Six Authors in Search of a Notion:

(In)Coherence in EU Foreign Policy and its Causes

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The foreign policies of the European Union (EU) has long been identified as a field of special concern in the study of coherence due to the difficulty of overcoming the problems posed by its duality (M.E. Smith 2001:171). Fifteen years have elapsed since the Treaty on European Union (TEU) signed at Maastricht formally linked the external relations of the European Community (EC) and the intergovernmental Common Foreign and Security Policy (CFSP). Improving the coherence of EU (European Union) external action formulated in these two distinct foreign policy frameworks, or "pillars", was a key motivation behind the establishment of a single institutional framework. The recent Commission's Communication "Europe in the World – Some Practical Proposals for Greater Coherence,

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Effectiveness and Visibility" shows that EU actors are concerned with coherence in daily foreign policy-making (Commission 2006).

The present issue of the *Hamburg Review of Social Sciences* contributes to the exploration of (in)coherence in the foreign policies of the EU. The following lines provide a brief overview of the question of the definition of coherence before succinctly presenting the articles selected from those received in response to our open call for papers, and the guest article authored by Marise Cremona. In doing so, we highlight some of the themes most relevant to the latest institutional developments, as well as the innovations they bring to the debate on coherence.

Coherence: An Elusive Notion

Few notions in European foreign policy are characterised by such a high degree of complexity as the concept of "coherence". The definition of this notion has been subject to different interpretations by the various scholars who have tackled the question. Indeed, the term "coherence" is regarded as having several meanings. The diversity of interpretations makes it necessary to open these introductory pages with a conceptual clarification. In the following lines, we summarise the various distinctions established around the definition of the term "coherence" and the classification of its subtypes.

a/ One distinction pertains to the difference between coherence in terms of "institutional process" and "systemic output". Christiansen defines coherence "in terms of systemic outputs" as "the way in which the substance of different policies generated by the EU forms part of a coherent whole", while "coherence in terms of the institutional process by which policies are made" refers to "the degree to which institution(s) operate a coherent and well-coordinated process of deliberation and decision-making" (Christiansen 2001:747). This distinction seems to coincide with the differentiation between "internal" and "external" coherence put forward by other authors. Yet, even the term "external coherence" appears to have a double meaning. While some scholars refer to it as the lack of contradiction in the end product of policies framed in different frameworks (Sick 2001), other authors give this label to the uniform treatment of third countries by the EU (K. Smith 2003:65).

b/ Within "internal" or "institutional" coherence, further distinctions are made depending on where in the EU governance structure the tensions are located. When difficulties exist between the member states and the EU level scholars speak of "vertical" (Tietje 1997:211) or "inter-level" consistency (Christiansen 2001:748). By contrast, difficulties in co-ordination between EU institutions are "horizontal" and can be further subdivided into "intra-pillar" or "inter-pillar" coherence, depending on whether they occur in the relationship between the Community and the intergovernmental pillars or within the same pillar. This category, which gives expression to a challenge specific to the EU's institutional set up, can also be labelled "inter-institutional" coherence. Problems of coherence have been identified at all levels mentioned (Christiansen 2001). To the detriment of conceptual clarity, some authors have referred to the maintenance of coherence between the Community and the CFSP pillars as "institutional coherence" (Nuttall 2005), which overlaps with Christiansen's label for the internal coherence of the EU policy formulation process.

c/ Perhaps the most central conceptual problem in the definition of coherence is the delimitation of "coherence" versus "consistency", a distinction which is respected by certain scholars and dismissed by others. The absence of uniform terminology is compounded by diverging translations of the TEU: While the English translation favours the term "consistency", most continental languages employ the term "coherence". This conceptual distinction has been elaborated by legal and political science scholars alike, who tend to see consistency as the mere "absence of contradiction", while the notion of coherence appears to go beyond sheer compatibility to convey the idea of mutual reinforcement of policies, defined as "synergy" (Gauttier 2004:26) or the establishment of "positive connections" (Tietje 1997:212). Obviously, this notion sets a higher standard for EU policies (M.E. Smith 2001:173) and is far more difficult to grasp conceptually than the mere "absence of contradiction".

In sum, this fragmentation confronts the student of coherence with a scenario of *quod capita, tot sensus*. In view of the lack of a unitary definition, the contributors to this special issue have each defined their individual understanding of coherence, choosing the definition that best suits the analytical purposes of their respective articles. As editors we adopted the definition put forward by Krenzler and Schneider who conceive of coherence

as "coordinated behaviour based on agreements among the Union and its member states, where comparable and compatible methods are used in pursuit of a single objective and result in an uncontradictory policy" (1997: 134). We opted for this definition due to its all-encompassing character, as it is capable of accommodating the aforementioned sub-categories.

Ensuring Coherence through Legal-institutional Design

The need to ensure coherence in EU policies was identified as early as the mid-seventies, at an initial stage in the development of foreign policy co-ordination outside the Community framework (Nuttall 2005:94). Yet, the solution proposed at the time consisted of exhortations calling on EU actors to maintain coherence, which was introduced in the treaties for the first time in 1986. The Single European Act stipulates that "the external policies of the European Community and the policies adopted by the European Cooperation Policy shall be consistent" (§30(5)). The TEU was the first treaty revision to put in place a number of institutional arrangements to address shortcomings in coherence. At Maastricht, and later Amsterdam, an attempt was made to tackle coherence problems at three levels:

1/ One level concerned bureaucratic-institutional reforms. These ranged from the creation of the single institutional framework, which provided for the use of common institutions in all pillars, to the reorganisation of the Commission's administrative apparatus.
2/ The second level included the double-hatting of senior posts in the EU institutional set up, notably through the appointment of a High Representative of the CFSP who is simultaneously Secretary-General of the Council Secretariat and of the Western European Union.
3/ A third level concerned the establishment of legal instruments within the second pillar meant to co-ordinate external action by EU actors, namely the Common Positions and Joint Actions, which would be complemented by Common Strategies in the Amsterdam revision.

4

hrss, Volume 3 (2008), pp. 1-10
Special Issue on Coherence in EU Foreign Policy
www.hamburg-review.de

Subsequent treaty reforms have endeavoured to perfect such arrangements. In fact, the continued preoccupation with improving the system was not only driven by its perceived insufficiency but also by the progressive growth and increasing specialisation of its bureaucratic units (Christiansen 2001). Yet, despite some improvements the institutional formulae have proved of limited use in averting incoherence in the EU's steadily increasing foreign policy activity (M.E. Smith 2001:171). In the face of the insufficiency of arrangements developed at or in the follow-up to Maastricht, what solutions have EU actors developed in order to ensure coherence?

The two initial contributions of this issue illuminate this question. In her opening article, Marisa Cremona provides an account of the fundamental role the EU legal order plays in ensuring coherence in EU foreign policy. Probably because legal scholars and political scientists tend to approach the study of coherence separately, non-jurists often analyse coherence from the perspective of bureaucratic politics and institutional design without considering the EU legal system's fundamental role in ensuring coherence. Marise Cremona's central contribution consists in highlighting how both jurisprudence by the European Court of Justice and treaty reform – most recently the Treaty of Lisbon – have accentuated the separation of powers between the national and EU level on the one hand and the Community and CFSP pillar on the other by delineating their tasks even more clearly than before.

Olaf Poeschke, a practitioner, shows in a subsequent contribution how the trend towards a stricter separation of powers is evident in the day-to-day management of areas where Council and Commission competencies intersect. Here, codification has followed the establishment of practices, a phenomenon often witnessed in the institutional development of the EU. In his analysis of inter-pillar coherence in selected foreign policy tools, he finds that the predominant trend is to strengthen the delimitation of competences between Council and Commission, rather than to formulate solutions in which co-operation overcomes legal distinctions. Even the appointment of a Special Representative to Macedonia, who is simultaneously the Head of the Commission Delegation, is founded on a clearly dual mandate, an expression of the aforementioned separation of competences. The increased reliance on the double-hatting of personnel is one of the main innovations brought about by the Treaty to ensure coherence. This not only concerns the high-level posts of the High Representative and Special Representatives, but also the prospective

External Action Service. It is remarkable that from the catalogue of instruments explored by Poeschke, the operation of the mechanism for the imposition of economic sanctions – a time-honoured arrangement which predates the Maastricht reforms – emerges as a unique instance of smooth, if not totally friction-free, inter-pillar collaboration.

Beyond the strengthening of the separation of competences, a further trend with a major bearing on coherence is singled out by our authors. The moribund "CFSP Common Strategies", an instrument whose clear purpose was to orchestrate policies by the EU and member states, has been finally replaced by a more flexible solution. In the future, the European Council rather than the Council of Ministers will decide on "strategies", and they will be only politically binding. The European Security Strategy and the EU Strategy against the Proliferation of Weapons of Mass Destruction of 2003 can be seen as a "forerunners". On the one hand, the disappearance of the Common Strategies can be viewed as an indication that CFSP arrangements need to be "piloted" in practice before being codified in order to ensure their practicability.

But in terms of institutional coherence, this development denotes a reversal from the path towards the progressive integration of EU foreign policies with those of the member states. The highest intergovernmental instance, the European Council, strengthens its position not only as "final arbiter" but as a co-ordinating entity. The reinforcement of the separation of powers described by Cremona and Poeschke can be interpreted as a failure of the idea of "coherence" as originally foreseen by the Treaty of Maastricht. At the time, the hope was that institutions could co-operate in "grey areas" where competences were not clearly delineated. By sharpening the delimitation of competences, the EU implicitly acknowledges that synergy in areas of overlap is unworkable. As Christiansen suggested in the aftermath of the Nice Treaty, a "clearer separation of powers" contradicts "institutional coherence" (Christiansen 2001:749).

Yet, a glance at a lower level of policy formulation shows that the Commission sometimes does gain the upper hand. CFSP Common Strategies have been replaced by European Council "strategies" deprived of legal character, but at a meso- and micro level it is the ENP Action Plans that are fulfilling this function. Elsa Tulmets explains in her contribution how the Council has relinquished responsibility for the European Neighbourhood Policy (ENP) into the hands of the Commission. In its turn, Tulmets' analysis of the ENP also reveals a coherent management of policy instruments which appears to have emerged

by means which diverge from those foreseen by the institutional designs described above. Rather, ENP practices have been perfected in the course of the Commission's experience with Eastern enlargement and subsequently adjusted to the ENP framework through policy transfer.

Coherence as "Explanandum"

The contributions by Tulmets, Stahl and Alcalde and Bouchard reflect a departure from the emphasis on bureaucratic politics that has so far dominated political science accounts of incoherence. The notion of "coherence" appears to have transcended the boundaries of bureaucratic theory to become a category of general currency in the study of foreign policy. Despite the heterogeneity that the three contributions display in terms of focus and approaches, they all treat coherence as an independent rather than a dependent variable. The contributions by Tulmets, Stahl and Alcalde and Bouchard try to explain incoherence by analysing different fields of EU foreign policy. Moreover, the three articles reveal the usefulness of investigating the concepts of agency and structure in European foreign policy. The significance of agency, which points to key actors capable of bring about coherence, is highlighted in the articles by Tulmets and Alcalde and Bouchard. By contrast, structure refers to underlying differences of structural nature among EU actors, typically member states, as discussed by Stahl.

The central innovation in Bernhard Stahl's contribution is that it illuminates the sources of incoherence. It is unique in that it highlights an often overlooked root of incoherence. The intra-European debacle over the US-inspired invasion of Iraq, the most prominent example of member states' lack of co-ordination in the past decades (Risse 2003; Peterson 2004) and arguably also the main setback to the CFSP since its inception, serves as the case-study. By elucidating the causes that led to this high-profile CFSP failure, Stahl exposes an aspect of incoherence which institutional devices can address only partially, if at all. The institutional arrangements devised to ensure vertical coherence are meant to help overcome differences among its constituent units, the member states. However, the process of "inconsistent securitisation" that took place across EU member states on the eve of the Iraq invasion illustrates that the likelihood of (in)coherent outputs is

strongly influenced by domestic factors. Hence, uneven securitisation in the member states remains a structural "deficit".

Tulmets' article features an analysis of the newly-branded Neighbourhood Policy, a domain of EU external activity which has attracted a considerable amount of attention since its launching in 2003. Thanks to her differentiation between internal and external dimensions, Tulmets analyses the coherence both of the decision-making process and its output. She identifies what one might call a twofold "learning-process": The European Council understood that ENP would benefit from the delegation of policy-making powers to the Commission. In turn, the Commission could usefully apply the institutional expertise acquired in the course of the successful Eastern enlargement. While internal coherence in the ENP is widely acknowledged, external coherence – understood as consistency in the treatment of third-countries – still raises questions.

In a final article, Javier Alcalde and Caroline Bouchard touch upon the question of external representation of the EU in multilateral settings. The external representation of the EU has been a matter of concern to the architects of the single institutional framework since its inception. Alcalde and Bouchard also point to agency and its influence on coherence. In their investigation of multi-level-negotiations at the Review Conference on Small Arms and Light Weapons (SALW) of 2006, they distinguish a dimension of coherence distinct from the classical categories: "content/representation". At the conference, a number of member states lobbied for different priorities. Although these objectives were part of a pre-agreed "strategy", the fact that different member states did not pursue identical goals undermined the collective lobbying efforts. This formula might have been workable as a lobbying-strategy, and it might even have been deliberate. Yet, it was perceived as confusing by other parties, which can only conceive of the EU as a unitary actor as long as it speaks with "a single voice". "Being coherent" does not suffice, member states also need to "appear coherent".

Beyond the Search of a Notion

With the exception of Marise Cremona's article, the contributions to this Special Issue resulted from an open call. They reflect a growing interest in the (unresolved) question of coherence. Despite the heterogeneity of the featured articles, on the whole they provide a

8

hrss, Volume 3 (2008), pp. 1-10
Special Issue on Coherence in EU Foreign Policy
www.hamburg-review.de

stimulating mosaic of diverse aspects of (in)coherence in EU foreign policy. The articles by Stahl, Tulmets, Alcalde and Bouchard depart from the classical bureau-cratic/institutional approach traditionally applied to the study of coherence, pursuing an innovative strand recently inaugurated by a handful of scholars (Lerch/Schwellnus 2006; Szymannski/M.E. Smith 2006; Stetter 2007). This comes as a welcome complement to the works which, like Cremona and Poeschke, identify the implications for the coherence of legal-institutional dynamics in the EU. Our understanding of coherence can be consid-erably aided by the innovative trajectories pursued by our authors.

This brief overview by no means fully explicates the contributions made by the authors to the study of coherence, and to field of European foreign policy in general. We are cer-tain that readers of this issue will appreciate the wealth of insights in the featured articles without further introduction. Finally, we wish to conclude this introductory note by ex-pressing our gratitude to the six authors who have made possible this special issue, and to the anonymous reviewers for their invaluable help. We would also like to thank Stephan Stetter and Emma J. Stewart for their assistance on the final product. We remain indebted to all of them for their dedication and patience.

References

Christiansen, T. (2001) "Intra-institutional politics and inter-institutional relations in the EU: towards coherent governance?", *Journal of European Public Policy*, 8(5)

European Commission (2006) *Europe in the World – Some Practical Proposals for Greater Coherence, Effectiveness and Visibility (Communication from the Commission to the European Council of June 2006)*. COM (2006) 278 final

Gauttier, P. (2004) "Horizontal Coherence and the External Competencies of the Euro-pean Union" *European Law Journal*, 10(1)

Krenzler, H.G. and Schneider, H.C. (1997) "The Question of Consistency" in: E. Regels-berger, P. de Schoueete de Tervaren, and W. Wessels (eds) *Foreign Policy of the European Union. From EPC to CFSP and beyond*. Lynne Rienners: London

Lerch, M. and Schwellnus, G. (2006) "Normative by Nature? The Role of Coherence in Justifying the EU's External Human Rights Policy" in H. Sjursen (ed.) *Civilian or Military Power? European Foreign Policy in Perspective*. London: Routledge

Nuttall, S. (2005) "Coherence and Consistency" in Ch. Hill and M. Smith (eds) *The European Union and International Relations*, Oxford University Press: Oxford

Sick, S. (2001) "Das Kohärenzgebot bei Wirtschaftssanktionen der EU – Zum Verständ-
    nis zwischen Gemeinsamer Außen- und Sicherheitspolitik und gemeinschaftlicher
    Handelspolitik", Nomos: Baden-Baden

Smith, K. (2003) *European Foreign Policy in a Changing World*, Polity: London

Smith, M.E. (2004) „The Quest for Coherence" in A. Stone Sweet, W. Sandholz and N.
    Fligstein (eds) *The Institutionalisation of Europe*, Oxford University Press: Oxford

Stetter, S. (2007) *EU Foreign and Interior Policies*, Routledge: London

Szymanski, M. and Smith, ME. (2006) "Coherence and Conditionality in European For-
    eign Policy: Negotiating the EU-Mexico Global Agreement", in *Journal of Common
    Market Studies*, Vol. 43, 171-192.

Tietje, Ch. (1997) „The Concept of Coherence in the Treaty on European Union and the
    Common Foreign and Security Policy", *European Foreign Affairs Review* 2(1).