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# The Democratic Deficit of EU Foreign and Security Policy

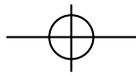
Mathias Koenig-Archibugi\*

The Foreign Office can manage very well without Parliament, and  
would rather it weren't there at all — British diplomat.<sup>1</sup>

Calls for the democratisation of European Union foreign and security policy are frequently heard, but attempts at realizing it face a crucial difficulty: a number of powerful political actors in the Union can be expected to oppose it for reasons of institutional self-interest. This is not surprising in that democratisation involves the redistribution of influence among actors in every context and thus is bound to generate a degree of resistance and opposition. It would be implausible to suppose that the European Union (EU) should be any different in this respect. In the EU, the prospect of democratisation seems particularly problematic because the main actors threatened by it are precisely those in charge of determining the pace and shape of the Union's institutional change, that is, the governments of the member states.

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<sup>1</sup> Quoted by W. Wallace, *The Foreign Policy Process in Britain* (London: George Allen & Unwin, 1997).



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National executives have an interest in being able to conduct foreign and security policy (indeed policy *tout court*) without stringent political and societal constraints. Chief executives, foreign and defence ministers, and their staff generally have their own policy preferences, which may conflict with those of parliamentarians, party elites and activists, and even with the majority of the public. However strong the political leaders' belief in democratic values, democratic control is nevertheless control and as such it is likely to generate the wish for greater autonomy.

This article examines the problem of democratising the EU's Common Foreign and Security Policy (CFSP) through the lens of what, for lack of a better name, can be called "collusive delegation". Hypothesising that the creation of a CFSP amounts to an act of collusion among member state governments means that the frequently lamented "democratic deficit" of European governance is actually one of the purposes of integration, and not merely an unfortunate by-product. If this interpretation is correct, the democratisation of CFSP through the normal procedure of inter-governmental agreement seems an unlikely prospect.

The article is structured as follows. The first section discusses collusive delegation as a general explanation for international cooperation. In the second section, it is suggested that collusive delegation might provide an explanation for the institutional trajectory of CFSP. The third and final section looks at the implications of collusive delegation for the issue of institutional reform of CFSP.

### The logic of collusive delegation

Various authors have argued that participation in international policymaking can increase the independence of a government from the domestic actors that are supposed to check its behaviour. Thirty years ago, Karl Kaiser observed that "[t]he intermeshing of decisionmaking across national frontiers and the growing multinationalisation of formerly domestic issues are inherently incompatible with the traditional framework of democratic control."<sup>2</sup>

Kaiser remarked that concerted policymaking within international institutions allows national governments to elude parliamentary control, at least to some extent, since they can refer to the collective character of the decision taken and to the high costs for the country if the parliament rejects the agreement negotiated by the governments. Moreover, the executive can

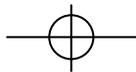
<sup>2</sup> K. Kaiser, "Transnational Relations as a Threat to the Democratic Process", *International Organisation*, vol. 25, no. 3, 1971, p. 706.

use the complexity and lack of transparency of international negotiations to prevent unwelcome intrusions by parliament or the public opinion before an agreement is concluded. The parliament's capacity to control government negotiating behaviour is generally limited by the (real or alleged) need for secrecy and by its dependence on information provided by the government itself. If opportunities for control are scarce when governments take decisions by unanimity, Kaiser remarked, they are even more restricted when decisions are taken by majority and some powers are delegated to supranational bureaucracies.

In the context of European unification, these effects are now widely debated at the political and academic levels under the heading "democratic deficit". To succinctly describe the democratic deficit problem: policy-making functions are increasingly performed by European institutions and the resulting diminution of national parliamentary control is not offset by democratic controls at the European level. The collusive delegation thesis accepts this diagnosis, but adds a crucial element: it maintains that the democratic deficit is not merely a by-product of the transfer of powers to supranational institutions, but also one of the purposes of this transfer. Governments pool their authority in order to loosen domestic political constraints. The collusive delegation thesis further maintains that this logic operates not only in the context of the European Union, but in all settings where the executive can expect to be the gatekeeper between domestic groups and the international environment.

Andrew Moravcsik has elaborated the collusive delegation hypothesis and advanced three general propositions.<sup>3</sup> The first is that international negotiation and cooperation can have the effect of redistributing some political resources that confer influence in the domestic political arena (specifically: agenda-setting power, access to decision-making, information, and ideological justifications). The second proposition is that the redistribution of domestic political resources favours those directly in charge of international cooperation, generally national executives. The third is that this redistributive effect feeds back into intergovernmental bargaining, generally increasing the executive's incentive to reach an agreement. This can happen because those in charge of the negotiation value cooperation not only because of the substantive and explicit benefits it brings, but also because it strengthens them vis-à-vis other actors in the domestic arena, such

<sup>3</sup> A. Moravcsik, *Why the European Community Strengthens the State: Domestic Politics and International Cooperation*. Center for European Studies Working Paper Series No. 52. (Cambridge, Mass: Harvard University Press, 1994); "Warum die europäische Integration die Exekutive stärkt: Innenpolitik und internationale Kooperation", in Wolf, K. D. (ed.) *Projekt Europa im Übergang? Staat und Demokratie in der Europäischen Union* (Baden-Baden: Nomos, 1997).



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as members of parliament, subnational governments and interest groups. In extreme cases, national executives might choose to support a multilateral limitation of national autonomy, even if the substantive gains from collective action are minimal, if this move can increase their control over domestic affairs. By forming "executive cartels", governments can help each other to shift the direction of policies closer to their own preferences.

Klaus Dieter Wolf argues that states have an a priori interest in expanding their autonomy with respect to society.<sup>4</sup> For Wolf, the drive to self-assertion is ultimately the consequence of the differentiation and contraposition of state and society, which in his view have not changed substantially since the heyday of the Westphalian state. Now, as then, states seek to maintain control of a turbulent societal environment and only the means have changed. According to Wolf, states used to help each other mainly by perpetuating a threatening external environment, while they now tend to achieve the same effect by creating binding intergovernmental arrangements. Now, as then, "states can cooperate against societies".<sup>5</sup>

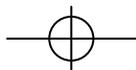
The collusive delegation thesis can be summarised as follows:

- Governments value their capacity to act autonomously with respect not only to the international environment but also to their own domestic environment.
- Participation in intergovernmental negotiations and institutions tends to increase the domestic autonomy of governments and shift the distribution of influence in the domestic arena in their favour.
- Governments, when considering the advantages of creating, modifying or joining an international institution, take account not only of the direct benefits that derive from international policy coordination, but also its effects on their domestic autonomy and power resources.
- When they have to decide whether to support or oppose transfers of decision-making competences to international settings, governments may face a trade-off between external and internal autonomy, and – all else being equal – choose the solution that improves their overall autonomy.

These statements have two important corollaries. The first is that each government perceives incentives differently depending on the degree of internal autonomy it already possesses. If the institutional and political system of a country already grants the executive a high degree of autonomy

<sup>4</sup> K. D. Wolf, "The New Raison d'État as a Problem for Democracy in World Society", *European Journal of International Relations*, vol. 5, no. 3, 1999.

<sup>5</sup> J. E. Thomson, "State Sovereignty in International Relations: Bridging the Gap Between Theory and Empirical Research", *International Studies Quarterly*, vol. 39, no. 2, 1995, p. 221.



and power with respect to other actors in the domestic arena, then an upward transfer of powers could result in a “net” loss of autonomy, and for the government this might be a reason for resisting such a transfer. An executive that is weaker domestically could have more reason to seek internal autonomy through internationalisation.

The second corollary is that the incentive to delegate authority is stronger in those policy areas where the executive faces particularly tight domestic constraints. If a government is relatively free to pursue its preferred policy on certain issues, it has less reason to delegate the handling of those issues to international governance structures.

#### CFSP: a case of collusive delegation?

There are various indications that the expected benefits of collusive delegation provided an important impetus for significant instances of international cooperation in general and European integration in particular.<sup>6</sup> For instance, as Kenneth Dyson and Kevin Featherstone have documented in their detailed history of the European Monetary Union, this is especially true in Italy, where a technocratic elite within the core executive considered monetary integration a means of achieving monetary and fiscal reforms that would have been unattainable otherwise because of domestic opposition. These liberal technocrats exploited the strong support for European integration in the Italian public and its political class to increase their influence vis-à-vis their statist and protectionist opponents. The Maastricht negotiations were conducted by a group of officials within the Italian Central Bank and key ministries who “sought to bind Italy by external ties and obligations - a vincolo esterno - in order to secure domestic reforms of an essentially liberal character”.<sup>7</sup> Guido Carli, Italy’s Treasury Minister and chief negotiator at the Intergovernmental Conference on EMU, came close to openly acknowledging the logic of collusive delegation when he remarked that “[o]ur agenda at the table of the Intergovernmental Conference on European Union represented an alternative solution to problems which we were not able to tackle via the normal channels of government and parliament”.<sup>8</sup>

<sup>6</sup> M. Koenig-Archibugi surveys the empirical evidence in the areas of monetary cooperation, trade dispute resolution and financial markets regulation in M. Koenig-Archibugi, “International Governance as New Raison d’État? The Case of the EU Common Foreign and Security Policy”, unpublished paper, London School of Economics and Political Science, 2002.

<sup>7</sup> K. Dyson and K. Featherstone, *The Road to Maastricht: Negotiating Monetary and Economic Union* (Oxford: Oxford University Press, 1999) p. 463.

<sup>8</sup> *Ibid.*, p. 452.



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Does collusive delegation have a role also in explaining why some European governments are keen to create a tighter common foreign and security policy? There is some evidence that this might be true. The focus here will be on the first corollary formulated above and thus on the fact that there was and is considerable variation in the preferences of European governments concerning their integration in foreign and security policy. The optimal level of political unification in the European Union is a matter of intense controversy not only among its citizens, but also among its member governments. These differences are evident especially at the outset of the Intergovernmental Conferences (IGCs) that determine the institutional trajectory of European integration. In these settings, European governments regularly express diverging positions on the form and depth of foreign and security policy integration, giving rise to long and difficult negotiations. Those fierce negotiations on European treaty reform reflect the existence of significant disagreements among governments about the depth of integration in foreign and security policy. Can the collusive delegation thesis contribute to explaining this diversity?

If the mechanism of collusive delegation is at work in CFSP, then we should expect governments with less autonomy in foreign and security policy to be more willing to delegate powers to supranational institutions than governments with a higher degree of autonomy, all else being equal. The benefits of collusive delegation, in fact, are higher for the former than for the latter. In the context of foreign and security policy, the crucial relationship here is the one between the executive branch and the legislative assemblies, as societal demands in this policy area tend to be channelled principally through partisan elites in parliament. The central question then is to what extent policymakers in the national executives are constrained by parliamentary control in the conduct of foreign and security policy.

The link between executive autonomy and supranationalism has been explored by the author by means of a multiple regression analysis applied to all current EU member states.<sup>9</sup> The outcome variable (that is, the preferences of governments concerning the degree of supranationalism in their foreign and security policy cooperation) was operationalised by collecting the public statements that the governments had made to illustrate the position they intended to promote at the 1996-97 Intergovernmental Conference. For the explanatory variable (that is, the autonomy of national executives vis-à-vis their parliaments in foreign and security affairs), a proxy was used to measure the balance of power between executives and

<sup>9</sup> Koenig-Archibugi, "International Governance New Raison d'État?". This paper also includes case studies about the four largest member states.

legislatures in general (the Woldendorp/Keman/Budge “Executive-Legislative Balance” index). In addition to the outcome variable and the explanatory variable, the model included a number of control variables that might plausibly affect the outcome variable. These are material power capabilities, levels of European identification among the public, and the strength of domestic regional governance.<sup>10</sup>

A multivariate regression of supranationalism on the legislative-executive balance and the three control variables supports the hypothesis that, controlling for other possible explanations, the degree of autonomy of a government with respect to parliament has a statistically and substantially significant effect on its willingness to deepen European integration in foreign and security policy. In other words, there is a clear negative relationship between the degree of autonomy of national executives with respect to parliaments and their willingness to pool and delegate sovereignty in foreign and security policy matters. This result shows the plausibility of the collusive delegation thesis by establishing that one of its crucial implications is confirmed by cross-national evidence.

Of course, this does not mean that collusive delegation is the only cause of the willingness of some governments to develop an integrated CFSP. But showing that this motivation may have a role in explaining their willingness or unwillingness has important implications for the question of democratic deficit.

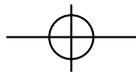
### Implications for institutional reform

To the extent that the desire to loosen domestic constraints partly explains the willingness to shift decision-making to the European level, the democratisation of the CFSP faces a serious problem. Briefly formulated, the problem stems from the circumstance that

- governments that are able to conduct foreign policy without stringent democratic control oppose a genuinely supranational CFSP, while
- governments that support a supranational CFSP consider further integration as a way to shield their foreign policy choices from “excessive” domestic democratic control.

Under these conditions, it seems difficult to attain or maintain three things simultaneously: (a) the central role of national governments in determining the institutional trajectory of the Union, (b) an integrated foreign policy, and (c) a foreign policy subject to tight democratic control. Only two of these goals seem attainable at the same time.

<sup>10</sup> The reasons for including these possible causal factors, as well as their operationalisation, are discussed in Archibugi, “International Governance New Raison d’État?”.



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The combination of (a) and (b) is likely to bring about a situation in which a “cartel” of executives uses EU institutions to insulate foreign policy decisions from societal influences, according to the logic of collusive delegation elaborated above. The combination of (a) and (c) is unlikely to lead to an integrated CFSP, as executives would lack an important incentive for creating it. Finally, the combination of (b) and (c) seems possible only if national governments are stripped of the ability to decide on the future institutional shape of the EU.

Insofar as a choice between these goals is unavoidable, their value needs to be assessed very carefully. The following will not provide such an assessment, but will briefly mention some points that should be taken into account when debating institutional reform.

The first point concerns the value of an integrated CFSP. A tighter institutional structure would help to increase the effectiveness of common foreign policies. It would probably involve the reduction of information costs, the simplification of decision-making, the shortening of decision time, the continuity of policies, overall coherence in the Union's external action, independence from special interests, an increase in visibility and credibility, and other benefits that have frequently been stressed. More generally, it seems likely that an integrated foreign and security policy would increase the capacity of Europe's citizens to protect their security and interests on the global stage. Even the limited formalisation of decision-making procedures and instruments at Maastricht and Amsterdam has had some positive effect on the Union's capacity to prevent conflicts outside the Union's boundaries,<sup>11</sup> and wider-ranging reforms might prevent the failures (measured against initial expectations) that occurred in dealing with the crises in the Balkans and elsewhere. Crucially, an integrated Union would have more influence on policy choices taken within the transatlantic alliance. It would also represent an insurance policy with respect to a possible weakening of the transatlantic link. External economic relations are centralised for the sake of effectiveness and the same argument seems applicable to the CFSP.

The second point concerns the value of having a foreign and security policy that is subject to tight democratic control. Since the desirability of democratic oversight of public policies is often assumed by “default”, a useful way to approach the issue is to consider some arguments against democratising the CFSP. Two can be briefly mentioned, the first being more general and the second more focused on the specific nature of the EU. Both

<sup>11</sup> C. Hill, “The EU's Capacity for Conflict Prevention”, *European Foreign Affairs Review*, vol. 6, n. 3, 2001, p. 328-9.

arguments are not hostile to democratic governance *per se*, but are based on the idea that democratisation is not suitable for all contexts and that crucial differences between situations should be taken into account before institutions are reformed.

The first argument points at the differences between foreign policy and other areas of state activity. Alexis de Tocqueville wrote that “la politique extérieure n'exige l'usage de presque aucune des qualités qui sont propres à la démocratie, et commande au contraire le développement de presque toutes celles qui lui manquent”.<sup>12</sup> He argued that foreign policymakers must hold clear and constant opinions, be immune from sudden passions, be able to act in secrecy and wait patiently for the results – in sum, have the qualities typical of monarchies and aristocracies. In the 1950s, Walter Lippmann insisted that in the twentieth century public opinion has “compelled the governments, which usually knew what would have been wiser, or was necessary, or was more expedient, to be too late with too little or to long with too much, too pacifist in peace and too bellicose in war, too neutralist or too appeasing in negotiation, or too intransigent.”<sup>13</sup>

Nowadays this position is seldom articulated in public,<sup>14</sup> although it appears to be behind the unease many people feel at the prospect of public opinion having a greater impact on foreign policies. The weaknesses of this position have already been exposed several times<sup>15</sup> and therefore will not be repeated here. But it should be pointed out that a growing body of research by political scientists shows that 1) public opinion on foreign policy issues is more stable and coherent than the elitist critique assumes<sup>16</sup> and, more importantly, 2) that democratic control of foreign policy usually improves the quality of the latter. In particular, it has been persuasively argued that the level of democracy attained by a polity is inversely related to the likelihood that the polity

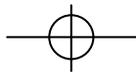
<sup>12</sup> [Foreign policy does not call for the use of almost any of the qualities that characterise democracy and, on the contrary, requires the development of almost all those that it lacks] A. de Tocqueville, *De la démocratie en Amérique*, vol. 1 (Paris: Flammarion, 1981) p. 316, quoted in D. Battistella, “De la démocratie en politique extérieure. Après-guerre froide et domaine réservé”, *Le débat*, no. 88, 1996.

<sup>13</sup> Quoted by J. Zielonka, *Explaining Euro-Paralysis: Why Europe is Unable to Act in International Politics* (Basingstoke: Macmillan, 1998) p. 158.

<sup>14</sup> But see for instance S. Cohen, “Diplomatie et démocratie. Faux problèmes et vrais dilemmes”, and P. Delmas, “La démocratie par l'économie?” both in *Le débat*, no. 88, 1996.

<sup>15</sup> See for instance Zielonka, *Explaining Euro-Paralysis*, and B. Russett, *Controlling the Sword: The Democratic Governance of National Security* (Cambridge, Mass: Harvard University Press, 1990).

<sup>16</sup> O. R. Holsti, “Public Opinion and Foreign Policy: Challenges to the Almond-Lippmann Consensus”, *International Studies Quarterly*, vol. 36, no. 4, 1992.



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will initiate or escalate a militarised dispute (moreover, democracies win most of the wars they fight and tend to suffer less casualties). The level of democracy is also positively related to levels of international trade, levels of participation in multilateral institutions, and capacity to commit credibly to international agreements.<sup>17</sup> In sum, the scepticism against a democratically controlled foreign policy does not seem justified.

The second argument against (further) democratising the CFSP points at the importance of another difference: the difference between the classical nation state and the European Union. The European Union is said to lack the essential attributes of statehood and as a consequence its institutions do not need mechanisms providing direct democratic legitimacy. Andrew Moravcsik, for instance, argues that the competences of the EU are limited to very specific functional areas and its activities do not justify extensive opportunities for citizen participation. Moreover,

the most autonomous EU institutions are found precisely in those areas – constitutional adjudication, foreign economic diplomacy, technical regulatory administration, central banking, and criminal prosecution – where non-majoritarian decision-making is most widespread and legitimate in the domestic polities of the member states.<sup>18</sup>

On the contrary, “the policies most salient in the minds of European voters – overall levels of taxation, social protection and pensions, education, and major military commitments – remain firmly in the hands of national governments”.<sup>19</sup> According to Moravcsik, then, there is no deficit of democracy in the European Union: each locus of decision-making embodies the mechanisms for control, accountability and participation that are appropriate to the types of policies decided.

However, this argument does not seem very plausible either. The European Union is now in charge of a number of policies – such as the elimination of barriers to the flow of people, goods and capital between member states, the setting of monetary policy and macroeconomic guidelines, and the negotiation of international trade agreements – that have a significant impact on the decisions “voters care most about”, that is decisions about employment, taxation, pensions and so on. European citizens have at least an indirect interest in which policies are decided by EU

<sup>17</sup> An overview is provided by B. Russett, and J. Oneal, *Triangulating Peace: Democracy, Interdependence, and International Organisations* (New York: Norton, 2001).

<sup>18</sup> A. Moravcsik, “Federalism in the European Union: Rhetoric and Reality”, in Nicolaidis, K. and R. Howse (eds) *The Federal Vision: Legitimacy and Levels of Governance in the United States and the European Union* (Oxford: Oxford University Press, 2001) p. 183-4.

<sup>19</sup> *Ibidem*, p. 184.

institutions and this is an argument for democratisation. This argument applies also to CFSP to the extent that political instability in other areas of the world affects global economic growth and other important issues such as transnational migration.

In sum, the case against democratising the CFSP seems rather weak. In the absence of an overwhelming reason for insulating European foreign policy from public influence, the democratic principle should be extended in this domain. In another context, Dario Battistella remarked that:

la participation du public ne rend la gestion de la politique extérieure ni plus sage ni moins sage, ni plus efficace ni moins efficace, que celle conduite par les seuls gouvernants; en revanche, elle la rend, tout simplement, plus démocratique.<sup>20</sup>

This cautious conclusion should be applied to the CFSP as well.

This clearly raises the question: if democratising CFSP is a desirable goal, what institutional forms are best suited to promote it? Broadly speaking, three main channels of accountability are currently advocated by European governments, institutions and commentators: 1) national parliaments individually scrutinise the behaviour of their respective governments; 2) national parliaments collectively scrutinise the behaviour of EU institutions charged with foreign and security policymaking; and 3) the European Parliament scrutinises the behaviour of EU institutions charged with foreign and security policymaking. Non-parliamentary channels of democratisation (e.g. referenda) are seldom considered.

Proponents of the first option insist, in the words of the British government, that "parliamentary oversight of common European security and defence policy remains the responsibility primarily of national parliaments".<sup>21</sup> This article has shown why this "solution" might actually be preferred by several governments, as *de facto* it implies a reduction of political constraints in the conduct of foreign and security policy. This has been stressed by the Assembly of the Western European Union (WEU), which pointed out that,

[a]lthough the governments transferred the executive functions of crisis management to the EU, they overlooked the parliamentary dimension.

<sup>20</sup> [the participation of the public does not make foreign policy management any more wise or less wise, more effective or less effective than that carried out by governments alone, it simply makes it more democratic], Battistella, "De la démocratie en politique extérieure", p. 133.

<sup>21</sup> House of Commons, Sixth Report from the Foreign Affairs Committee (Session 1999-2000), Developments at the Intergovernmental Conference 2000. Response of the Secretary of State for Foreign and Commonwealth Affairs (October 2000), Cm 4893, p. 8.



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There is no doubt that as a result of this omission, democratic scrutiny as exercised by the national parliaments has suffered a blow.<sup>22</sup>

In sum, insisting on the preservation of fragmented national scrutiny seems a recipe for further diminishing democratic accountability.

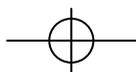
The second option, collective control by national parliaments, is more promising from a democratic point of view. Two variants have been proposed: The first is an interparliamentary assembly composed of members of national parliaments and responsible for scrutinising EU foreign and defence policies. Such an institutionalised interparliamentary chamber would follow the model of other bodies such as the parliamentary assemblies of the WEU, the OSCE and the Council of Europe. The WEU Assembly is a vocal advocate of this option,<sup>23</sup> and indeed has renamed itself "the interim European Security and Defence Assembly" (sparking a row with the EP and several governments). The second envisages periodic meetings of parliamentarians specialising in foreign and defence issues. Such a body – which some propose to call "Congress" – would bring together members of national parliaments and the European Parliament and have the task of discussing general questions of policy, rather than examining specific issues and decisions. The model for this relatively informal forum would be the Conference of European Affairs Committees (COSAC). This option has been suggested, *inter alia*, by the European Parliament's Foreign Affairs Committee (not surprisingly, as this solution does not create an institutional rival to the EP).<sup>24</sup>

Finally, the third option is to strengthen the powers of the European Parliament substantially and give it primary responsibility for controlling EU foreign and defence policy. Of course, this is preferred by those advocating the full communitarisation of foreign and defence policies – including the EP itself. The European Parliament asked the Convention to include common foreign and defence policies among the EU's own competences, that is the domains where member states may intervene only in accordance

<sup>22</sup> Assembly of the WEU, *The Parliamentary Dimension of the ESDP*. Report Submitted on behalf of the Political Committee, 18 October 2001, A/1752, p. 5 par. 11.

<sup>23</sup> Assembly of WEU, *Resolution 109 on the Role of National Parliaments in the European Union and more specifically in the ESDP – A Contribution from the Assembly to the Convention*, adopted on 4 June 2002, Document A/1778. This idea has been rejected by the European Parliament: see its *Resolution on Relations between the European Parliament and the National Parliaments in European Integration (2001/2023(INI))*, 8 July 2002.

<sup>24</sup> Opinion submitted to the European Parliament's Committee on Constitutional Affairs by the Committee on Foreign Affairs, Human Rights and Common Security and Defence Policy, 6 December 2001.



with the conditions and within the limits established by the Union.<sup>25</sup> Some have suggested that the consent of the EP should be required for any international treaty to be signed by the EU, that it should be consulted before and during the negotiations, and that any external policy decision with implications for the budget should require close parliamentary involvement.<sup>26</sup>

From the point of view of the collusive delegation hypothesis, it is not clear whether creating an interparliamentary assembly focusing on foreign and defence issues would be preferable to strengthening the EP in this domain. The choice depends principally on whether one believes that strengthening European institutions would promote the formation of a European demos or not – a question that cannot be tackled here. However, what this article has tried to show is that whatever the solution considered better for improving effectiveness and accountability, intergovernmental procedures for institutional change cannot be relied upon to choose it.

This brings us to the third element of the triad mentioned earlier. If a CFSP that is both integrated and democratically controlled is desirable for the reasons suggested, what about the role of national governments in EU reform? National governments are the crucial actors in the process through which European institutions are reformed, and the fact that parliaments and sometimes voters (in case of a referendum) are allowed to adopt or reject the revisions as a whole does not substantially alter this circumstance. In contrast to foreign policy integration and democratic control, the preservation of the crucial role of governments in constitutional change does not seem a particularly valuable goal. The case for the direct involvement of the European citizenry in the process of constitutional change has been convincingly made by many commentators.<sup>27</sup> If any one feature of the EU has to be abandoned – an integrated CFSP, a democratically formulated and controlled foreign policy or the intergovernmental procedures for constitutional revision – the most likely candidate should be the latter, finally replaced by a directly elected constitutional assembly.<sup>28</sup>

<sup>25</sup> See for instance the Report on the Division of Competences between the European Union and the Member States tabled on 24 April 2002 by the European Parliament's Committee on Constitutional Affairs (2001/2024).

<sup>26</sup> Contribution by Joachim Wuermeling (Alternate representative of the European Parliament at the Convention): International Agreements of the EU – Proposals to Reinforce Parliamentary Control. European Convention, Secretariat, 23 October 2002, CONV 362/02.

<sup>27</sup> See for instance T. Pogge, "Creating Supra-National Institutions Democratically: Reflections on the European Union's 'Democratic Deficit'", *Journal of Political Philosophy*, vol. 5, no. 2, 1997.

<sup>28</sup> *Ibid.*, and P. C. Schmitter, *How to Democratize the European Union... And Why Bother?* (Lanham: Rowman and Littlefield, 2000)

