The Internal Contestation of EU Foreign and Security Policy

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A Literature Review of the Implications of Intra-EU Contestation on Crises and Conflicts

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Abstract

A certain amount of political disagreement and internal debate within the member states has always been part of EU (foreign and security) policy-making. Over the past few years, however, domestic actors have fundamentally challenged, undermined and even reversed established EU norms, policies, and procedures. Different political and societal actors – from political parties to civil society organisations – have been engaging in acts of internal contestation, both directly through government policies and indirectly by shaping the domestic debate. Whether different acts of contestation have been able to make a lasting impact on EU foreign and security policy capacity remains to be seen. On the one hand, contestation can simply result in a more pluralistic policy debate. On the other hand, member states’ stances on certain policy areas have become extremely polarised, with some capitals drastically changing their policy positions and challenging fundamental EU norms. This type of internal contestation has severely curtailed the Union’s ability to act promptly and effectively on the global stage.

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Introduction

Over the last few decades, it has become increasingly clear that foreign policy is “no longer a domaine réservé of an elite” and that “competing concepts of the ‘national interest’” are fundamentally challenging the way in which national and EU foreign policies are formulated.¹ Policy areas that were considered a prerogative of national executives or diplomats – from defence policy to trade negotiations – have come to directly affect EU citizens and have thus been the target of growing public scrutiny. The permissive consensus that characterised EU decision-making up until the 1980s is no longer the norm. Instead, a growing number of policy areas have become subject to a constraining dissensus born out of domestic contestation and politicisation.² Foreign policy, an broad concept encompassing the institutionalised the Common Foreign and Security Policy (CFSP) and Security and Defence Policy (CSDP) as well as other areas with an external dimension (such as trade), is no exception to this rule. Against the backdrop of this increased contestation of EU foreign and security policy, this paper seeks to answer the following questions: according to existing scholarship, how does internal EU contestation constrain EU foreign and security policy? In particular, how does internal contestation affect the capacity of the EU to respond to crises and conflicts in the realm of foreign and security policy?

Recent challenges to fundamental EU norms, long-standing positions and established practices are qualitatively different from the legitimate policy disagreements between European capitals that have been characterising EU foreign and security policy since its inception. In particular, scholars point to episodes of contestation that extend well beyond closed-door meetings in Brussels, resulting instead in a much greater visibility of the debate, the involvement of a significant number of societal actors and the polarisation of actors’ positions.³ Additionally,

the tone and scope of the challenge matters: whenever foundational European norms are disregarded or rebuked, we can no longer dismiss contestation as simply “business-as-usual” disagreements.⁴

Internal contestation of foreign and security policy is spurred by a diverse array of domestic actors as well as by external players seeking to foster divisions among the EU-27.⁵ Populist and mainstream parties anticipating a political gain have actively challenged or walked back on previously agreed EU foreign and security policy positions. Societal actors, such as civil society organisations (CSOs) and non-governmental organisations (NGOs), as well as the media and public opinion, have also contributed to the politicisation of foreign and security policy issues. Recognising that EU external relations are subject to an increasing amount of contestation, researchers have paid more and more attention to domestic challenges to specific policy areas, such as external migration, trade, development and enlargement.⁶ The literature has just begun to try and establish the precise effects of internal contestation on EU foreign and security policy, but scholars agree that it often results in a more divided and less proactive Union, which in turn makes for an easy target for third countries seeking to influence its foreign policy. Scarcer still is the academic literature exploring the effects of internal contestation on the EU’s ability to respond to crises and conflicts. Nevertheless, borrowing from the scholarship on EU crises, it is possible draw a few preliminary conclusions on the different ways in which internal contestation can hamper the Union’s crisis response capacity.

All the while examining contestation of EU external relations more broadly, the present review includes lessons for EU foreign and security policy proper. For one,


if even relatively technical policy areas such as external trade are increasingly subject to contestation (see section 3 below), one can only expect a strongly intergovernmental area such as foreign and security policy to be even more prone to challenges by domestic actors revindicating their sovereign decision-making powers. Furthermore, the role of external actors in promoting internal contestation of EU foreign and security policy will be even more prominent in internationalised conflicts and crises, from the Israel-Palestine conflict to the crisis in Venezuela. Finally, the constraining effects of internal contestation in crisis situations where the EU is expected to take a stand will be all the more harmful to the Union’s image, reinforcing long-standing prejudices of the EU as a “political dwarf” unable to meet expectations.

The review starts by discussing how the International Relations (IR) literature has addressed the relationship between domestic politics and foreign policy, devoting particular attention to recent contributions on the internal dimension of (EU) foreign policy contestation and on the role of specific political and societal actors. Surveying a few examples of contested policies in EU external relations, the review focuses on those aspects of internal contestation dynamics that remain under- or unexplored. Finally, the review examines the contributions that, to date, have sought to establish the effects of such internal contestation on EU foreign and security policy capacity and, more specifically, on the EU’s capacity to manage conflicts and crises.⁷

1. The importance of the domestic context for foreign policy

Since the 1990s, several trends have contributed to the increasing relevance of domestic factors for foreign policy. For one, the end of the Cold War allowed states

⁷ To provide an overview of the most recent and rigorous research on internal contestation, this review privileged academic articles and Special Issues published among the leading European journals within the last five years. The same standard was applied to notable monographs issued by prestigious publishers in the field. Works that pre-dated 2017 were only included if they constituted seminal contributions to existing scholarship (as indicated inter alia by multiple references to them in other cited works). Moreover, the review took into account “grey literature” from research institutes and think tanks (e.g. policy briefs, commentaries, working papers, etc.), including the institutions that participate in the JOINt project. Finally, the following discussion draws on the findings of previous Horizon 2020 projects (particularly EU-LISTCO).
to act more autonomously in the international system, endowing domestic actors with greater freedom to influence their country’s foreign policy. Moreover, the domestic repercussions of global events – from migration to climate change – have fostered an “exclusive nationalist backlash, which includes economic protectionism, xenophobic reactions to immigrants, and a strong aversion to international institutions”. In seeking to counter some of the negative consequences of globalisation, states have resorted to international and regional cooperation. No form of regional cooperation has achieved greater levels of integration than the European Union. Yet, precisely because the competences of the EU across several policy domains (including foreign and security policy) have expanded since the 1990s – with significant consequences for EU member states’ national policies – domestic actors have increasingly sought to influence (and politicise) EU decision-making. Indeed, the transfer of powers from the national to the supranational level has been identified as one of the primary causes of politicisation of international institutions and policies. More specifically, the integration process has led to a growing tension between the widening competences of the EU, on the one hand, and relatively stable national identities, on the other. Political entrepreneurs at the domestic level, in turn, have capitalised on this tension by linking a supposedly endangered national identity as well as economic and cultural insecurity with European integration, thus fostering Euroscepticism.

1.1 Bringing domestic factors to the fore: The second image and two-level game

In exploring the various sources of conflict and cooperation among states, Kenneth Waltz famously identified three levels of analysis (or images, as he called them at
Even though Waltz himself favoured structural explanations of state behaviour, his account soon gave way to the so-called second-image literature, which focused precisely on domestic factors to explain states’ foreign policy decisions and differences in countries’ foreign policies. Specifically, the subfield of Foreign Policy Analysis has provided critical insights into the role of domestic actors in determining foreign policy decisions. Moreover, scholars soon came to realise that a country’s foreign policy is the result of concomitant and parallel forces at the national and international level. Robert Putnam (1988) captured this reciprocal relationship by conceptualising the influence of domestic constraints on international negotiations as a “two-level game”. Putnam’s framework was soon adapted to analyse EU negotiations with third countries. The two-level game thus became a three-level one, to include the domestic, EU and international layers of the negotiations. However, two- and three-level games frameworks do not concern themselves with “the domestic games played inside the Member States” and even less with the internal contestation of national and EU foreign policies. It is to the scholarship on role theory, as well as the literature on contestation and politicisation, that one should turn to gain better insights into the internal contestation of the EU.

1.2 Contestation in EU foreign and security policy

The scholarship on contestation initially examined challenges to national foreign policies coming from both national legislatures and different types of non-state actors. Recognising that EU policies are subject to a growing level of scrutiny and politicisation from the member states, researchers soon turned to the internal contestation of the EU itself. The latter differs from national-level contestation or from simple policy disagreements to the extent that it does not merely concern role conceptions or policy positions, but can go as far as to question established norms, processes and even the Union’s very existence (so-called polity contestation).

Noting that domestic actors often do not share the same expectation of the role that a country should play on the global stage, Cantir and Kaarbo call for a careful analysis of “the domestic contestation of national roles and the effects of internal role disagreement on states’ foreign policy processes and behaviors”. According to them, the domestic contestation of foreign policy can occur along both a horizontal and vertical dimension. The former refers to the contestation of the executive’s policies from (opposition) parties in the legislature, divisions within multiparty coalitions or among advisors and across bureaucratic agencies. The latter concerns contestation by the public and elites outside the legislature, such as experts, think tanks and protest movements.

Building on these studies, Biedenkopf, Costa and Góra turn to the EU level and offer a fine-grained categorisation of the types of internal contestation of EU foreign and security policy that take place during different phases of the EU policy cycle. During the agenda-setting stage, contesters can decide to bring the process unto other arenas or make it more broadly salient to their domestic audience. In the event of an international crisis or conflict, this particular type of contestation might result in the EU being altogether shunned in favour of other venues (such as NATO or the United Nations) and/or in domestic actors politicising the crisis at the national level. In the policy formulation phase, contesters may challenge the dominant definition of the problem and the paradigms underpinning the envisioned policy response. Once again, this is a relevant type of contestation in the context of crisis response, as it helps determine whether “the crisis requires a military, civilian, and/or humanitarian response (or a combination), as well as what methods and instruments should be deployed, and which institution(s) should be in charge”. Critically, the way in which a crisis is first framed forms the basis for all subsequent policy decisions. For instance, the link between migration flows and security threats has led to the securitisation of EU migration policies, including the militarisation of Frontex, the EU border and coast guard agency. At the policy adoption stage, both proponents and detractors of the policy decision will seek to justify their positions. In this phase, prominent political and social figures at the national level often take the opportunity to call the policy response – and even the very issue at hand – into question again. Finally, during the implementation phase, contestation often amounts to non-compliance with a specific policy by individual member states.

Perhaps the most distinctive type of contestation in the context of CFSP/CSDP is implicit contestation, whereby member states refrain from engaging with EU foreign and security policy altogether. Passive or tacit contestation on the part of

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26 Joanna Dyduch and Patrick Müller, “Populism Meets EU Foreign Policy: The De-Europeanization
(certain) member states can of course be detrimental to the EU’s crisis response capacity, which relies on the contribution of all member states.\(^{27}\)

One might wonder whether the recent policy disagreements in EU foreign and security policy are something fundamentally new or whether they are just “business-as-usual” in EU decision-making. After all, member states have disagreed over a myriad of foreign policy issues for decades (Kosovo and the Israeli-Palestinian conflict being but two of the most relevant examples). Recently, scholars have made important steps towards clarifying the difference between fundamental challenges to EU foreign and security policy and mere disagreements. Especially helpful is the distinction that Biedenkopf, Costa and Góra make between contestation and politicisation, two concepts that are often conflated or used interchangeably in much of the literature. If contestation, as they define it, is (a healthy) part of the democratic process, politicisation occurs where increased contestation leads to (1) greater public visibility of a specific issue, (2) the expansion of the number and type of actors involved in the debate and (3) a greater polarisation among the actors taking part in the debate. Others have added that we should also consider whether the challenge is taking place within the parameters of foundational European norms and whether the challenging member state is taking increasingly extreme policy stances or going counter its prior policy positions altogether.\(^{28}\)

In short, scholars warn against the danger of labelling any policy disagreement as an instance of internal contestation. However, they suggest that, whenever the policy debate assumes certain characteristics – that is, it transcends European normative boundaries, acquires high levels of visibility in the public debate and interests a significant number of strongly polarised actors – we are justified to speak of internal contestation and to recognise it as a fundamentally new phenomenon.\(^{29}\)


\(^{28}\) Patrick Müller, Karolina Pomorska and Ben Tonra, “The Domestic Challenge to EU Foreign Policy-Making”, cit.

\(^{29}\) Ibid.
1.3 Whose contestation? Domestic actors and EU foreign policy

Textbooks and handbooks on (EU) foreign policy tend to focus on a similar set of domestic actors, including, most importantly, political parties, along with several nongovernmental actors ranging from interest groups to civil society organisations as well as public opinion and the media. The literature on the internal contestation of EU foreign and security policy has primarily, although not exclusively, focused on (populist) political parties.

**Political parties**

If only a few years ago scholars lamented the lack of literature on the role of parties in foreign policy, there is now a growing body of work dedicated to the influence that political parties – especially populist parties – in Europe exercise on their national (as well as EU) foreign policy. Before delving into the role of populist parties – both in government and in the opposition – it is worth discussing political parties’ ability to influence foreign policy more generally.

Other than the agendas and preferences of political parties themselves, the political system within which such parties operate matters. For instance, due to the specific political and institutional constraints to which they are subject, coalition governments tend to exhibit more extreme (that is, either more peaceful or more conflictual) foreign policy behaviours than single-party governments. Moreover,
oversized coalitions produce fewer foreign policy commitments, whereas minimum winning coalitions with high ideological diversity make stronger international commitments. Additionally, a party’s position on the left-right ideological spectrum is crucial: right-wing parties tend to be more belligerent and prone to initiate disputes. Further, a party’s influence on the foreign policy agenda critically depends on their role within the coalition (e.g. their status as pivotal parties or as junior coalition partners) and on their control of a relevant foreign policy-related ministry. Finally, Hooghe and Marks postulate that parties will seek to politicise an issue only when they see an electoral advantage in doing so. In particular, they take into account the potential popularity they will gain from politicising the issue, their reputation with and ideological commitments to party members and the extent to which the issue threatens to divide the party.

Given their increasingly prominent role in the domestic political arenas of virtually all member states, a growing body of literature is developing around the specific role of populist and nationalist parties and their contestation of (EU) foreign policy. When discussing populism, this review follows the established definition elaborated by Cas Mudde, whereby populism is:

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37 Liesbet Hooghe and Gary Marks, “A Postfunctionalist Theory of European Integration”, cit.

38 Populism and nationalism might not necessarily be found within the same party. For instance, the Scottish National Party is recognized as nationalist but not populist. Other parties, instead, are both populist and nationalist: populist radical right parties in Europe are all based on a mix of nationalism, nativism, authoritarianism, ethno-pluralism and resentment politics (Christina Schori Liang, ed., *Europe for the Europeans. The Foreign and Security Policy of the Populist Radical Right*, Aldershot/Burlington, Ashgate, 2007). In populist left-wing parties, on the other hand, we generally do not find such as strong nationalist element, as they seem to be primarily focused on countering the socio-economic ramifications of globalization (Cas Mudde and Cristóbal Rovira Kaltwasser, *Populism: A Very Short Introduction*, New York, Oxford University Press, 2017).
a thin-centered ideology that considers society to be ultimately separated into two homogeneous and antagonistic groups, “the pure people” versus the “corrupt elite,” and which argues that politics should be an expression of the volonté générale (general will) of the people.39

One of the earliest publications on European populist parties’ foreign and security policy is the volume edited by Christina Schori Liang.40 The contribution highlights how far-right parties’ foreign policy platforms have contributed to their electoral success across Europe. The book, however, focuses solely on the far right and does not devote particular attention to the effect that these populist parties’ foreign policy stances have on EU foreign policy-making. In subsequent years, research has mostly concerned itself with mapping different parties’ positions on various foreign policy issues, either within single member states or cross-nationally, by comparing the positions of different populist parties across the EU.41 When it comes to single country case studies, scholars have documented both populist and mainstream parties’ ability to shape their national foreign policies, especially when part of a coalition government.42

In the EU context, political parties are all the more relevant as they can influence policy-making both at the domestic and EU level, including through the European Parliament (EP). The literature seems to agree that, at least so far, the impact of populist parties elected to the EP has been limited, due to their “widely divergent


40 Christina Schori Liang (ed.), Europe for the Europeans, cit.


interests, low levels of cohesion and low presence at debates”. At the domestic level, however, populist parties have successfully pushed mainstream parties to adopt populist rhetoric and policy agendas. In some EU member states (Italy, Austria and Estonia), far-right populist parties have formed coalition governments with centre-right parties and have thus been able to directly influence the foreign policy agenda. However, scholars caution against exaggerating the impact that populist parties have once in government, as some of their inherent characteristics make their long-term policy influence questionable. Indeed, whenever gaining a seat in government, populist parties face a clear dilemma. On the one hand, the constraints of public office clash with their de-institutionalised nature and their reliance on charismatic figures. On the other hand, populist parties that adjust too well to their new role and moderate their positions risk losing their credibility in the eyes of their supporters.

On the contrary, when they are free from the constraints of elected office, parties can more easily challenge government policies – including in the area of foreign and security policy. For instance, Wagner and colleagues showed that both populist and mainstream parties in Germany, France, Spain and the United Kingdom oppose military missions much more frequently when they are in the opposition than when they are in government. Populist parties – and especially far-right parties – have been particularly successful in shaping government policies indirectly, with mainstream parties across Europe reacting to the electoral success of the far-right

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by adopting more anti-immigration positions.48 Both Alternative für Deutschland (AfD) and the Sweden Democrats were very effective in increasing the salience of external migration policy in their respective countries, influencing the domestic decision-making process.49 On EU development policy, populist far right parties in opposition successfully pushed European governments to frame development policy as a means to curtail migration flows.50

**Non-state actors, NGOs, CSOs and interest groups**

The still limited literature on the influence of foreign and security policy interest groups points to the fact that, at the EU level, most interest groups gravitate around the European Commission and the European Parliament, who might be more receptive but have limited powers in CFSP/CSDP. Access to the Council and the European Council on the part of interest groups is still negligible and results in a limited influence.51 Fortunately, scholars have recently started filling some of the gaps by devoting increasingly more attention to the role of state and non-state actors in fostering internal EU contestation. For instance, Uçarer explored the strategies of NGOs in engaging with and resisting EU policies in the area of migration and asylum.52 Most recently, Lina Liedlbauer examined the contestation of EU counter-terrorism policies by Brussels-based and national civil rights NGOs.53 Several authors

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49 Rosa Balfour et al., “Divide and Obstruct”, p.9, cit.

50 Julian Bergmann, Christine Hackenesch and Daniel Stockemer, “Populist Radical Right Parties in Europe”, cit.


have also discussed the importance of CSOs in recent trade negotiations. For instance, CSOs played a prominent role in the highly politicised negotiation of the Transatlantic Trade and Investment Partnership (TTIP), contributing to stalling it down. CSOs such as Public Citizen, the European Consumer Organisation (BEUC), Friends of the Earth, and Transatlantic Consumer Dialogue (TACD) led the opposition to the agreement, galvanising public opinion to an unprecedented extent.

Public opinion and news media

The literature on the relationship between foreign policy, public opinion and the media is dominated by US-based scholarship, whereas research specifically looking into the effects of public opinion on EU foreign policy is still largely descriptive and the processes through which public views affect the foreign policy decision-making process remain undertheorised.

The debate among US scholars over the importance of public opinion for the formulation of foreign policy has significantly evolved over time. While in the aftermath of the Second World War the consensus was that public opinion was too volatile and inconsequential to affect foreign policy decision-making, a parallel wave of scholarship challenged this predominant view, showing that public attitudes have structure and follow a set of principles with regards to foreign policy. A third school of thought asserted that, while there is predictability in public views on foreign policy, these do not come from the public itself, but are fed to them by the elites. Especially in the event of a crisis, the public turns to trusted cue-givers (generally, professionals in the media or government who provide information to the public).
political parties and/or the executive) to form an opinion. However, researchers caution against exaggerating the impact of cues from the elites and recognise that citizens form their opinion on the basis of their own predispositions and that they can also take cues from one another. After all, if the public is so reliant upon the elites, why does it so often disagree with the government’s foreign policy?

The media, of course, plays an important role in mediating between public opinion and foreign policy decision-making, counterbalancing some of the information asymmetry between the elites and the public, especially when it comes to highly salient issues. In short, while at the beginning of a foreign policy debate the elites have the informational advantage and might be able to manipulate the media to promote a certain narrative, as the debate proceeds, the media can turn into a watchdog and provide the public with alternative cues and information. The so-called “CNN effect” argument went as far as to claim that extensive media coverage of a crisis (which the full-news CNN pioneered) could prompt the public to mobilise and demand politicians and policy-makers to take foreign policy action. It should be noted, however, that the CNN effect was called into question as soon as it started being debated in academic circles.

Scholars are only now starting to grapple with the advent of social media and their impact on the dynamic relationship between media, public opinion and foreign policy, but evidence from the US suggests that the hyper fragmented social media environment is leading the public to “reflexively back ‘their’ leaders and disapprove of opposition leaders”, a trend that can only contribute to the politicisation of foreign policy.

The limited literature focusing on EU foreign policy assumes a close relationship between how media report and frame foreign policy issues and the content of public debate. In particular, the media can influence public opinion and foreign policy-making through four distinct dynamics: gatekeeping, which refers to how media filter information to be included or excluded from public discourse; the ability of the media to focus public attention on a particular issue, de facto contributing to the agenda-setting stage of foreign policy; framing, that is how the presentation of news information influences or directs public perception towards specific issues; and priming, which refers to how media direct the public to the issues on which leaders should be judged. To date, however, the role of the media in the specific process of domestic contestation of EU foreign and security policy – and its effects on the EU crisis response capacity – remains underexplored. One notable exception is the work of Mai’a Davis Cross on EU crises. Although she does not explicitly focus on the internal contestation of the EU, she notes that the media is a particularly noteworthy actor in the context of crises. Not only does the media contribute to the social construction of crises – including whether an event is framed as a crisis to begin with – but “it tends to overreport, exaggerate, and distort events as well as predict that the worst is still to come”. Additionally, the fact that some media tends to use a conflict frame in its coverage of events, often painting problems as an “us vs. them” issue, helps foster adversarial narratives between the national and EU level, magnifying challenges coming from the member states. These insights deserve to be investigated further by future research, so as to account better for the role the media plays in the process of contestation and politicisation of EU policies – especially in the context of crises and conflicts in which the EU has a stake.

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2. What policy issues are being contested?

Having gone over the different types of actors that participate in the internal contestation of EU, exploring some examples of contested policies will help illustrate how these actors operate and interact with one another to challenge, or even reverse, EU policies.

The literature seems to agree that the issue on which internal contestation has constrained EU-level decision-making most significantly is external migration policy.\(^6\) In this sense, populist far right parties have successfully managed to influence mainstream parties to adopt much stricter positions on migration issues.\(^6\)

Beyond migration, some of the most politicised foreign policy debates over the last few years have included the TTIP, enlargement and the Neighbourhood Policy and EU foreign policy towards strategic rivals, such as China and Russia.\(^6\)

In surveying some of the most contested policies in EU external relations, this section affords insights that can in turn be applied to the contestation of EU foreign and security policy more specifically. Among other things, the following overview highlights certain underlying cleavages exploited by domestic actors when challenging EU policies.\(^6\)

Moreover, member states' disagreements over external

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68. One major cleavage is that on “more” or “less” Europe, which populist parties in particular use to challenge to role of EU institutions and reclaim foreign policy competences for the national level. Another important cleavage is that around different notions of national (and European) identities: inclusive and cosmopolitan, on the one hand, or exclusive and essentialist, on the other. See Beáta Huszka, “Eurosceptic Yet Pro-enlargement: The Paradoxes of Hungary’s EU Policy”, in Southeast European and Black Sea Studies, Vol. 17, No. 4 (2017), p. 591-609; Senem Aydin-Düzgit, Constructions of European Identity. Debates and Discourses on Turkey and the EU, Basingstoke/New York, Palgrave Macmillan, 2012.
migration, trade and enlargement shed light on the role of different domestic actors – from populist parties to civil society organisations – in the process of internal contestation, offering important lessons for the analysis of the role of intra-EU contestation in hampering a more joined-up EU foreign and security policy.

**Migration**

Even the more casual observer of EU policy-making will not have missed the stark divisions on external migration policy that have been plaguing the EU over the past decade and that peaked with the disagreements on the UN Global Compact for Migration. In the last few years, the debate has focused around aid flows to third countries of origin and transit as well as search and rescue missions and anti-smuggling operations in the Mediterranean. Much of the stalemate in which member states find themselves stems from internal contestation. In this sense, the role of both populist and mainstream parties has been of critical importance. On the one hand, mainstream parties themselves have advocated for stricter migration policies “with or without pressure from right-wing populists or coalition agreements with them”. However, when it comes to the influx of migrants in 2015, populist parties enabled “extreme anti-immigration right-wing positions [to become] mainstream positions, mobilising right and left-wing governments and political leaders in dramatic fashion”.

The internal contestation of EU migration policies has largely confirmed Hooghe and Marks’ expectations on the type of conditions under which parties benefit from politicising an issue. Indeed, populist and mainstream parties alike have not

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69 Diego Badell, “The EU, Migration and Contestation”, cit.
71 Rosa Balfour et al., *Europe’s Troublemakers*, cit., p. 45.
72 Ibid., p. 46.
73 Liesbet Hooghe and Gary Marks, “A Postfunctionalist Theory of European Integration”, cit.
hesitated to mobilise public opinion in return for short-term electoral gains and at the expense of sustainable policy solutions at the EU level.

**Trade**

The negotiations over the Transatlantic Trade and Investment Partnership (amongst the most contested in recent years) and external trade policy more generally are a particularly interesting issue to examine, as the process of internal contestation involved an exceptionally diverse array of domestic actors, from political parties to civil society organisations. Supporters of the TTIP pointed to the economic gains that would derive from lower tariffs and the removal of non-tariffs measure, as well as to global standard-setting nature of a trade agreement between the EU and the US. Mainstream political forces across Europe were concerned about the risks that the TTIP posed to health, labour and environmental standards, as well as to national economic interests. Most populist parties’ opposition to the TTIP derived from their unease at the Commission’s exclusive competence in the area of trade policy. For their part, CSOs resisted the TTIP because they believed that “the mutual recognition of standards would undermine safety regulations and increase the power of multinationals through the Invest[or]-State Dispute Settlement”.

Other examples of internal contestation of EU trade policy include the Comprehensive Economic and Trade Agreement (CETA) with Canada and the Deep and Comprehensive Free Trade Areas (DCFTA) agreement with Ukraine, which the Netherlands rejected in a referendum.

The politicization of trade policy offers important lessons on the potentially critical role of a range of societal actors, from CSOs to NGOs, which have largely been ignored in the context of foreign and security policy (especially with regards to

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75 Rosa Balfour et al., *Europe’s Troublemakers*, cit., p. 39.


EU enlargement policy

A wide set of domestic dynamics has contributed to the contestation of EU enlargement policy. For one, domestic public support for further enlargement roundshasfallen dramatically over the past decades, despite continued elite support. Rather surprisingly, public opposition to enlargement is now strongest in those very member states that were amongst its most enthusiastic supporters, such as Germany and, formerly, the UK. Additionally, while the effect of mass media on EU-related attitudes remains underexplored, studies have shown that media coverage of enlargement influences citizens’ own views of new members’ accession to the EU. The ways in which national media outlets cover enlargement policy, therefore, further contribute to internal contestation dynamics. Moreover, parties from across the political spectrum have not hesitated to capitalise on – and further reinforce – the public’s growing scepticism. Populist far-right parties have been systematically opposing Turkey’s accession to the Union, arguing against enlargements beyond the borders of what they consider Europe. Mainstream parties, for their part, have also engaged in discursive contestation of Turkey’s accession of the EU, as Aydın-Düzgit points out in her analysis of political attitudes in Germany, UK and France.

While domestic contestation of EU enlargement might not yet go as far as to exceed the boundaries of “business-as-usual” policy disagreements, it does offer insights into the concurring roles of different domestic actors, each contributing to challenging the previous EU consensus. Much like contestation over trade, internal

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81 Senem Aydın-Düzgit, Constructions of European Identity, cit.
challenges to EU enlargement policy show that any comprehensive analysis of
the contestation of EU foreign and security policy will have to go beyond national
parliaments and executives to account for the myriad of political and societal
actors that contribute to the process.

Additionally, all three examples drawn from the broader field of EU external relations
offer one important lesson. Challenges arising from different actors at the national
level stem from pre-existing tensions and fault-lines amongst national populations
and between EU member states. The contestation of external migration policy
revealed especially grievances between Southern and Eastern EU member states –
as well as between the more or less exclusionary segments of the population across
the EU. The debate over TTIP hid tensions between the so-called winners and losers
of globalisation and between those that oppose and those who support transferring
additional powers to EU institutions. Scepticism over further enlargement rounds
stems, among other things, from opposition to further European integration.
Accordingly, any study looking at internal contestation and its effects on EU foreign
and security policy capacity should be acutely aware of the cleavages that underpin
the challenges coming from the member states.

3. Effects of domestic contestation on EU foreign and
security policy

While there is widespread agreement around the fact that EU foreign policy is
increasingly salient, contested and politicised, the (rather limited) relevant literature
disagrees on the type of effect such contestation has been having on the EU’s
foreign and security policy capacity. Scholars acknowledge the growing role of
domestic actors in the contestation of EU foreign and security policy as well as the
increasing range of issues affected. They also recognise that internal contestation
of established EU policies, processes and norms has, time and again, hindered EU-
level decision-making. Researchers wonder whether these episodes of contestation
will result in long-term changes that might significantly reshape EU foreign and
security policy. Even more in its infancy is the scholarly debate on the specific

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82 For a similar consideration, see Mai’a K. Davis Cross, The Politics of Crisis in Europe, cit., p. 36.
effects of contestation on the Union’s ability to respond to international crises and conflicts. While the literature on EU crises offers precious insights, it does not pay particular attention to internal contestation dynamics and focuses primarily on the Eurozone and migration crises.

In their introduction to the *European Security* Special Issue on contestation of CFSP, Biedenkopf, Costa and Góra provide a most timely analytical framework to think about the different possible consequences of internal contestation of EU foreign and security policy. They explain that not all types of internal contestation have negative consequences for the coherence and effectiveness of it. The first option is that *contestation does not lead to lasting changes in political conflict*. That is, none of the three dimensions of politicisation they consider increases: we do not observe greater polarisation among the elites and/or the public, contestation does not lead more actors to take part in the debate and the contested issue does not become more salient. Alternatively, contestation might result in the *expansion of the actors involved*: more (types of) actors take part in the debate over a contentious policy issue at hand, which might simply mean that the policy process becomes more *inclusive*. For instance, contestation can lead to the involvement of national parliaments or the EP in foreign policy debates previously addressed exclusively within the Council. However, when contestation drives actors’ stances on an issue further apart (*polarisation*), reaching a consensus on EU foreign policies is all the much harder. If contestation results in greater polarisation and in the involvement of more actors from the decision-making elites, the authors speak of *elite politicisation*. This might happen, for instance, when a foreign policy issue becomes more divisive and starts being discussed beyond the confines of the Council to involve MEPs and national MPs, high-level government and Commission officials. Finally, contestation leads to *mass politicisation* if all three dimensions of politicisation increase: actors progressively take more distant positions, the number and types of actors involved increases and the salience of the debate goes up.

Much of the domestic contestation of EU foreign policy to date seems to take place in the form of rhetorical and performative attacks. The question is of course

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whether—and when—these attacks against the established consensus or previously accepted norms will filter into diplomatic practice itself (provided they have not already done so). Thus far, the evidence points in different directions, with some scholars suggesting that, at least for now, domestic contestation of EU foreign and security policy is deployed tactically at the national level without affecting policy at the EU or international level. For instance, all the while showing clear signs of de-Europeanisation, the challenge to the EU consensus posed by number of populist parties tends to be tactical and pragmatic, with parties falling short of openly contesting key EU foreign policy positions. Yet, increased contestation has actually led to the erosion of rules of good, collegial behaviour within Council committees and working groups by the representatives of a few member states.

All things considered, scholars concur that there are warning signs coming from at least some member states. Indeed, in some cases contestation has resulted in changes to organisational structures within member states’ ministries of foreign affairs (MFAs), such as the civil service law enacted by Poland’s Law and Justice party (PiS) that eliminated open competition for senior posts within the civil service and prevented candidates belonging to any political party from applying. These radical reforms of the civil service, which have taken place not just in Poland but also in Hungary, have been reflected in substantive shifts in member states’ policy priorities, decisions and initiatives.

Among other consequences of the increased politicisation and contestation of EU foreign policy, we should expect a further consolidation of intergovernmentalism as the dominant EU foreign and security policy decision-making method. The likely increase in logrolling or competitive bargaining will lead countries to resort more and more frequently to “hostage-taking” tactics, whereby member states stall EU agreement on a given issue to obtain something in return on another issue. This

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85 Joanna Dyduch and Patrick Müller, “Populism Meets EU Foreign Policy”, cit.
was evident, for instance, when Cyprus blocked the negotiation of sanctions against Belarus to obtain concessions on its dispute with Turkey.\textsuperscript{89} As a result of this more adversarial bargaining, it will be increasingly difficult for the EU to achieve unity on complex and sensitive foreign policy issues and this, in turn, creates opportunities for foreign powers to manipulate divisions among EU member states (the so-called “Trojan horse” strategy).\textsuperscript{90} Indeed, disagreement among the EU27 opens the door for third countries to lobby member states on a bilateral basis. A particularly emblematic example is offered by Israel’s policy towards Greece or Cyprus, aimed at influencing or even undermining a common EU policy on the Palestinian-Israeli conflict.\textsuperscript{91} Divisions among the member states caused by internal contestation have also resulted in the fragmentation of EU27 positions in international fora. This was the case, for instance, when six EU member states refused to back a UN resolution calling for the US to withdraw its recognition of Jerusalem as the capital of Israel without a previous agreement with the Palestinians.\textsuperscript{92} Additionally, internal contestation has led – and will likely lead – to lower solidarity among the member states. This was evident in the domestic debate in Germany and several other Northern European countries during the Eurozone crisis and, particularly, on the issue of Greece’s bailout.\textsuperscript{93} Similarly, as mentioned earlier, (populist) political parties have long been hindering any common EU policy on external migration.

\textbf{4. Internal contestation and the EU’s capacity to respond to crises and conflicts}

If there is still limited research on the effects of internal contestation on EU foreign and security policy, there is an even smaller body of work examining the specific


\textsuperscript{92} The member states were Poland, the Czech Republic, Croatia, Hungary, Romania and Latvia. See Joanna Dysduch and Patrick Müller, “Populism Meets EU Foreign Policy”, cit., p. 579; Ayhan Simsek, “Majority of EU States Back UN’s Jerusalem Resolution”, in \textit{Anadolu Agency}, 21 December 2017, http://v.aa.com.tr/1011859.

\textsuperscript{93} Rosa Balfour et al., \textit{Europe’s Troublemakers}, cit., p. 30.
impact of contestation on the EU’s capacity to respond to crises and conflicts.

The effect of contestation on crisis response seems to have been explored primarily at the domestic level. Among EU-level crises, the Eurozone and migration crises are the ones that have received most attention, whereas crises in the area of CFSP/CSDP remain, in relative terms, underexplored. Accordingly, the role of internal contestation on EU crisis response capacity has not been examined extensively. Nonetheless, the existing literature on the politics of EU crises can still offer important insights.

One of the most comprehensive collections of works on the EU’s response to crises is the collective volume edited by Marianne Riddervol, Jarle Trondal and Akasemi Newsome. The contributors offer a comprehensive overview of the institutional actors, legal frameworks, administrative structures and capabilities available to the EU in crisis prevention, response and management. They mostly focus on the short- and long-term effects of different crises on European integration, without paying particular attention to the role of internal contestation in either constraining or enabling Brussels’ response. Nevertheless, the volume’s conceptual framework, which delineates three different scenarios for how the EU might cope with crises, serves as a useful frame of reference for future research on internal contestation and crisis response.

The authors suggest that, in the face of a crisis, the EU might break apart in one or more policy areas (“breaking down”). This is likely to happen when member states refuse to act together or anti-EU sentiments stemming from internal contestation

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96 Marianne Riddervol, Jarle Trondal and Akasemi Newsome (eds), *The Palgrave Handbook on EU Crises*, cit.
hamper a common EU approach to a crisis. The lack of consensus, in turn, “limits the Union’s capacity to be the swift crisis responder it aspires to be”\textsuperscript{97} The Libyan crisis offers an emblematic example of the effects of internal contestation in the context of CFSP/CSDP crises.

The debate on the intervention in Libya was characterised by a divided public opinion across Europe. French public views fluctuated considerably throughout 2011: before the start of the UN-sanctioned mission in March, French citizens seemed very much reticent at the idea of a military intervention. By April, two thirds of the population supported the country’s participation, though already in July 51 percent of French were against the NATO mission.\textsuperscript{98} Despite somewhat lukewarm public support,\textsuperscript{99} British Prime Minister David Cameron’s government adopted an interventionist position and, together with France, took the lead the push for action in the UN Security Council. In Germany, 70 percent of the public was against participation in a military intervention, which prompted the government not to side with Paris and London.\textsuperscript{100} Italian public opinion expressed a preference for an international peace mission over a military intervention.\textsuperscript{101} Parliament showed divisions between the different political parties, yet it ultimately voted in favour of Italy’s participation in the military operation.\textsuperscript{102} Ever since 2011, member states’ divisions have proven severely harmful to a concerted EU stance, preventing the Union from playing a meaningful role in the conflict.\textsuperscript{103}

\textsuperscript{97} Pernille Rieker and Steven Blockmans, “The EU’s Comprehensive Response to Out of Area Crises, cit., p. 590.
\textsuperscript{100} Forschungsgruppe Wahlen, “Grüne bundesweit im Aufwind”, in Politbarometer, April 2011, https://www.forschungsgruppe.de/Umfragen/Politbarometer/Archiv/Politbarometer_2011/April_1/.
In other cases, the EU has adopted a path-dependent, incremental response to crises based on existing institutional arrangements and organisational practices. The EU might “muddle through” as a consequence of member states settling on lowest common denominator solutions. In these cases, we can expect the EU to adopt incomplete or insufficient policy solutions that fail to prepare the Union for the next crisis, which will be addressed with yet another inadequate solution as a result of intergovernmental bargaining. The EU policy towards the Israeli-Palestinian conflict is a case in point. For several years now, EU member states have failed to agree on a common policy on the conflict. Despite a lack of interest on the part of public opinion across Europe, member states maintain highly polarised positions and have made no progress in achieving peace. Just recently, after the latest spike in violence between Hamas and Israel, the EU ambassador to the UN delivered a statement condemning violence on both sides, but could not speak on behalf of the member states because Hungary refused to join. The lack of consensus has long turned the EU into a second-order actor in the Israeli-Palestinian conflict.

Finally, the EU might “head forward”. That is, a crisis can lead to the adoption of innovative policy solutions and the delegation of new capacities to EU institutions. A crisis, in this scenario, creates a window of opportunity for significant policy or institutional change. Indeed, for all the divisions that have emerged among member states on a number of CFSP/CSDP dossiers, some crises have – somewhat unexpectedly – also prompted further unity among member states. The Ukraine crisis, for instance, ended up bringing EU member states closer and facilitating integration in the area of CFSP/CSDP. Although not all agree that the EU’s response to the Ukraine crisis was a concerted – or much less an effective – one, most point to the EU response as a notable display of coordination between – and trust towards – different EU-level institutions as well as an increased focus on European defence cooperation.

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Presumably, under all three different scenarios, internal contestation from the member states takes different forms and, as a result, plays a different role in the EU crisis response capacity. In this sense, we might expect the effect of internal contestation to be mitigated by the particular circumstances and characteristics of the specific crisis at hand. For instance, some argue that the more diffuse and urgent a crisis, the more likely it is that member states will delegate to the EU. Moreover, if we are to generalise the conclusions that Di Mauro and Memoli draw about external migration policy, we should expect swifter consensus on those crises that receive little domestic attention and are not politicised by public opinion, media or parties at the national level. The case of the Israeli-Palestinian conflict, however, already indicates that there might be more to it. Even with a rather low interest of the general public, elites remain heavily polarised: a reminder that national interests – and the disrupting intervention of third countries – play a powerful role in the internal contestation of EU foreign and security policy.

This quick overview of scholarly research has shown that there is urgent need to explore the effects of internal contestation on the EU’s capacity to respond to international crises and conflicts. In particular, future research should assess under what conditions internal contestation results in a breaking down of the consensus and an ineffective crisis response, as opposed to lowest-common-denominator solutions or a strong solidarity leading to unprecedented policy measures.

Conclusion

A certain degree of contestation is not only expected, but necessary in any functioning democratic system. But what happens when contestation goes


beyond the political disagreements that have always characterised EU policy-making and turn into an outright challenge of fundamental EU norms, processes and prior policy positions? And how does such internal contestation constrain EU foreign policy capacity?

Most researchers agree that EU foreign policy has been undergoing a process of politicisation and contestation from the national level, especially – though not exclusively – at the hands of populist political parties. Scholars have only begun to grapple with the effects of such an intense level of domestic contestation, but they have already noticed some warning signs. In some member states, we are witnessing changes to organisational structures within member states’ MFAs as well as shifts in policy priorities and positions, with a distinct effect on the EU decision-making process. Indeed, member states are engaging in a more adversarial style of bargaining, which impedes agreement on common positions and provides easy access to third countries who seek to exploit divisions among the EU-27. More broadly, internal EU foreign policy contestation severely constrains the Union’s “ability to engage in policy-making (formulation and/or implementation) in the global arena”.¹¹⁰ In systematising and discussing the scholarship on contestation of foreign and security policy, this review has highlighted several gaps in the literature and provided insights that might be of use for future research.

For one, any study exploring internal contestation of the EU should avoid labelling every policy disagreement as an act of contestation. In this sense, the present review has provided clear criteria on which to base the distinction between simple policy debate and actual contestation.

Further, the discussion has shown that there is a broad variety of domestic actors involved in the process of internal contestation, each pursuing their own agenda. Among such actors, many act from without the confines of government. Populist (as well as mainstream) parties in the opposition seem just as able to challenge EU policies as those in government – if not more – and can thus indirectly affect government positions by mobilising public opinion. Other non-governmental

actors such as NGOs, CSOs and interest groups have also successfully contested EU external policies. Finally, mass media, which has been shown to shape public opinion on enlargement policy, also plays a role in the construction of domestic narratives around EU foreign and security policies. In this sense, future research should focus on closing the gaps in the literature by exploring the indirect policy influence of opposition parties, societal actors and public opinion, which might be as consequential for internal contestation as direct influence from national governments.

Additionally, different forms of contestation have more or less lasting – as well as more or less constraining – effects on EU foreign and security policy. When contestation and politicisation merely lead to the broader inclusion of actors in the policy debate, the result might actually be a more pluralistic and democratic decision-making process. However, whenever actors’ positions become more polarised and those same actors fundamentally undermine norms, procedures and established ways of doing things, contestation might have severely detrimental effects on the Union’s ability to act on the global stage.

Finally, the literature has largely ignored the effect of different forms of contestation on the EU’s capacity to react to crises and conflicts in which it has a stake. Drawing on the Union’s response to the Libyan crisis, the Palestinian-Israeli conflict and the Ukraine crisis, this review has argued that, depending on the type of internal contestation coming from the member states, the EU might “break down”, “muddle through” or even “head forward” in response to a crisis. Future research should examine under what conditions we should expect different types of contestations and how those impact the EU’s ability to act as a swift and effective crisis respondent.
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