome
1999	Yes (no sponsoring and no support of a resolution against China)	LCD	IG
2000	Yes (no sponsoring and no support of a resolution against China) Unofficially: support of a resolution against China	LCD	IG
2001	Yes (no sponsoring and support of a resolution against China)	LCD	IG
2002	Yes (no sponsoring and no support of a resolution against China)	LCD	IG Influence of the US on the EU outcome

The EU Common Policies on the Sanctions against the Federal Republic of Yugoslavia from January until April 2000

Action of the international community towards the FRY policy in Kosovo from 1998 until 2000.

	Type of sanctions		
	UN	EU	US
1998 Kosovo crisis	Arms embargo	<ul style="list-style-type: none"> • Cancellation of the Preferential trade status • Restriction on certain investments • Flight ban 	<ul style="list-style-type: none"> • FRY assets frozen • Investment and economic transactions with FRY banned • Oil embargo
1999		<ul style="list-style-type: none"> • Oil embargo • Ban on EU investments • Freezing of assets • Visa ban • Restrictive measures on export restrictions 	
2000		<ul style="list-style-type: none"> • No common policy on the oil embargo • Extension of the visa ban • Lifting of the flight ban • Reinforcement of the financial sanctions 	
Autumn 2000	<ul style="list-style-type: none"> • EU and US flight and oil ban lifted • FRY admitted to the Stability Pact for South Eastern Europe • FRY admitted as UN and OSCE member 		

The EU Common Policies on the Links between NATO and the EU from 1998 until 2001

Themes of contention	United Kingdom	France
The role of NATO in the RRF Review process	In favour of transparency	Reduced to a minimum
EU planning	With the use of NATO's planning procedures	Development of its own autonomous defence and force planning procedures: <ul style="list-style-type: none"> • Reinforcement of the planning cell and of the situation centre for evaluation • Strategic command should be created on the basis of national capabilities • Intelligence
First refusal	Only if NATO as a whole does not wish to engage in an operation	No hierarchy of decision-making with NATO taking precedence over the EU

Conclusion. Constraints on the Intergovernmental CFSP System: the US, the Commission and Past Decisions

Intergovernmentalism is the appropriate theory to explain the functioning of the CFSP system. However, this theory is insufficient by itself and should be completed by some of the precepts proposed by realism and institutionalism.

My main findings are: that the US is a presence and a player in the CFSP system, with a *de facto* veto; that the Commission has strong influence on CFSP policy outcomes when the first pillar is directly or indirectly involved in the CFSP system; and that past decisions from both pillar I and pillar II together with institutional rules, constrain positions taken by EU states when CFSP policies are negotiated.

The following table gives an overview of the findings of my case studies.

My findings	Case study 1 (China)	Case study 2 (FRY)	Case study 3 (NATO)	Relevant theories
State as crucial actor	Yes	Yes (and US, and Commission)	Yes (and US)	IG, Realism, Institutionalism
Intra-governmental divisions possible	No	Yes	No	
Preferences generally fixed	Yes	Yes	Yes	IG
Aim: to be rational	Yes	Yes	Yes	IG
Concern mainly with own national gains	Yes	Yes	Yes	IG
Consequences of past decisions	No	Yes	Yes	Institutionalism