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Leadership in CFSP

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Potential and performance of the High Representative in the immediate reaction to the crises in Egypt and Libya

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Abstract

The EU's immediate response to the latest developments in the Southern-Mediterranean exemplifies a dilemma characteristic of the Common Foreign and Security Policy of the Union. On the one hand, there is a demand for an orchestrated response of the group of 27 to developments in the international system, on the other hand CFSP is still dominated by sovereignty concerns of the member states and characterized by unanimity decisions. Leadership is needed to align the member states on a common position. Leadership is seen as an interaction between the leader, the followers and the context. In the chosen case studies - Egypt and Libya - an unfavorable constellation of these three components led to an underperformance of the High Representative as a leader. Disagreement among the member states in combination with time pressure and institutional constraints partly hindered the High Representative to employ the soft power resources at her disposal.

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1. Introduction

“Politics is much more than management. It implies that people have to understand and follow your path. Politics has a lot to do with pedagogy, and this means leadership. In order to build the present, one has to have a vision of the future” Javier Solana¹

The criticism on Catherine Ashton, the first High Representative of the Union for Foreign Affairs and Security Policy (HR/VP) is at its peak. Disapproval of her performance is frequently stated by Members of the European Parliament (MEPs)² but also by foreign ministers³ who she presides over in the Foreign Affairs Council (FAC). Criticism is not one sided, but addresses a variety of alleged weaknesses – sometimes also contradicting. While smaller member states complain about the lack of initiative and encourage her to take more risks⁴, the United Kingdom (UK) warns of a ‘competence creep’ as her newly created European External Action Service (EEAS) would exceed its mandate.⁵ The UK also puts the budget-size of the EEAS into the focus of the discussion,⁶ while smaller member states want to foster the development of the common institutional structures.⁷

There is a tendency in the reports to aim the criticism at the person in office - Catherine Ashton -, while there are also problems lying in the institutional structure as it has been put into place with the Treaty of Lisbon. Criticism by MEPs⁸, but also by national government representatives⁹, addresses the fact that member states are not willing to incorporate enough and that the Council’s mode of decision-making is

¹ As quoted in Gallach 2011: 12.

² Cf. Brantner 2011 as one example from the EP debate on the main aspects of the common foreign and security policy and the common security and defence policy on the 11th of May 2011.

³ For instance the Belgium foreign minister Vanackere in an interview in the newspaper *le soir* on the 4th of May 2011, Labaki 2011; allegedly the Swedish foreign minister Carl Bildt criticised her during a Council meeting on Libya when Ashton wanted to leave early; Vogel 2011.

⁴ Like the Belgium foreign minister, Labaki 2011.

⁵ Cf. Castle 2011.

⁶ Ibid.

⁷ Austria, as well as the BeNeLux states published papers on how to improve the EEAS; Willis 2011.

⁸ Schulz 2011.

⁹ Germanys minister for finance, Wolfgang Schäuble, cf. Müller 2011: 8; Rettman 2011.

still based on consensus when it comes to the Common Foreign and Security Policy (CFSP), making it hard for Ashton to represent a position that does not exist in the first place. Also the fact that the development of the EEAS is at a stage far from reaching 'full cruising speed' and is not yet effective in the task of assisting her has to be considered.

Given this broad set of criticism, targeting different aspects of the post of the HR/VP and its institutional structure, there is thus a need to approach this matter in a systematic and theoretically way. If one wants to assess the performance of the HR/VP, the first step has to be to define the criteria, by which the post's actions can be judged. In her task as the 'new presidency' in CFSP the HR/VP is faced with a dilemma characteristic of this policy field. On the one hand, there is a demand for an orchestrated response of the group of 27 to developments in the international system, on the other hand CFSP is still dominated by sovereignty concerns of the member states and characterized by unanimity decisions. Thus, in order to align the group of member states on common objectives and means to implement them, *leadership* is required and can be provided by the HR/VP. This paper tries to find ways to evaluate leadership, drawing on political science and organizational behavior literature. The developed framework is then applied to evaluate the potential of the post of the HR/VP and to analyze the leadership process in the immediate response of the EU to the revolutionary developments in Egypt and the outbreak of violence in Libya. Both cases were unforeseen and required European leaders to swiftly try and agree on a common position. However, the cases were different in the way events were evolving in the Southern Mediterranean and how the 27 member states tried to agree on how to respond. Thus, the cases allow to approach the question under which conditions the HR/VP can (or cannot) be a leader in CFSP. Next to the analysis of official documents and media reports, several interviews with EEAS officials and member state diplomats were conducted in Brussels in May and June 2011 for the purpose of this paper.

2. An interactional framework for analyzing leadership

When faced with the undertaking to assess the leadership of a certain post, the first obvious task is to define the term 'leadership' and to sketch out ways to measure it. Research on leadership is engaged in shedding light on that ambiguous and complex term since the beginning of the 20th century and tries to identify conditions under which leadership effectively occurs. Different schools naturally tend to adopt different approaches. Unique personalities and their biographies are often in the focal point of historians.¹⁰ They analyze how 'great men' with certain abilities and characteristics were able to influence the outcome of important historic events. However, such a 'trait-centered' approach was dismissed in the middle of the last century. It seemed to be impossible to identify particular traits that distinguished the 'average man' from the leader. Since then organizational psychology largely counts on quantitative studies to identify effective leadership in different organizational settings.¹¹ In addition, political scientists are engaged in this field and try to identify how institutional settings enable actors to exert leadership on their counterparts.¹²

How can the concept of leadership be placed in the meta-theoretical debate? Different scholars derive their concept and framework for analysis from different perspectives. Tallberg uses a rational choice framework to explain how a chair of a negotiation round achieves certain powers in a decentralized bargaining game.¹³ While this derives from a rationalist approach based on cost-benefit calculations, other studies use constructivist reasoning. In the interactive process of decision-making in the EU, it was analyzed in how far Presidencies take over socially constructed roles and become a leader, broker or bureaucrat.¹⁴ However, both concepts are not mutual exclusive. Actors adopting 'appropriate' roles in social interaction are not prevented from acting self-interested. Rather their preferences are shaped by the interaction with the other actors in an institutional context.¹⁵ In this analysis actors take over roles as 'leader' or 'follower' within the context of their

¹⁰ cf. MacGregor Burns 1978: 26.

¹¹ Nye 2008: 22.

¹² For instance Tallberg's study on the leadership of EU Presidencies, Tallberg 2006.

¹³ Tallberg 2006: 17.

¹⁴ cf. Elgström 2003: 14.

¹⁵ cf. sociological institutionalism in Aspinwall & Schneider 2000: 6ff. According to Alexander Wendt state preferences are shaped through interaction with other states, Wendt 1994: 384f.

interaction. However, while potentially taking over these roles, their goal-oriented behavior is still based on their preferences.

The definition of the term 'leadership' poses another challenge for the research community. A textbook on organizational behavior lists several definitions.¹⁶ Some authors focus on the coercive means a leader might possess in a hierarchical setting and thus define it as "the process by which an agent induces a subordinate to behave in a desired manner"¹⁷. However, leadership can also be exerted in non-hierarchical settings and with the use of soft power of persuasion and attraction.¹⁸ In that case leadership would be rather defined as "an interpersonal relation in which others comply because they want to, not because they have to"¹⁹. Other definitions stress the aspect that the leader is part of a group that shares the objective to reach a common goal. Such a goal-oriented definition describes leadership as "the process of influencing an organized group towards accomplishing its goals"²⁰. This overview shows that the understanding of leadership varies with the kind of social interaction and the degree of institutionalization of the setting. Having this in mind a leadership for the purpose of this paper can be defined as **the process by which a person enables a group to realize collective gains.**

This definition already hints at the argument that the leader cannot be the only person responsible for a successful outcome of the process in this game. Today's research on leadership generally agrees with the fact that leadership should be seen in an interactional framework - the outcome of a leadership process also depends on the interaction with the followers (as the other members in the group) and the context (as the situation the group is facing, the external environment, as well as the goal the group wants to achieve).²¹ All three components have to come together to have successful leadership in a given situation (see figure 1). Consequently the hypothesis for this paper is that a potential underperformance of the HR/VP as a

¹⁶ For an overview see Hughes & Ginnett & Curphy 2009: 4.

¹⁷ Bennis 1959: 259 as cited in Hughes & Ginnett & Curphy 2009: 4.

¹⁸ Nye 2008: 29.

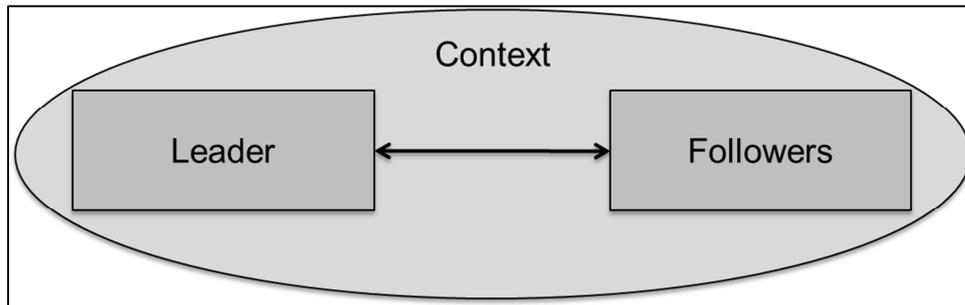
¹⁹ Merton 1957 as cited in Hughes & Ginnett & Curphy 2009: 4.

²⁰ Roach & Behling 1984 as cited in Hughes & Ginnett & Curphy 2009: 4.

²¹ Nye 2008: 21; Hughes & Ginnett & Curphy 2009: 25ff.

leader, when facing international crises, is due to an unfavorable constellation of the leader, the followers and the context.

Figure 1: The three components of the leadership process



Source: own illustration.

Before diving into the empirical analysis of leadership performance in CFSP, we will first take a closer look at each of the three elements of the leadership process and how they relate to the study at hand. How does this concept relate to a situation in which an institutional actor like the HR/VP tries to lead the process of decision-shaping CFSP with sovereign member states as her counterparts?

2.1. The Leader

What influence does the leader have on the leadership equation? The leader possesses certain resources that empower him to push the group to reach collective goals. Max Weber distinguished between three different types of authority depending on the formal position of the person.²² (1) Traditional authority that was in former times owned by kings or emperors. (2) Rational or legal authority that is exerted by people in a formal and/or elected position, such as chairs or directors. (3) Charismatic authority that attracts followers by their character and the ability to persuade. While the former two depend on some kind of formal position, the later authority lies in the person themselves.²³

Joseph Nye distinguishes between hard power and soft power resources. The more tangible hard power derives from the leader's ability to offer incentive (carrots) or to impose threats (sticks). In formal institutional settings it can be compared to the possibility of a superior to hire or fire or to decide on payments and bonuses.²⁴

²² Weber 1986.

²³ Cf. Nye 2008: 34.

²⁴ Ibid: 29.

Whilst the High Representative has to a certain degree the rights to decide on the staffing of the EEAS²⁵, she does not possess any hard power resources vis-à-vis the member states to forge an agreement in the FAC. The capabilities, especially when it comes to the CSDP, are provided by the member states. They have the money and the troops. Likewise, the member states and not the High Representative as an institutional actor have the possibility to persuade the others in the group by such incentives.

However, given the High Representatives position at the top of the EEAS, as Vice-President of the Commission and as the chair of the FAC, she is well equipped to make use of her soft power resources. Soft power rests in the ability to shape the preferences of your followers by non-coercive means. A chair of an intergovernmental negotiation round possess such soft powers as he manages the agenda, brokers a consensus, and represents the results towards third parties.²⁶ Thus, such soft power resources are closer related to the personality of the incumbent. As diplomats confirmed in interviews in Brussels, the effectiveness of the EEAS chaired working groups in the Council differ, depending on the ability of the chair holders to guide the meetings. So soft power, on the one hand, derives from the possibility to draw on procedural control (calling in and chairing of meetings, setting the agenda and representing the results to the outside of the group)²⁷. On the other hand, the ability of the incumbent to materialize these soft power resources by communication²⁸, brokerage²⁹ and taking risks is decisive. In the analysis below the resources for soft powers as well as the ability of the High Representative to apply them in the case of two cases of the Arab spring will be evaluated.

2.2. The Followers

The first question that arises when looking at the followers in any kind of social relation is: why do people follow a leader in the first place? This question becomes even more relevant in the context at hand, in which the potential of member states

²⁵ The EU Special Representatives carry out their mandate under the authority of the HR/VP (Art. 33 TEU) and the HR/VP is the appointing authority for the staff in the EEAS (Council 2010, Art. 6 (5))

²⁶ Tallberg 2006: 29ff.

²⁷ Tallberg 2006: 20.

²⁸ Nye 2008: 72.

²⁹ Elgström 2003: 14.

aligning their preferences in an intergovernmental policy is scrutinized. The answer given by scholars of organizational behavior is: to overcome functional impediments that hinder the realization of collective gains.³⁰ Member states work together, because the alignment to a common position on a certain subject might provide them with a higher payoff, than sticking strictly to their own preferences. Of course this does not ignore the fact that member states are often reluctant to change their initial position. In the end however, one of the first reaction of EU member states is to meet in Brussels and to *try* and reach consensus. This supports the assumption that they anticipate collective gains with this approach. However, Tallberg identified in his rational institutionalist framework that such intergovernmental negotiation rounds have to empower a chair with tasks of agenda-management, brokerage and representation in order to avoid a failure of negotiations.³¹ Or the other way around: the probabilities of reaching an agreement are higher if the member states appoint a leader in the negotiations, which potentially puts them into the position of a follower. Likewise, the initial idea of the creation of a High Representative, which is chairing the FAC, and whose deputies chair a large number of CFSP working group, was to allow for enhanced continuity in this policy field.

However, an important limitation in this leader-follower relationship has to be pointed out. As is generally the case, a follower is not limit to this particular role, but can be both follower and leader at the same time. Member state governments are in a leading position in running their countries, and foreign policy is still within the remit of the member states.³² The recognition and taking into account of the preferences of the member states by the High Representative is thus an integral part of her job. It is a 'Common' not a 'Single' Foreign and Security Policy; the member states stay sovereign and they provide their capabilities. The 'ownership' of the decision being taken has to be ensured. As a consequence, the homogeneity of the preferences among the group of followers is a decisive factor for the success of the leadership process. If the preferences of the followers are too far apart to forge them towards a

³⁰ Nye 2008: 32

³¹ Tallberg 2006: 19ff.

³² Clear reservations to give up national sovereignty are expressed by the member states in declarations No. 13 and No. 14 of the Lisbon treaty.

common position, there is little a leader can do. This is especially the case, if the leader only possesses soft power resources³³, as is the case with the HR/VP.

2.3. The Context

The interaction between the leader and the followers does not take place in a vacuum. Rather the institutional setting, the problem the group is facing as well as the goal that can be achieved are decisive if the leadership process is successful or not.

The leader and the followers interact within an institutional setting. This setting determines, if the leader can refer to hard or soft power resources, if he/she can draw on coercive means or has to rely on persuasion and the power of the argument. The rules of reaching a decision are crucial. Obligations to consult with everyone in the group can hinder the leader to build on minimum winning coalitions, which represent only a subset of group members necessary to reach an agreement.³⁴

The problem the group is facing influences the possibility for the leader to forge a common position as well. In the face of a routine crisis a leader can draw on organizational routine. In the response to a novel crisis however structures are needed in place that allow for an immediate diagnosis of the situation.³⁵ In urgent crises the cost of waiting are higher, which decreases the time for lengthily consultation.³⁶

The possible solution to the problem the group is facing have an influence on the willingness of the followers to agree on a common position. If the potential bargaining outcome reflects nothing more than a zero-sum-game in which the gains of one are the losses of the other, the likelihood of a cooperative strategy are lower.³⁷ If however the collective gains of cooperation are high, followers are more likely to support the leader to forge a compromise.

³³ Nye 2008: 44

³⁴ Ibid.: 98

³⁵ Ibid.: 104

³⁶ Ibid.: 101

³⁷ Ibid.: 99

Two cases will be compared in the paper at hand: the immediate response of the EU to the crisis in Egypt and Libya. While in both cases the High Representative as a potential leader and the member states as the potential followers are fixed, the context in which the leadership process is evolving is different in some variables. Both represent a novel crisis with a need for an urgent response of the group of 27. However, the outbreak of violence in Libya required a response by other means than diplomatic rhetoric and the question of sanctions and military interventions was quickly on the table.

3. The institutional framework of the post-Solana High Representative

The Lisbon treaty brought so many changes to the post of the High Representative, that it can hardly be compared to the pre-Lisbon job-descriptions. The High Representative gained many additional tasks. The incumbent is overall responsible for implementing the CFSP (Art. 18 (2) TEU; 24 (1) TEU), is Vice-President of the Commission (coordinating external policies therein) (Art. 18 (4) TEU), chairs the Foreign Affairs Council (Art. 18 (3) TEU) and is interlocutor with EP (Art. 36 TEU). Already in the first plenary session of the European Convention that specifically dealt with CFSP on the 11/12 July 2002, the idea to install a 'double hat' for the High Representative that would include the functions of the High Representative for CFSP and of the Commissioner for external relations, was raised, based on a French-German initiative.³⁸ The EU should be able to deploy the whole panoply of available instruments in the pursuit of common objectives. However, the incumbents of the two posts at that time (Javier Solana and Chris Patten) reminded the working group of a potential work overload of the post and suggested rather to have better mechanisms of cooperation.³⁹

Next to the question of workload, the post however has several tools to influence the agenda and the decision shaping in CFSP at its disposal, as the HR/VP took over the job of the rotating Presidency in the area of CFSP. The FAC is now chaired by the HR/VP (Art. 18 (3) TEU) and a number of CFSP working groups are being chaired by officials of the EEAS. Furthermore the HR/VP owns a right of initiative (together

³⁸ European Convention 2002a; Jopp & Matl 2003: 101.

³⁹ European Convention 2002b: 4; European Convention 2002c.

with the member states) (Art. 30 (1) TEU) and can convene an extraordinary FAC meeting within 48 hours (Art. 30 (2) TEU). In the case of economic sanctions, the initiative is made by the HR/VP and the Commission jointly (Art. 215 TEU). Thus, while the post does not possess any immediate hard power resources, it is anchored in every phase of the decision-shaping cycle reaching from the preparation (EEAS and Council working groups), decision (FAC and Political and Security Committee (PSC)), to the implementation⁴⁰ (representation, statements).

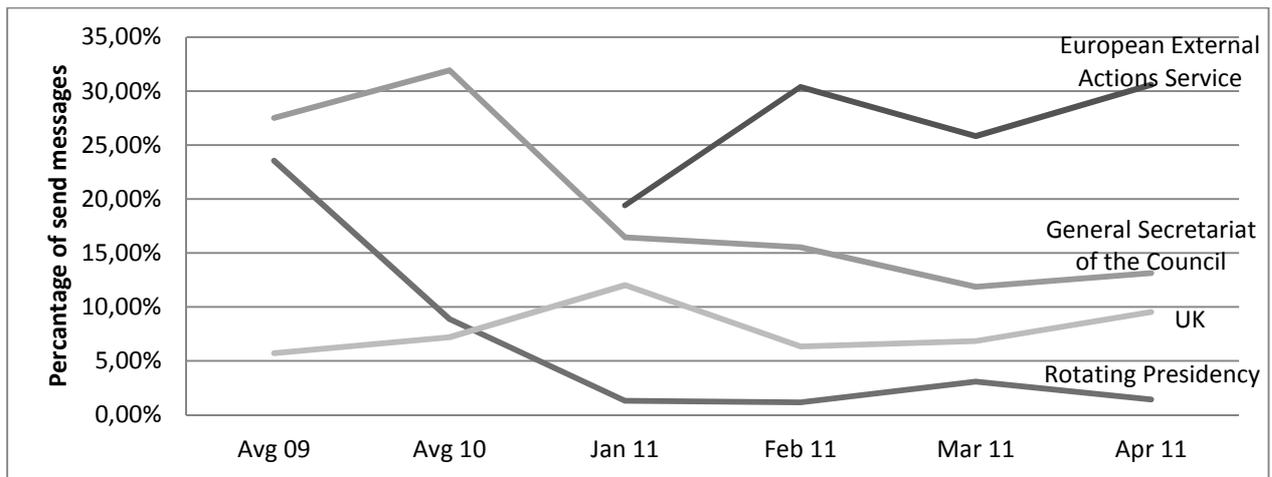
That the HR/VP is now in the driving seat in CFSP is also quantitatively measurable via the messages of the European Correspondent (COREU) network. The COREU network resembles the official communication network and connects the European Correspondent in the EEAS (previously in the Commission) with the counterparts in the foreign ministries in the national capitals. It is used for the exchange of cables, the approval of CFSP statements and the preparation and communication of the FAC, PSC and working groups.⁴¹ As the Council secretariat and the Commission are still present in these bodies, they are also attached to the system. Figure 2 shows that the involvement of the rotating Presidency has significantly dropped since the adoption of the Lisbon treaty. Likewise, with the formal establishment of the EEAS, also the participation of the Council Secretariat has decreased, which was previously the 'hub' for CFSP coordination and management⁴² and is now reduced to a more administrative role in the organization of the Council. Up to one third of the messages have been sent by the EEAS in the beginning of 2011 and interviews confirmed that this is due to the fact that the EEAS is now steering the agenda in CFSP. The UK has been added to the diagram as it is the member state, which sends most messages. France and Germany have around the same number of messages. However, no significant change in their numbers can be observed. The numbers show that the EEAS under the authority of the HR/VP makes use of its position in the centre of policy-shaping in CFSP.

⁴⁰ Financial Instruments are still being implemented by the Commission, e.g. in Development Cooperation; Council 2010: Art. 9 (4). Also the Instrument for Stability (CFSP) is formally carried out by a Commission office co-located in the EEAS (Foreign Policy Instrument); Council 2010: Art. 9 (6).

⁴¹ For more information on the COREU cf. Bicchi & Carta 2010.

⁴² Ibid.: 9f.

Figure 2: Messages in the COREU network by sender



Source: own illustration based on data provided by the EEAS.

However, the institutional framework in which the HR/VP is embedded also imposes constraints on the incumbent in their possibility to materialize these resources.

First, the Treaty of Lisbon did not significantly alter the pre-Lisbon pillar-structure of the EU. Still the CFSP “is subject to specific rules and procedures” (Art. 24 TEU) and while there are several exceptions to use qualified majority voting (Art 31 TEU), member states can still refer to “vital and stated reasons of national policy” and thereby block the decision, which then has to be decided on in the European Council by unanimity (Art 31 (2) TEU). This is especially the case for decisions with military and defence implications (Art. 31 (4) TEU) and the launch of missions (Art. 42 (4) TEU), where no exceptions from the unanimity rule exist. Thus the possibility of forming minimum-winning coalitions is limited by definition.

Second, the main institutional innovation introduced with the Treaty of Lisbon, the EEAS, is far from being at ‘full cruising speed’. Interviews clearly indicate that the service is in the process of developing and that it cannot be expected to function efficiently at this point in time. As one senior diplomat puts it: “It cannot yet be more efficient. They (the officials in the EEAS) are in the process of finding themselves. So there is a lack of efficiency.”⁴³ One aspect is that the ‘fusion’ of the departments of the Commission and the General-Secretariat of the Council is not successfully completed.

⁴³ Interview with member state diplomat, May 2011, Brussels.

Both organizations are used to very different working styles: while the Commission structures are very hierarchical, the staff of DG E of the Council Secretariat is used to a more direct reporting style, with the possibility of having direct contact to the Cabinet of the High Representative. Now, the EEAS is not only far more hierarchical, but its reporting and decision-making structures are still developing.⁴⁴ As reported, decision can be delayed, because people do not feel entitled to take them and delegate them further up the hierarchy. Especially the procedures of interaction with the Crisis management structures have to be further defined. While the rest of the organizational chart of the EEAS resembles more or less a copy of the old DG RELEX in the Commission, the Crisis management structures from the Council Secretariat were added and the appropriate ways of cooperation with the rest of the service are still developing. The weekly combined meetings of the corporate board (without the HR/VP), the management board (managing directors and PSC chair) together with the directors of the crisis management departments (EUMS, CMPD, CPCC) are targeted to improve this horizontal incoherence.⁴⁵ A success story seems to be the take-over of the working-group chairs in CFSP by the EEAS. Several diplomats acknowledged that this transition went well, that they expect more continuity in their work and that especially the appointment of Olof Skoog as chair of the PSC was an ideal choice.⁴⁶

The choice of the incumbent of the post of the High Representative determines to some degree the extent to what soft power resources at hand can be employed. Javier Solana, High Representative between 1999 until 2009, showed that there still can be a large difference between what is written in the treaties and what is made out of the treaty letters in the 'real world'. While no right of initiative was foreseen in his mandate, he was skillful in selling his ideas to the Presidency.⁴⁷ The appointment of Javier Solana as a highly profiled politician and former Foreign minister and

⁴⁴ The organizational chart of the EEAS provides only first reference, without going into detail of reporting structures; http://eeas.europa.eu/background/docs/organisation_en.pdf. There are no Rules of Procedures in place for the EEAS, until now a constantly updated vademecum offers guidance for the internal procedures (Interview with EEAS official, Brussels, June 2011).

⁴⁵ Interview with EEAS official, Brussels, June 2011

⁴⁶ Interviews with member state diplomat, Brussels, June 2011. The HRVP consulted individually with every PSC ambassador before nominating the PSC chair.

⁴⁷ Regelsberger 2011: 27.

Secretary-General of NATO also constituted „a real watershed in the development of the Council Secretariat.“⁴⁸ Rapid growth of institutional structures with the Council Secretariat followed the decade after his nomination. The Policy Unit, which directly gave policy advice for the High Representative, was enhanced to up to thirty people and accompanied by a Situation Centre, which assessed open intelligence and later also information shared by the member states. With the introduction of the ESDP also expertise in military matters and civilian crisis management had to be established in Brussels.⁴⁹ Pressures exerted through international developments and the High Representative’s “energy and frenetic work pace led to the demand for more and better information to support his role”, concludes Duke.⁵⁰ While Solana had to draw on fewer resources than those which are now at the disposal of the HR/VP, he was able to make the most out of it. An official reflected on his time under Solana, “we had little mandate and weak resources, but we were big because of the personality of the High Representative”.⁵¹

Catherine Ashton was the first one to take over the job as the post-Lisbon High Representative with the entering into force of the Lisbon Treaty in December 2009. Her appointment was decided on in the eve of the European Council.⁵² It was not necessarily the case, at least for the majority of the member states, that they did not want a high profiled incumbent, who could overshadow their national foreign policies.⁵³ It was rather a late night decision with a narrow set of candidates. After the Barroso (as a conservative from a southern European country) was already set, and van Rompuy (as a liberal from a small country) got the position as President of the European Council the package deal could only be sealed by a British labour candidate. After David Miliband refused the job, Catherine Ashton, agreed to take it.⁵⁴

⁴⁸ Christiansen & Vanhoonacker 2006: 8.

⁴⁹ The EU Military Staff, the Civilian Planning and Conduct Capability and the Crises Management and Planning Directorate.

⁵⁰ Duke 2011: 61.

⁵¹ Interview with EEAS official, Brussels, May 2011.

⁵² European Council 2009.

⁵³ Interview with member state diplomat, Brussels, May 2011.

⁵⁴ Interview with member state diplomat, Brussels, May 2011.

One of her major critiques was that she lacked experience in foreign policy. She did not hold the position as a foreign minister like the other candidates in question. Thus, she had to learn diplomacy and even some factual knowledge of crises regions from scratch.⁵⁵ However, those who have worked together with her attest that she is a very intelligent person and a quick learner.⁵⁶ However, her broad job-description forces her to delegate more decisions to lower level of the EEAS. More delegation of tasks to lower levels would likely allow for a more effective and swift running of the foreign policy machinery.⁵⁷

The events unfolding in the Southern Mediterranean that we will now turn to can be seen as the first litmus test for the post of the HR/VP and its incumbent.

4. Leadership in the immediate response to the Arab spring: Egypt and Libya

The Arab spring caught the European Union by surprise. Not only did the Brussels foreign policy machinery not see an uprising in the countries in the Southern Mediterranean coming, but the national capitals in Europe and across the Atlantic also did not seem to be prepared and indecisive, about how to deal with the despots they had supported until recently. In the case of Egypt, as well as in the case of Libya there was thus no special preparation in place to react to those crises in a routine manner. Furthermore there was a short timeframe for the EU to respond, as the events were unfolding very quickly in these regions. Not more than three weeks passed by, from the first demonstrations in Cairo in the end of January to Mubarak's resignation on the 11th of February 2011. It took little more than a month from the first protests in Libya to the first airstrikes by the NATO partners on the 29th of March 2011. The possibility for lengthy consultations was thus limited.

There could be no single approach for all countries in question, as the responses by the authoritarian regimes to the demands of their population were quite different. In Egypt comparatively limited use of force by President Mubarak was targeted against the protesters on the streets and the EU's response was thus limited to diplomatic activities and the possibility of sanctions. However, in Libya severe military force

⁵⁵ Interview with member state diplomat, Brussels, May 2011.

⁵⁶ Interview with EEAS official, Brussels, May 2011.

⁵⁷ Interview with EEAS official, Brussels, May 2011.

was used against the opposition and a no-fly-zone was launched to prevent bloodshed in the end. This being said, the collective gains that could be reached for the 27 member states in the CFSP framework, were quite different in the cases of Egypt and Libya. Political statements can be agreed on (giving matching preferences) easily in an established decision-shaping structure, with working groups, a standing committee (the PSC) and a communication network (the COREU) in place. So in theory the costs are low and the potential benefit of a joined declaration of all 27 is high. For sanctions the collective gain of a joined approach is even more obvious and economic sanctions are only possible to implement with a regulation on the European level. When it comes to the military intervention or a no-fly-zone in Libya however, the CFSP (or more precisely CSDP), is not the natural arena to look for cooperation. CSDP is still lacking capabilities to perform such tasks without the coordination and backing of NATO and the US. In the end the “public disagreement between leading nation capitals contributed to a situation in which the CSDP was not even considered for a mission”⁵⁸.

4.1. Egypt

After the outbreak of the protests in Egypt and the first signs of suppression by the authorities by imprisoning protesters, Ashton used an instrument, which can rapidly be deployed without lengthy consultations: she issued a ‘Statement by the High Representative’ calling on “all parties to exercise restraint and on the Egyptian authorities to release all peaceful demonstrators who have been detained”⁵⁹ One day later this statement was rhetorically ‘upgraded’ to an “urge... to immediately and unconditionally release all peaceful demonstrators” and to “establish a constructive and peaceful way to respond to the legitimate aspirations of Egyptian citizens for democratic and socio-economic reforms”⁶⁰. While those statements usually are general in their content they can be issued without necessarily consulting the member states, as they do not reflect an EU position.⁶¹ Their impact can be questioned; however they are still a tool of the HR/VP to comment on international developments. A more specific statement of the HR/VP calling for free elections, or

⁵⁸ Menon 2011: 86.

⁵⁹ High Representative 2011a.

⁶⁰ High Representative 2011b.

⁶¹ Interview with member state diplomat, Brussels, May 2011.

even calling on Mubarak to step down though seemed not to be an option. Given the different position of the member states, especially considering Italy's and France's good relations to Mubarak⁶², a statement with such content would have needed the consultation with all member states. However, the next ordinary FAC meeting was scheduled four days later, on Monday the 31st of January, too late regarding the speed at which the situation evolved in the area. UK, France and Germany did not wait for the FAC meeting, but issued a joint statement already on Friday the 29th in which they called for "free and fair elections"⁶³. The call for elections in Egypt was repeated by US Secretary of the State Hillary Clinton one day later on US television.⁶⁴ By the time the FAC met after the weekend, the text agreed on was in large parts a repetition of the UK-France-Germany paper: the EU urges "Egyptian authorities to embark on an orderly transition through a broad based government leading to a genuine process of substantial democratic reform..., paving the way for free and fair elections". In this case, there was no leadership process to guarantee a coordinated response of the group of 27. The urgent nature of the crisis compared with the institutional need to have a consensus on the text caused a failing of a coordinated response led by the HR/VP. However, the use of soft power by the High Representative could have led to a different result, as she could have taken a greater risk and issued a statement on her behalf, or she might have called in an extraordinary FAC meeting to find a common position, as the PSC could not agree on a joined Declaration.⁶⁵

While the FAC was able to agree on a call for free elections in the end, the member states positions were still too divergent to agree on additional pressure on the Egyptian regime in the form of sanctions or asking Mubarak to step down. While British Prime Minister Cameron pushed for such sanctions, the Southern European states especially rejected the idea of a too rapid break with the Egyptian regime. In the words of Berlusconi "there could be a transition towards a more democratic

⁶² Egypt and France are holding the co-presidency of the Union of the Mediterranean. Italy favoured a democratic transition under the lead of Mubarak, Phillips 2011.

⁶³ Cameron & Sarkozy & Merkel 2011.

⁶⁴ Hillary Clinton on CBS, CNN, FOX News, ABC and NBC: 'Egypt needs transition to democracy', <http://www.state.gov/secretary/rm/2011/01/index.htm>.

⁶⁵ Unlike statement of the HR/VP, declarations on behalf of the EU have to be backed by every member state, either through the PSC or the COREU.

system without a rupture with a president like Mubarak who, for all the West starting with the US, has always been considered a wise man and a point of reference⁶⁶. In the end, sanctions were only applied one month after Mubarak's resignation "to persons identified as responsible for the misappropriation of Egyptian state funds, and natural or legal persons associated with them"⁶⁷.

The division of the member states on how to deal with Mubarak, who they acknowledged as a guarantor for stability in the region in the past, prevented the EU from playing an active part in the immediate developments leading to his resignation. There is little the HR/VP can do when Italy is "saying Mubarak is great, France saying you can't talk of free and fair elections now, and others saying you can't tell Egyptians what to do."⁶⁸ However, leadership by the High Representative could have led to a prompt and more outspoken statement by the EU, either by taking more of a risk and sending a stronger message on her behalf, or by using her powers in the Council to broker an agreement. In the case of sanctions it is questionable whether member states would have followed a line which did not reflect their national preferences.

4.2. Libya

The immense use of force by Muammar al-Gaddafi against the protesters in Libya aligned the EU member states rather quickly on a common call for reforms and an immediate end of use of force force. The agreement on two 'Declarations of the High Representative on behalf of the EU'⁶⁹ could be reached without the need for consultation with the foreign ministers in the FAC, but were approved via the COREU network and the PSC. The EEAS also started to prepare sanctions in the PSC before the UN Security Council passed a resolution in this regard.⁷⁰ This way the EU was the first entity to impose sanctions against the regime one day after the resolution of the UNSC.⁷¹

⁶⁶ Waterfield 2011.

⁶⁷ Council 2011a.

⁶⁸ Erlanger 2011.

⁶⁹ High Representative 2011c; High Representative 2011d.

⁷⁰ High Representative 2011e.

⁷¹ Targeted sanctions were imposed without further discussion in the FAC. They were agreed on in the Transport, Telecoms and Energy Council formation; Council 2011b.

The HR/VP was engaged in keeping contact with relevant international partners on the matter of Libya. According to her, she stayed in constant contact with Anders Fogh Rasmussen, Ban Ki-Moon and Hillary Clinton.⁷² She also activated her foreign policy machinery and sent a fact finding mission to Libya⁷³ before the extraordinary European Council dealing with the Southern Neighbourhood on the 11th of March. Ashton herself convened a FAC for the 10th of March in order to have timely preparation for the European Council meeting.⁷⁴ Furthermore, with the beginning of the Arab spring the PSC started to meet almost daily to consult on the newest developments.⁷⁵ At first sight, the HRVP seemed to be in a good position to play a leading role in the process of finding an agreement on how to deal with Libya. It turned out not to be the case.

The conclusion taken by the European Council on how to deal with Libya was not within the remit of the High Representative anymore. Because of the highly important nature of the issue, the arena for decision-making became the European Council with the Heads of State or Government.⁷⁶ The decision was thus shifted to a higher decision-making instance not only at EU level, but also within the member states: not the foreign ministers were deciding in the national capitals, but the heads of government. That was reflected on the EU level: the FAC chaired by the High Representative was (besides the consultations one day before European Council) not in charge of the decision anymore. According to a high level diplomat “she (Ashton) realized from the discussions we already had and the political statements by the member states that there were huge differences between the member states about how we had to get involved in the Libyan situation. So she was definitely right to put the issue at the level of the European Council.”⁷⁷ The Heads of State and Government took the centre stage and they did this because of heavy pressure from France. After Sarkozy did not foresee the rapid changes in Tunisia and Egypt and was criticised

⁷² High Representative 2011e; High Representative 2011f.

⁷³ EEAS press release 2011a.

⁷⁴ EEAS press release 2011b.

⁷⁵ Interview with member state diplomat, Brussels, May 2011.

⁷⁶ Interview EEAS official, Brussels, May 2011.

⁷⁷ Interview with member state diplomat, Brussels, June 2011.

domestically, he wanted to be on the “right side of history”⁷⁸. The extraordinary European Council on the 11th of March was convened by the wish of France and against the opposition of Germany.⁷⁹ David Cameron and Sarkozy issued a letter to the President of the European Council in which they specifically mentioned a no-fly-zone.⁸⁰ However, they did not succeed in having it stated in the final conclusion, which specified that “In order to protect the civilian population, member states will examine all necessary options, provided there is demonstrable need, a clear legal basis and support from the region.”⁸¹ This was mainly due to Germany’s disapproval of mentioning a no-fly-zone. In their view such an intervention would need a vote by the UNSC and the support by the African Union and the Arab league as a prerequisite. This also reflected the position by the majority of the member states⁸² and of the High Representative⁸³. However the compromise was agreed on by the Heads of State and government and therefore can hardly be attributed to a leading role of Ashton. On the contrary: Ashton was not able to play the role of a broker between London, Paris and Germany as she took sides and took on the standpoint against a no-fly-zone.⁸⁴ Unfortunately, this opposing standpoint was leaked to the public in a rough briefing of one of her spokespersons, which might have caused additional discontent within the French/British alliance.⁸⁵ In the end the European Council conclusion reflected that the EU was internally blocked. For the further actions against Libya the EU (and consequently Ashton) was thus left on the sidelines, while France and UK (and after initial hesitation also Italy) allied with the US and imposed a no-fly-zone after the positive vote of the UNSC.⁸⁶

⁷⁸ Interview with member state diplomat, Brussels, May 2011.

⁷⁹ Interview with member state diplomat, Brussels, May 2011.

⁸⁰ Cameron & Sarkozy 2011.

⁸¹ European Council 2011.

⁸² Watt & Traynor 2011.

⁸³ Interview with member state diplomat, Brussels, June 2011.

⁸⁴ Speck 2011: 1.

⁸⁵ As reported by British Press; Watt 2011.

⁸⁶ Santini & Varvelli 2011.

5. Conclusion

This paper approached the question under which conditions the HR/VP can or cannot be a leader in CFSP. It was identified that leadership is not only dependent on the leader, but should be seen rather as a process in which a leader interacts with followers in a specific context. Thus, the hypothesis was that a potential underperformance of the HR/VP as a leader is due to an unfavourable constellation of these three elements. In general, it could be shown that the HR/VP has a variety of soft power resources at her disposal, with which she theoretically could play a leading role in CFSP.

The two case studies however exemplified the limitations for a HR/VP to take over the role as a leader in cases in which an immediate response is needed. The narrow timeframe in connection with diverse preferences within the group of 27 do hardly allow the HR/VP to use her procedural control to forge a compromise within lengthy consultations. In both cases member states, while willing to find a common position, would refrain from deviating from their domestically given preferences.

The immediate reactions to the situations in Egypt and Libya also revealed that the possibility of the HR/VP of being decisive in the decision-making is differs from case to case. Regarding the situation in Egypt the immediate reaction was of diplomatic nature. Here the institutional framework would have allowed the HR/VP **not** to wait for the member states, but to issue a stronger message on her behalf. An alternative would have been to actively use here procedural control to forge agreement on a strong position of the EU. When it came to Libya, the possibilities of the HR/VP were more limited. The severity of the events in Libya that lead to the major question of imposing a no-fly-zone, touched the core of the member states sovereignty in security policy and lifted the decision-making to the level of the Heads of State and Government. The limited option to serve as a broker between the opposing camps however was eliminated as Ashton took the position against the no-fly-zone too early.

The constellation of leader, followers and context was thus unfavourable in these cases. This also means that criticism against Catherine Ashton as stated in the beginning of the paper is just partly justified, as in these cases the context and the

followers did not allow for a leadership process guided by the HR/VP. It would be a fruitful analysis to evaluate the role of the HR/VP in the future policy of the EU towards the countries of the Arab spring. Here the context would be quite different, as it includes different financial instruments and resembles a longterm approach rather than ad-hoc decision-making.

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