# Transformation of the state: Which lessons to learn from European external affairs administration?

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## Abstract

The birth of new institutions tends to attract scholarly attention, even more so in those cases where it is yet difficult to determine the exact nature of the outcome. Such is the case of the European External Action Service (EEAS), one of the novelties of the EU's post-Lisbon institutional architecture. This research note reviews some of the recent EEAS literature and extracts a number of research questions connected to the changing inter-state order in Europe from these discussions. The article is presented in the following steps: The first section offers a short review of some key contributions to EEAS studies. The consecutive section introduces a public administration approach and draws some conceptual and methodological parallels to lines of research in other areas of EU integration study and relevant to the debate on the transformation of the state.

**Introduction**

The European External Action Service (EEAS), composed of officials from the European Commission (Commission), the (Union) Council Secretariat as well as the national diplomatic services of the member states, does not only transcend the well-established boundaries of supra-nationalism and inter-governmentalism, it also fuses different administrative apparatuses and bureaucratic logics (Wessels 1990). Starting point for this brief research note is the question of whether and how the establishment and operation of an encompassing EU foreign affairs administration affects Europe's inherited administrative order. Taking the EU foreign policy service as an empirical laboratory, the lens suggested here focuses on the transformative potential of organizational integration of EU level and national level administrative structures. Especially in in the European context, international politics need not be studied and treated as fundamentally different from other political spheres; emphasizing the bureaucratic components of EU politics and administration, EU foreign policy can be seen as a special case of public policy, in particular on the following grounds: First, the administrative decision-makers are EU bureaucrats, following certain institutionalized patterns of behaviour. Second, given the EU's multi-level character, EU-level foreign policy-making also reveals some important parallels to other, chiefly non-regulatory, sectors of public policy, notably the EU core executive composed of Commission departments. Third, policy fields (as are policy makers) are increasingly interconnected and have, since long, 'gone' international, trans-national or global, from economy and finance, energy, transport, research and technology. Foreign affairs, in its full sense, takes a horizontal or cross-cutting position and needs to adopt an approach of 'integrative diplomacy' (Hocking et al. 2012: 29) in relation to those issues, as all of these are part of the external dimension of the EU. At the very least, we see no reason why the study of international relations or foreign policy should not benefit from the – sensible – confluence of analytical devices that have proven to be useful in other sub-disciplines and fields of public policy, management, administration and organization studies.

The institutional experiment, the EEAS indeed is, has become a focal point of several (sub)disciplines: From the point of view of international law, there is great interest to adequately capture the EEAS which, for the time being, is oscillating between being a 'EU organ', a 'hybrid body' (Carta 2012: 167), and an 'interstitial' diplomatic body (Bátora 2013). From the point of view of EU studies, two dominating views exist about the nature of the EEAS, seeing it as an intergovernmental body and as a supranational body, respectively. First, the EEAS may, according to an intergovernmental interpretation, provide the EU member-states with a formidable institutional locus to influence EU foreign policy in the long-run as much as it may affect national foreign ministries by structurally linking the diplomatic services at both levels. Secondly, from the point of view of public administration (PA) scholarship, the EEAS presents a case of supranational capacity-building where new administrative structures may hail from different pre-

existing parenting institutions. The organizational approach to public policy and administration adopted in this research note provides the analytical tools for examining the extent of 'independence, integration and co-optation' a crucial contribution to the EU's executive order and governance architecture, by weaving into a web of formal-legal and functional lines of command and control transcending the member states, thus completing and reinforcing the administrative infrastructure and governance layers at the supra-national level.

The establishment of permanent and relatively independent bureaucratic and operational structures in Brussels and in the 140 EU Delegations, with a rather broadly defined mandate for defining, designing and implementing European external action may be seen as a qualitative change as compared to previous arrangements, which were institutionally and organizationally keenly separating community from intergovernmental competences and capacities. The recent push for joint action for in the area of migration is highly illustrative and may further drive the integration of administrative capacity and of operational capabilities to act across government levels, and facilitate the Europeanization of the area of asylum policy. The dreadful terror attacks in Paris of November 2015 will undoubtedly amount in a push for securitization in these policy areas and in a direct nexus to foreign and security policy as well as justice home affairs. The intensification of activities within the realm of what has been termed a new "EU home affairs diplomacy" (Brady and Parkes 2015) may be seen as expression of European administrative space in the area of internal and external security, whereby the border protection agency (FRONTEX), with reinforced capacities and in cooperation with EUROPOL and EUROJUST (which in turn links to national police bodies), is already envisaged to operate as a sort of 'joint' between internal and external security provision related to the areas of migration, border protection, policing and terrorism, in- and outside the Union territory (Council 2015).

This research note is structured in two parts: The part section offers a short review of some key contributions to EEAS research. The second part introduces a public administration approach which also broadens the scope by asking: What can be learned from the EEAS experiment as regards the transformation of the state?

**Integrating public administration – a brief review**

As an area of research, the extent to which and the conditions under which international administrations may act independently of member state governments has become increasingly vibrant, however, still offering inconclusive findings (e.g. Beyers 2010; Checkel 2007; Moravcsik 1999). The autonomy of the EEAS remains surprisingly unexplored in a mounting EEAS literature, contributing to contradictory assessments of it (Cross 2011; Furness 2013; Mérand and Angers 2014; Vanhoonacker and Pomorska 2013). The EEAS is seen as rifted between member-state dominance (Helwig 2013; Kluth

and Pilegaard 2012; Juncos and Pomorska 2013), the concern for the collective European good (Cross 2012, Maurer and Raik 2014; Thomas and Schimmelfennig 2011), administrative fragmentation and portfolio concerns (Blom and Vanhoonacker 2015; Henökl 2014; Morgenstern 2013), as well as professional independence (Bátora 2013; Nivet 2011; Spence 2012). As a consequence, academics, politicians and EEAS officials have different views of what the EEAS is and what it should be.

Recent studies (Henökl 2014, 2015) have suggested a conceptual framework to study the EEAS as an instance of the 'European administrative space' (Olsen 2003; Trondal and Peters 2013), and thus as a case of executive centre-formation at the EU-level (Egeberg 2006; Trondal 2007). This approach conceptually suggests the emergence of an administrative order transcending the inherent Westphalian politico-administrative order based on national, territorial administrative sovereignty. As has been pointed out, "[t]he Westphalian state order and modern diplomacy have co-evolved as mutually reinforcing institutions, and through them European ideas in the realm of statecraft and interstate relations have been disseminated around the world" (Bátora 2005: 62). The transformation of states has also had effects on the institution of diplomacy: The professionalization and standardization of behavioural roles, the 'esprit de corps' as well as rules of loyalty and allegiance for diplomats have been ascribed a foundational and consolidating effect for centre formation at the nation-state as well as at the EU levels (Henökl and Trondal 2015). The professional behaviour of diplomats, their recruitment and identity as well the exclusivity of their relationship with their domestic governments has been seen as having a decisive impact on executive control over foreign relations (Bátora 2009). With regard to centre-building, it may be worthwhile to point out that also formalization of roles and rules for public officials, defining appropriate behavior (e.g. hierarchical subordination, professionalism, loyalty, impartiality, standard procedures, codes of conducts or ethics and integrity in government) have been seen as an important contribution to the organization and institutionalization of public authority and to the legitimacy of state bureaucracies (March and Olsen 1989; Peters 2011; Rothstein and Teorell 2008; Weber 1922).

The gist of the growing EEAS literature has so far shown a bias to treat the EU foreign policy mainly from an international relations and EU studies angle (e.g. Cross 2011; Duke 2012; Howorth 2011, 2013; Juncos and Pomorska 2013; Nivet 2011; Portela and Raube 2012; Sjursen 2011, 2012; Smith 2010, 2013; Thomas 2012; Thomas and Tonra 2012; Whitman and Juncos 2009, 2012). These approaches however do not fully account for the increasing importance of administrative networks, facilitated by direct unit-to-unit interaction between and linking together departments of national and international bureaucracies. Therefore, an organizational analysis of the EEAS (Henökl 2015; Henökl and Trondal 2015), has put the focus on these administrative features to theoretically grasp and empirically assess which decision premises are pre-dominant in the EEAS and which behavioural logics EU diplomats follow. The pre-dispositions for action have been

studied according to variation by source of recruitment and type of employment of EEAS staff. One study (Henökl and Trondal 2015) highlights two important findings. First, EEAS officials reveal considerable behavioural independence from member state foreign offices. EEAS officials are primarily inward-looking officials abiding by core roles and rules of the EEAS. Secondly, the behavioural autonomy among EEAS staff is explained primarily with reference to the supply of organizational capacities inside the EEAS. In short, the primary organizational affiliation of EEAS officials seems to bias their behavioural perceptions towards independence vis-à-vis MS governments. This finding also supports previous research on the role of bureaucratic structure in organizations (Egeberg 2012), in the European administrative system (Egeberg and Trondal 2011), and in international bureaucracies more broadly (Trondal 2013).

**Introducing a public administration approach to EU foreign policy and international relations**

Taking administration seriously, a research focus on order transformation by capacity building investigates whether and how the establishment of a relatively independent EU foreign policy administration, co-opting and tapping into the resources of different branches of the EU executive as well as of the EU member states makes a critical case for a gradual alteration of the European politico-administrative system. First, it represents a transfer of capacity for action in an area of core-state competences to the EU level. Secondly, it may affect (1) how foreign policy makers at different levels are bound together, and (2) the way, power and resources are distributed among and between governance levels. It is thus the effects of the organization of public administration on policy-making and implementation that are of concern, connecting to literatures on organization studies, public policy and comparative politics (e.g. Egeberg and Trondal 2015; Jupille and Caporaso 1999).

Bureaucratic organizations are powerful providers of capacities and resources, such as legitimacy, expertise, attention, learning, as well as administrative, executive and operational capabilities in the production and distribution of public goods (Olsen 2006). In many instances, it is administrations that set the standards, norms, bench-marks, values and ideas, and thereby creating compliance-generating premises affecting the behaviour of states and non-state actors alike (Fukuyama 2014; Simon 1957).

The EEAS may be seen as an example of an organizational hybrid, created to resolve the steering/governance paradox of simultaneous coordination between levels and within levels of administration. Its mission is to square the circle of combining intergovernmental policy prerogatives with supranational action capacities, connecting departments of national administrations at the EU level and even linking up into global institutional structures, transnational IGOs and the UN system, e.g. Food and Agricultural Organization (FAO), International Labour Organization (ILO), International Monetary Fund (IMF), World Trade Organization (WTO), or the G20 (Wessels 2011).

Hybrid organizations, such as the EEAS, are frequently expression of the search for a solution to diverging or conflicting demands as to coordination and decision-making (Egeberg and Trondal 2015). The EEAS has also been conceptualized as an 'interstitial organization' (Bátora 2013), combing political, diplomatic and administrative structures and tasks, ranging from co-responsibility for foreign aid and development, to civilian and military crisis management and from EU-internal foreign policy coordination to defence cooperation that belong to distinct organizational fields. The appearance of the EEAS on the international scene, representing the EU as a non-state entity with an interstitially organized foreign policy administration, may be seen to challenge the state monopoly of diplomatic representation, a system of institutionalized practices and standardized interactions between sectorally compartmentalized and government-controlled ('government-bound') services. Similarly, its political top, the position of the HR/VP has been described as 'hybrid institutional figure' (Missiroli 2011: 430) or 'Janus-faced' and 'rather schizophrenic actor' (Curtin 2009: 102) because the position is combining different institutional affiliations and separate competence areas, representing distinct logics of integration (intergovernmental and supranational logics). The new function merges, first, the role of the High Representative of the CFSP with, second, the position of a Vice-President of the European Commission, responsible for External Relations and playing a coordinating role for other Directorate-Generals (DGs) of the External Relations (RELEX) family (Development and Cooperation, DEVCO, Neighbourhood and Enlargement, NEAR, and Trade), with, third, the functions of the chair of the Foreign Affairs Council (FAC), formerly exercised by the Foreign Minister of the member state holding the rotating EU Presidency (Art. 18 TEU). To reconcile competing visions on the desirable degree and type of integration in the field of foreign and security policy, the EEAS has been designed as such an organizational hybrid, combing diplomatic and administrative structures and tasks, ranging from foreign aid and development to civilian and military crisis management and defence cooperation. Consequently, its organizational members expose different and partly conflicting institutional orientations and decision premises (Henökl 2015; Henökl and Trondal 2015).

Such transformative processes may alter governance and accountability structures, the sources for legitimate and just behaviour, and modify roles, rules, identities and allegiances, understandings of purposes, as well as fundamental norms and beliefs of actors and institutions. 'Integration of the core state functions' (Genschel and Jachtenfuchs 2014), such as security and defence, can be seen to signify a contribution to a retrenchment of the inherent Westphalian administrative system in Europe (Olsen 2009, 2010). Together, such evolutions may build up the transformative potential to gradually and sustainably reorganize political and organizational arrangements in Europe. As a consequence of the hybrid status of the EEAS' multiple embeddedness, competing oversight and control relations can be discerned as a structuring principle in order to 'secure material, political and/or ideational influence' (Blom and Vanhoonacker 2015: 5).

**Broadening the scope: What to learn from the EEAS experiment?**

In a wider perspective, the research on the above mentioned issues may be relevant also for other policy fields and governance arrangements, notably for the study of governmental agencies, international bureaucracies as well as different instances of regional integration.

International organizations and fora of regional cooperation are central to the evolution of international relations but also the elaboration and coordination of public policies conducted by nation states. Given the proliferation of problems - such as migration, expanding areas of 'limited statehood' (Krasner and Risse 2015), economic development, environmental degradation and climate change, terrorism and violent conflict, emerging nuclear threats etc. – conceived and framed as international or global problems, the expectations vested in international organizations as crisis managers or arbitrators are high. Because of their potential influence and importance, the inner workings of international bureaucracies have increasingly come into focus of research in political and organizational science (Biermann and Siebenhüner 2009; Reinalda 2013; Trondal et al. 2010). What is frequently left unaddressed is the question of how precisely different organizational forms, venues and structures of cooperation and coordination impact political and administrative arrangements of the state, and the way public policies at national level are designed and implemented.

A comparative approach to transnational administration would look at research questions such as: How do (evolving) functions and forms of international administration affect cooperation and organization within and between states? And further, how do they contribute to shape global governance architectures as well as the definition and framing of issues and challenges of contemporary world politics? How do they affect the global political order, the distribution and exercise of (different types of) public authority among the (different types of) actors in international relations?

To address the broader theoretical implications related to order transformation (cf. Bartolini 2005), research needs to be directed towards the fundamental conceptual assumptions about how relationships are structured across tiers of authority and a variable geometry of function- or sector-specific administrative networks emerging between and around them. In this perspective, research on the complex network structures of 'loosely coupled' (Benz 2010; March and Olsen 1976) governance units and policy entrepreneurs across sectors and levels of governance has exhibited a rather unique fabric of decision-making, coordination and implementation links in the EU, spanning sectors and levels of governance, conceptualized as a genuine system of 'multi-level administration' (MLA) in Europe (Bauer and Trondal 2015; Benz 2015; Egeberg 2006).

This system is characterized by 'interdependent processes of policy-making and the flexibility of structures, in which national and European actors participate more as political entrepreneurs than as holders of particular competences' (Benz 2010: 215). A recent line of research conceives of the European administrative system (EAS) as featuring new institutional constellations and configurations, emphasizing the integration of public administration – not its outcome (Bauer and Trondal 2015). This research is preoccupied with both understanding European administrative capacity-building (Bauer 2006; Egeberg 2006; Rittberger and Wonka 2011), and understanding the interconnected nature of the European public administration (Curtin and Egeberg 2008; Egeberg 2010; Egeberg and Trondal 2009). The focus is thus not primarily on government apparatuses as arenas, but rather as normative structures that mobilize bias (Schattschneider 1975) and that contribute to a systematic patterning of behavioural traits among office holders (Simon 1957). Consequently, the way administrative subunits are formally organized at all levels of government is assumed to bias the roles, beliefs, identities, and behavior evoked by the staff involved, and ultimately the multilevel governance processes being administered. Such organizational characteristics might include organizational capacity, organizational specialization (horizontal/vertical), organizational affiliation (primary/secondary), organizational coupling (tight/loose), etc. The MLA approach assumes institutions as independent variables. One crucial causal mechanism in the MLA approach is the supply of administrative capacities at each level of government. It is suggested that providing and coupling organizational capacities at sub-unit level may have certain implications for how organizations and humans act. The MLA approach is thus also a theory to explain organization of collective action.

The present transformations of the European political and bureaucratic space lead to the acquisition of additional competences of policy coordination and enforcement by the EU executive (Bauer and Becker 2014; Egeberg et al. 2015). In a number of policy areas, also additional hybrid instruments for policy-making and execution, such as the EEAS are added to existing institutional and organizational strata. Yet, the EU does clearly not dispose of the full range of means and capacities to conduct these policies single-handedly, and to replace national administrations (Bauer 2006; Heidbreder 2014; Olsen 2007). Rather, new hybrid organizational solutions are layered on top of existing structures, whilst both are increasingly involved in the joint performance of tasks related to policy execution (Hofmann and Türk 2006: 583), coupled together in re-combinations of functional units across levels of governance, where 'parts of national administrations, seem to some extent to have also become parts of a kind of European administration' (Egeberg 2010). The recent capacity building exercise in EU foreign policy is a case in point, leading to what may be termed a a hybrid and 'nested multi-level' foreign policy administration (Benz 2015; Hooghe and Marks 2003).

Three challenges might be envisaged: First, the creation of the EEAS undermines the traditional institutional logics of European foreign policy as an intergovernmental policy

area, since it represents the introduction and amalgamation of more and new supra-national elements and dynamics into what has previously been a stronghold of intergovernmentalism (e.g. Blom and Vanhoonacker 2015).

Second, the institutional logics of diplomacy in Europe may find itself challenged by the appearance of a new actor in a field dominated by state-centred traditions, an exceptional domain increasingly becoming subject to normalization (Wille 2013). Such homogenization dynamics may give rise to the mobilization of alternative action frameworks inspired by meaning systems emerging at the interstice between various organizational fields and governance levels (e.g. Bátora 2005).

Third, the arch-European institutional logics of the Westphalian inter-state order may further become pressurized and contradicted by an empowered foreign policy apparatus and new EU diplomatic practices, unfolding in a core-area of sovereignty (Genschel and Jachtenfuchs 2014). Diplomacy and sovereignty, representation and recognition have been central institutions of the European model of statehood and inter-state relations, and the definition and execution of foreign policy have historically been a prerogative of national executives. These prerogatives have become challenged with the additional politico-organizational endowments of the EU's new foreign affairs administration.

Formulating and implementing public policy in Europe has traditionally been a core task of national administrations. One important feature of public sector administrations has been the supply of autonomous administrative resources (Matthews 2012: 281; Skowronek 1982). Being an embryonic organization nesting in a field of core state powers, the autonomy of the EEAS may be assumed easily compromised by member state intervention, broadly speaking. Thus, the EEAS should be seen as a hard case of the transformation of the state.

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