**Supranationalism Strikes Back: A Neofunctionalist Account of the European Defence Fund**

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**Abstract**

In June 2017, the European Commission launched a proposal for a European Defence Fund (EDF) aimed at financing transnational defence research and development through the European Union (EU) budget. This initiative has been described as a ‘game changer’ for European defence cooperation. I argue that the EDF can be analysed through the lens of neofunctionalist theory and challenges the hypotheses of new intergovernmentalism on the evolution of EU governance. The EDF is also marked by some innovative features, largely because it concerns a policy area – defence – in which supranational dynamics were traditionally limited. First, the Commission displayed an increasingly political cultivated spillover by its promotion of the EDF. Second, the EDF illustrates a new type of offensive functional spillover from the economy to defence. Third, the implementation of the EDF has launched a bureaucratic spillover that could lead to further initiatives.

**Keywords**

European Commission; European Defence Fund; Neofunctionalism; New intergovernmentalism; Spillover

## Introduction

In June 2017, the European Commission (hereafter, the Commission) proposed the creation of the European Defence Fund (EDF) with the aim of using the European Union (EU) budget to finance cooperative defence research and to co-finance with member states the cooperative development of new military capabilities. Until 2020, the EDF will rely on the Preparatory Action on Defence Research (PADR), which was launched in 2017 with a budget of €90 million, and the EU Defence Industrial Development Programme (EDIDP), which was launched in 2018 with a budget of €500 million. For the 2021-27 Multiannual Financial Framework (MFF), the Commission presented in June 2018 a more ambitious programme inspired by EDIDP rules, with €4.1 billion on research and €8.9 billion on development. The EDF illustrates the growing involvement of the Commission in the area of defence and has been described by some defence officials as a ‘paradigm shift’.[[1]](#endnote-2) This article focuses on the genesis and first steps of the EDF initiative for the period until 2020, particularly the EDIDP negotiation, and examines their implications in terms of EU governance.

New intergovernmentalist authors view the recent developments in European integration as marked by the triumph of intergovernmental consensus-based governance (Fabbrini and Puetter 2016; Bickerton *et al*. 2015; Puetter 2012; Smith 2015). In this new phase of European integration, even supranational institutions have been reluctant to promote the expansion of their tasks. Delegation can still occur but through the empowerment of *de novo* bodies at the expense of the Commission (Bickerton *et al*. 2015). However, some authors have acknowledged the decline of supranational leadership but have observed the development of a ‘new supranationalism’ (Schmidt 2018). In the area of macroeconomic governance, the Commission was able to influence the intergovernmental bargaining during the Euro crisis (Epstein and Rhodes 2016) and saw its role in implementation strengthened by the adopted decisions (Bauer and Becker 2014; Dehousse 2016). Even in the area of the Common Security and Defence Policy (CSDP), in which they lack formal power, supranational institutions have been able to *de facto* influence decisions (Riddervold 2016; Rosén and Raube 2018).

In the context of this debate, the EDF is a crucial case to study because it represents an unambiguously supranational initiative in an area that was supposed to be the exclusive domain of the intergovernmental method. Indeed, many authors assume that although supranational procedures can successfully develop in the realm of ‘low politics’ (economy), ‘high politics’ (foreign affairs and defence) is unfavourable, or even immune, to such dynamics because the interests at stake are less open to compromise (Hoffmann 1966: 882, 901; Menon 2014).

More than mere influence on or benefit from intergovernmental decisions, as observed by new supranationalism, the EDF illustrates a full cycle of supranational dynamics at every level, including the origins, governance and consequences of the policy. As such, the EDF is closer to the logic of ‘old’ neofunctionalism (Haas 2004; Lindberg 1963; Niemann 2006; Sandholtz and Stone Sweet 1998). Bickerton *et al.* (2015: 14) argue that neofunctionalism is unable to explain European integration since Maastricht because of the weakness of the Commission in new areas of cooperation. However, recent studies have shown that neofunctionalism can explain decisions in the EU’s external and security policies, in particular because of the functional connections between these issues and other traditional EU policies (Bergmann and Niemann 2018; Bergmann 2018).

To investigate the EDF’s implications in terms of governance, I focus on three key dimensions: the origins of the initiative, the governance of its programmes, and its first bureaucratic consequences. For each of these dimensions, I show that evidence confirms the presence of neofunctionalist mechanisms and challenges some of the core hypotheses of new intergovernmentalism. However, largely because it represents a supranational policy in an area – defence – in which this development has traditionally been limited, the EDF shows innovative features that renew neofunctionalist dynamics. I argue that the EDF is marked by the increasingly political nature of the Commission’s cultivated spillover in the area of defence, illustrates a new type of *offensive* functional spillover from the economy to defence, and has launched a bureaucratic spillover that could lead to further initiatives. I conclude by suggesting that new intergovernmentalist hypotheses should not be discarded altogether but could be combined with neofunctionalist mechanisms in a sequential framework.

In this article, new intergovernmentalism and neofunctionalism are not treated as mutually exclusive theoretical frameworks but rather as potentially complementary sets of empirical hypotheses on the evolution of EU governance. New intergovernmentalism is not a new grand theory, and it is compatible with various theoretical approaches (Bickerton *et al.* 2015: 45).

This article relies on EU official documents and 26 interviews with officials from the Commission, the European Defence Agency (EDA), the European External Action Service (EEAS), member states’ national administrations, the defence industry and members of the European Parliament (EP). These interviews were conducted under the condition of anonymity.

## Theorising the EDF

This section reviews new intergovernmentalist and neofunctionalist competing expectations and argues that the EDF not only illustrates but also renews neofunctionalist mechanisms.

### Origins

New intergovernmentalism argues that intergovernmental deliberation has become the cornerstone of EU decision-making and that even supranational institutions have been reluctant to ask for more power. This is explained by the fact that supranational actors anticipate member states’ opposition and are motivated by policy preferences other than supranational integration (Hodson 2013; Bickerton *et al*. 2015: 31; Peterson 2015: 198–202). Even new supranationalists have argued that the Commission’s entrepreneurial role is decreasing (Bauer and Becker 2014). According to this argument, we should expect intergovernmental deliberation to be at the origins of new initiatives and the Commission to refrain from actively promoting the expansion of its own role.

However, neofunctionalism assumes that because they benefit from integration, supranational institutions tend to become agents of integration. Supranational actors’ promotion of policy initiatives that expand their own tasks has been identified under the concept of ‘cultivated spillover’ (Niemann 2006: 42; Stephenson 2010; Bergman 2018). In the area of external security, increasing supranational entrepreneurship has been observed (Citi 2014; James 2018; Lavallée 2016), and the strategies used by the Commission to influence intergovernmental policies have been identified (Riddervold 2016). In the case of the EDF, the Commission used its initiative power to launch a supranational policy that surprised member states. More than influence, the Commission showed political leadership (Bürgin 2018). As such, the EDF illustrates how a presidential (Kassim *et al.* 2017) and political (Peterson 2017) Commission affects the logic of cultivated spillover. The initiative came from President Juncker and received a considerable amount of internal political support within the Commission. This political nature tends to reinforce the logic of the cultivated spillover by increasing the Commission’s leadership capacity and ambition.

### Governance

A central claim of new intergovernmentalism is that when a delegation occurs, member states and supranational actors tend to support the empowerment of *de novo* intergovernmental institutions (Bickerton *et al.* 2015: 32). This is explained by a reluctance to transfer power to the Commission. More specifically with regard to the area of defence, some authors have insisted on its apparent immunity to supranational integration (Börzel 2005; Forster 1997; Menon 2014; Risse 2005). According to this argument, we should expect a delegation to benefit intergovernmental agencies such as the EDA at the expense of the Commission.

However, some authors have argued that functional spillover effects were also at play in defence (Collester 2000; Ojanen 2006; Selden 2010), particularly in the defence industry sector, which partially depends on the Commission’s economic competences (Guay 1996, 1997; Kenny 2006). I argue that the EDF not only confirms the existence of the functional spillover effects in the defence area but also illustrates a new type of functional spillover.

Originally, the concept of functional spillover referred to a situation in which the policy goals that were pursued in an integrated sector cannot be achieved without expanding integration to new related sectors (Haas 2004: 297; Lindberg 1963: 10; Niemann 2006: 30–31). For example, the crisis of the European Monetary Union led to increasing coordination in the related sectors of budgetary policy and bank supervision (Niemann and Ioannou 2015). In this case, the key driver is the ‘incomplete nature’ of integration (Jones *et al.* 2016). From a supranational point of view, this type of functional spillover can be called *defensive* because it relies on the incentive to protect an already integrated sector from the negative effects generated by its dependence on less or non-integrated sectors.

However, functional spillover can also appear when, conversely, the policy goals pursued in a less or non-integrated sector are more easily achieved with the support of legal and policy instruments established in already-integrated related sectors. Here, the key drivers are the dysfunctionalities of the intergovernmental method (e.g., difficulty gathering voluntary national contributions) and the functionality of available supranational instruments (e.g., funding projects through the EU budget). This type of functional spillover can be called *offensive* because it allows supranational institutions to take advantage of the dysfunctionalities of the less or non-integrated sector to take it over. The offensive spillover is still a *functional* spillover because it relies on the incentives generated by the functional connection between the objectives of one sector and the legal and policy instruments established in a closely related sector. For example, the connection between external security goals and EU budgetary instruments established in the area of development aid has been identified as a source of power for the Commission (Bergmann 2018; Riddervold 2016: 362).

Defensive spillover from the Commission’s economic competence to the area of defence industry would mean that the Commission was essentially concerned with its traditional economic objectives when promoting expansion of its role into the area of defence (e.g., strengthening Europe’s economic competitiveness [Mörth and Britz 2004: 964]). In contrast, offensive spillover would mean that the Commission was essentially concerned with new strategic objectives (strengthening the defence of Europe).

Contrary to new intergovernmentalism’s expectation, this mechanism implies delegation in favour of supranational institutions at the expense of intergovernmental procedures and agencies.

### Consequences

If member states and supranational actors have become reluctant towards supranational integration, as new intergovernmentalism claims, we should not particularly expect adopted supranational policies to lead to further initiatives. However, one of the central assumptions of neofunctionalist integration theory is that member states’ decisions may produce indirect or unintended consequences (Niemann 2006: 27). Neofunctionalists have emphasised that integration can progressively induce not only the shifting of expectations and even loyalty to the European level among interest groups but also consensus formation through socialisation among civil servants (Niemann 2006: 18).

The EDF illustrates a different type of indirect effect in which a new integration initiative encourages institutional actors to adapt to the new distribution of tasks by seeking to strengthen their capacities, which can lead to further initiatives through a ‘policy feedback’ (Pierson 1993). This dynamic can be called ‘bureaucratic’ spillover because actors do not shift their preference or loyalty but seek to promote their position in a ‘bureaucratic politics’ game (Allison and Zelikow 1999). A new distribution of tasks can first encourage beneficiary bureaucratic actors to strengthen their capacity in terms of personnel, expertise and the budget (Savage and Verdun 2016) and, second, stimulate bureaucratic rivalry and encourage other actors whose role is challenged by the new distribution of tasks to defend their bureaucratic position (Dijkstra 2009; Fiott 2015b).

## Origins: a political cultivated spillover

The Commission has long sought to expand its role into the area of defence industry but recently displayed new political leadership to promote the EDF.

### A long-standing objective

Member states originally exempted the defence industry from the rules of the single market (Art. 346 of the Treaty on the Functioning of the EU) and ensured that it remained outside the scope of the Community method. However, the Commission initially tried to rely on the existence of ‘dual-use’ technologies to justify its intervention in defence research. In 1997, when Commissioner for Industry Martin Bangemann proposed coordinating the Commission’s research programmes with national defence research programmes, member states rejected the initiative as an attempted incursion into an intergovernmental domain (James 2018: 22). A second attempt was the establishment of the European Security Research Program (ESRP) in the early 2000s (Citi 2014; Lavallée 2016; Mawdsley 2018). Because of member states’ resistance, however, the Commission eventually had to focus the programme exclusively on civilian security research (Edler and James 2015: 1261–62). At this time, member states assigned the task of supporting defence research and development to the EDA, an intergovernmental agency (Bátora 2009: 1081–85; Fiott 2015b: 549). Nevertheless, by relying on the European Court of Justice, the Commission pushed member states to agree on a Defence Package including a directive (2009/81/EC) that established transparent rules for defence procurement (Blauberger and Weiss 2013), which allowed the Commission to supplant the EDA as the key actor in defence market integration (DeVore 2015).

When the European Council decided it would devote its December 2013 meeting to the question of defence, Commissioner for Internal Market Michel Barnier prepared a communication mentioning the possibility of a Preparatory Action for CSDP-related research, which was welcomed by the European Council. The new Commission that came to power in 2014 inherited the task of implementing the Preparatory Action.

### A political priority

In his political guidelines, Jean-Claude Juncker made defence a priority. Defence had been practically ignored in his predecessor’s guidelines (Barroso 2009), whereas Juncker stated that ‘I also believe that we need to work on a stronger Europe when it comes to security and defence matters’ (Juncker 2014). For many observers, this statement denoted a genuine personal conviction that went as far back as the 2003 ‘Chocolate Summit’, where Juncker, then Prime Minister of Luxembourg, promoted the idea of an EU headquarters.[[2]](#endnote-3) Commission officials offer two main reasons to explain Juncker’s prioritisation of defence. First, Juncker was selected through the *Spitzenkandidaten* procedure and claimed that his Commission would be more ‘political’ than that of his predecessors (Dinan 2016; Peterson 2017; Tocci 2017: 95). This implied more ambition and political risk (Peterson 2017: 363). Prioritising defence was a way to demonstrate the Commission’s ambition to address ‘real issues’.[[3]](#endnote-4) Second, Eurobarometer studies show that an overwhelming majority of EU citizens favour a common defence policy (European Commission 2017d: 12). In times of high Euroscepticism, being able to present EU initiatives as a response to citizens’ demand is a valuable resource for the Commission. After the launch of the EDF, Juncker declared, ‘The momentum behind closer defence cooperation comes first and foremost from the people of Europe’ (Juncker 2017).

### A top-down dynamic

The idea of the PADR was initially suggested by a few mid-ranking Commission officials who managed to ‘smuggle’ it into the 2013 Communication (James 2018: 39). In contrast, the idea of the EDF came from the top of the Commission’s hierarchy.

In the summer of 2016, commissioners were asked to submit new ideas in view of Juncker’s State of the Union address in September: ‘Before the speech, we review the initiatives that need a particular impulse. Until the end, we never know whether the subject is going to stay in the speech or not. It is very political’.[[4]](#endnote-5) In June, Elżbieta Bieńkowska, Commissioner for Internal Market and Industry, passed a note prepared by her cabinet that suggested the idea of a Defence Fund. The idea was eventually accepted by Juncker (2016). The top-down nature of this initiative was evidenced by the fact that even Directorate-General (DG) GROW (Internal Market and Industry) officials were surprised by the announcement and had to integrate it ‘at the last minute’ into the European Defence Action Plan presented on 30 November 2016.[[5]](#endnote-6)

Although there was a demand for new defence initiatives in the wake of Brexit and the publication of the Global Strategy (Tocci 2017: 92–97), and some member states were generally favourable to the idea of using the EU budget for defence-related spending (Bergmann 2018: 9), the EDF clearly came as a surprise for member states. National officials expected that the Commission would seek to transpose the PADR to the 2021-27 MFF (the ‘research window’); however, they did not anticipate a ‘capability window’ supported by the EU budget.[[6]](#endnote-7) For example, a June 2016 French-German paper mentioned only the mere coordination of national capability-building processes (Ayrault and Steinmeier 2016). The European Council welcomed the EDF as a Commission initiative (General Secretariat of the Council 2016: Point 12).

Finally, Juncker’s strong political commitment allowed the Commission to display a high level of ambition. In 2013, the PADR generated an ‘internal battle’ within the Commission; DG Research feared that defence research would divert funding from civilian projects (James 2018). The Barroso Commission’s perceived lack of appetite for PADR implementation even led the EP to introduce a €1.4 million Pilot Project (PP) on Defence Research in the 2015 EU budget to accelerate the process.[[7]](#endnote-8) In 2017, far from weakening the initial impulse, the internal debate strengthened the process. In early 2017, the Commission’s services presented their plan to their hierarchy, including the relevant cabinets. Although the services estimated that the EDIDP budget could reach €400 million for two years, they were asked to raise it to €500 million.[[8]](#endnote-9) Moreover, the EDF was the only programme for which the Commission’s services were authorised to define spending targets in advance of the presentation of the 2021-27 MFF.[[9]](#endnote-10)

The Commission’s political leadership at the origins of the EDF contradicts new intergovernmentalist hypotheses that the EU’s main initiatives come from intergovernmental deliberation and that supranational institutions are reluctant to promote integration. Member states were surprised by an ambitious supranational initiative. Partially confirmed is the new intergovernmentalist argument that the Commission strategically refrains from advancing proposals that have little chance of being approved (Hodson 2013). Indeed, the Commission made clear that it did not intend to interfere in the definition of capability needs or in member states’ export policy.[[10]](#endnote-11) This pragmatism, however, did not prevent the Commission from promoting an ambitious supranational policy.

## Governance: an offensive functional spillover

The Commission managed to expand its role by relying on the dysfunctionalities of intergovernmental cooperation, on the functionality of its own instruments and on the functional connection between its own economic competences and the issue of defence industrial cooperation. This offensive spillover allowed the Commission to export supranational governance to the area of defence.

### New strategic objectives

The Commission did not seek to achieve the objectives of an already integrated sector but rather to take on a new task. The EDF illustrates the transition from an economic to a strategic approach to the defence industry (Fiott 2015a; Morth 2000). The Commission’s 2013 Communication still justified its interest in defence by referring to both the economic impact of the defence sector and the EU’s ‘strategic autonomy’ (European Commission 2013: 3); however, the 2017 Communication exclusively referred to security-related motivations (European Commission 2017b: 2). ‘The political objective was not a research or an industrial objective. It was about European strategic autonomy’.[[11]](#endnote-12) When launching the EDF, Commissioner Bieńkowska insisted that ‘Europe must become a security provider’ (European Commission 2017c).

### A dysfunctional intergovernmental policy

By acting in the area of defence, the Commission sought to fix not a dysfunctional integrated policy (defensive spillover) but a dysfunctional intergovernmental policy (offensive spillover). The Commission’s documents underscored ‘the persisting lack of investment’ in defence, the ‘unnecessary duplication of capabilities’, and the decline of cooperative programmes (European Commission 2016: 4), which could be read as an indirect criticism of the EDA’s performance. Although the budgetary crisis provided incentive to support cooperative defence spending (Giegerich 2010), member states actually reduced the level of collaborative research after 2008 (European Defence Agency 2018: 12). As a Commission official indicated, ‘Our assessment is that the intergovernmental method does not work’.[[12]](#endnote-13) Similarly, a representative of the defence industry observed that ‘member states have been pathetically bad’.[[13]](#endnote-14) The main issue is that the EDA can rely only on voluntary national contributions to finance its projects, which often forces it to ‘beg money from budgetary constrained member states’, with mixed results.[[14]](#endnote-15) According to a member state official, ‘We must acknowledge that in four years, the Commission did more than members states did in 13 years within the EDA’.[[15]](#endnote-16)

### The functionality of supranational instruments

EU budgetary instruments established for the funding of research and development projects provided the Commission with a key functional advantage: financial incentives. Because the Commission proposes and implements the EU budget, it can ‘put money on the table’: ‘It has always been a way for the Commission to get into a policy: we put money in it’.[[16]](#endnote-17) All research projects managed by the EDA since 2004 amount to €1.1 billion,[[17]](#endnote-18) whereas the Commission intends to invest €13 billion from the EU budget in the 2021-27 MFF, including €4.1 billion on research. Under the EDF, the Commission can fund 100% of the costs of research programmes, 20% of the costs of development projects and 30% in the case of Permanent Structured Cooperation (PESCO) projects. The EDF thus reversed the logic of defence industrial cooperation: instead of looking for money to finance a project, it is about looking for projects to be financed by a given budget: ‘With the EDA, cooperation costs effort; with the Commission, it costs effort but can really pay off’.[[18]](#endnote-19)

### The functional connection between areas

The Commission justified the EDF by highlighting the connection between its legal competence in the areas of research and industry and the issue of the defence industry. The main obstacle to the involvement of the Commission in the area of defence came from Article 41.2 of the Treaty on EU, which forbids the use of the EU budget ‘for such expenditure arising from operations having military or defence implications’. The interpretation of this article led to an internal debate between DG GROW and the Commission’s Legal Service. For the Legal Service, the drafters of Article 41.2 chose ‘the broadest possible wording’, which obliged the Commission to stick to a strict interpretation.[[19]](#endnote-20) The PADR was the first successful attempt to ‘break down the barrier represented by the Legal Service’.[[20]](#endnote-21) The arguments used to justify the funding of defence research were economic in nature: ‘We said that defence research generates value, impacts competitiveness – that the defence industry is like any other industry and produces jobs’.[[21]](#endnote-22) In the case of the EDIDP, the Commission used Article 173 as the legal basis, which formally implies that the main objectives of the programme have an industrial nature. For the post-2020 EDF, the Commission relied on Article 173 and on Articles 182, 183 and 188 (research). This focus on industry and research competences became a source of ambiguity because the Commission simultaneously insisted that the EDF was a strategic initiative: ‘The legal framework is just a framework. It is not the objective’.[[22]](#endnote-23) In March 2015, however, in view of preparing the PADR, Commissioner Bieńkowska established a group of personalities (GoP) that included the CEOs of some major European defence companies, and concerns were raised in the EP that the goal of the programme was actually to serve the interests of the defence industry.[[23]](#endnote-24) For some journalists and activists, the GoP demonstrated that the Commission was acting under the influence of a powerful ‘arms lobby’ (Vranken, 2017). Similarly, during the EDIDP debate, Green MEPs pointed out the role of industrial lobbies seeking EU funding. However, insisting that the EDF was not primarily aimed at achieving economic objectives was also dangerous since MEPs from the Social Democratic Party of Germany (SPD) and the European United Left (GUE) challenged the legal basis adopted by the Commission and argued that if strategic autonomy was the objective, Article 173 was irrelevant.[[24]](#endnote-25) The offensive spillover caught the Commission in a dilemma between its legal competence and its political objectives.

### Exporting supranational governance

The legal basis of the EDF allowed the Commission to export the Community method, in which it has the initiative and decisions are adopted by qualified majority voting (QMV) in the Council and co-decision with the EP, to the area of defence. This represented a cultural revolution for many member states’ defence officials who were used to working exclusively under the intergovernmental method. In the first meetings of the Council Friends of the Presidency Group on the EDIDP, some member state representatives asked when Commission officials would leave the room.[[25]](#endnote-26)

In terms of the governance of the programmes, the Commission progressively marginalised the role of the EDA. The 2015 PP explicitly aimed at testing the ability of the EDA and the Commission to cooperate.[[26]](#endnote-27) In November 2015, the two institutions signed an agreement that allowed the EDA to implement the programme. In the case of the PADR, the Commission managed to impose less favourable conditions on the EDA in a new agreement signed in May 2017 in which the role of the EDA was less specified. In some calls for proposals, the Commission established ad hoc national expert groups that duplicated the groups of the EDA to write down the technical specifications.[[27]](#endnote-28) In the case of the EDIDP, the EDA is invited only as an observer to provide expertise. Although member states demanded that the possibility of delegating implementation to the EDA should remain open, the Commission decided to directly manage the EDIDP, with the backing of the EP.[[28]](#endnote-29)

Relying on the Commission’s competences implied the application of comitology rules, in which the Commission adopts implementing acts assisted by a member state Committee. In this procedure, the Commission ‘holds the pen’[[29]](#endnote-30) and the Committee expresses its position by QMV. In comparison with consensus decision-making that prevails at the EDA, QMV allows the Commission to swiftly arbitrate among the various topics that could be retained in the work programme, which is appreciated even by some EDA officials.[[30]](#endnote-31) Although some smaller member states felt protected by the unanimity rule in place at the EDA, the effectiveness of QMV motivated the marginalisation of the EDA by the Commission: ‘We want the dynamic of QMV to play its role’.[[31]](#endnote-32) The Commission offered a concession as compared with standard procedures, however: the EDIDP Committee would be consulted not only on the work programme but also on the projects selected by the Commission. The Council also amended the procedure so that the Commission cannot adopt a work programme without the explicit support of a qualified majority.

During the EDIDP negotiation, France initially advocated for the establishment of a *de novo* Advisory Defence Board that would have consisted of member states’ defence officials deciding by consensus, and whose task would have been to assist the Commission in the writing of the work programme. The objective was to make member states’ representatives the key decision makers: ‘For us, ideally, the Commission should simply write the cheques’.[[32]](#endnote-33) However, Commission representatives noted the risk of depriving the Commission of its competence: ‘Comitology is a peace agreement; if you twist it, you trigger an institutional war’.[[33]](#endnote-34) This formula was eventually abandoned in favour of the compromise that the Commission should endeavour to find the ‘widest possible support’ within the Committee, which should be able to discuss the draft programme in detail, particularly among defence experts.[[34]](#endnote-35)

The Commission’s successful defence of its role during the EDIDP negotiation can be explained by the logic of the offensive spillover, which transferred comitology rules to the area of defence and thus reduced member states’ margin of manoeuvre. For example, legal arguments allowed the Commission to reject the idea of allowing member states to select experts tasked with the evaluation of projects: ‘This is an evaluation, not a negotiation’.[[35]](#endnote-36) The Commission also benefited from divisions among member states. France was the main supporter of strengthening the role of member states. However, ‘other member states feared that the French would seek to take control of the programme for themselves’.[[36]](#endnote-37) The member states that opposed France’s strict approach on the eligibility criteria eventually also opposed France on governance and defended the rules of comitology to force the French to fight on two fronts.[[37]](#endnote-38) Finally, the Commission also benefited from the link between its roles as a legislative initiator and implementer. Some member states were reluctant to openly attack the Commission during the EDIDP negotiation because they wanted to remain on good terms with the Commission at the implementation phase to have their projects accepted.[[38]](#endnote-39)

Through an offensive spillover, the Commission managed to marginalise the EDA and export supranational decision-making to the area of defence. Member states only marginally reinforced the role of the EDIDP Committee. This outcome contradicts the new intergovernmentalist hypothesis that delegation benefits intergovernmental agencies at the expense of the Commission.

## Consequences: towards a bureaucratic spillover?

The EDF encouraged the Commission and the EEAS to strengthen their bureaucratic capacities and even stimulated further initiatives.

Because the Commission was not meant to intervene in defence, it suffered from a lack of technical expertise. A first solution was to outsource expertise through the establishment of the GoP in 2015, which was tasked with preparing the PADR. The group included not only defence industry CEOs but also the president of a research institute and politicians. The GoP provided expertise on how the Commission should handle defence research. In particular, the GoP report is at the origin of the €500 million per year target for the post-2020 defence research programme (European Union Institute for Security Studies 2016: 27).

After the launch of the EDF, the Commission adopted a different approach and decided to strengthen its own expertise: ‘It is a question of trust with member states. We cannot manage €1 billion with 15 guys’.[[39]](#endnote-40) DG GROW, which already had one unit working on defence, created a second unit in January 2018. One unit worked on the EDIDP and on the post-2020 EDF, while the other unit worked on the PADR. This reorganisation was accompanied by the hiring of defence experts coming from national administrations.[[40]](#endnote-41)

These developments fed the growing rumours on the future creation of a new DG aggregating the Commission’s security and defence services. In December 2017, the EP adopted a report that supported the establishment of a DG Defence (European Parliament 2017: Point 38). A strategic note by Mihnea Motoc, the deputy head of the Commission’s internal think tank, even mentioned the prospect of a Commissioner for Defence Union covering not only defence research and industry but also the defence-related aspects of space policy (European Commission 2017a: 6). Initially, the idea of a DG Defence was generally dismissed as an ‘old chestnut’ within the EU defence community. However, at the beginning of 2018, it began to be seen as a likely outcome.[[41]](#endnote-42)

The EDF has also fed the traditional bureaucratic competition between the High Representative (HR) and the Commission. In December 2017, Federica Mogherini announced the creation of a Defence Union Task Force to ensure the coherence of all EU defence initiatives under her leadership (European External Action Service 2017). This announcement was interpreted as a response to the prospect of a DG Defence.[[42]](#endnote-43) The HR announced an even more ambitious project: the European Peace Facility (EPF). The EPF would be a new instrument financing EU military operations and military support for partners. The EPF proposed allocation amounted to €10.5 billion for 2021-27 (European Commission 2018: 100). This ambitious figure was actually advanced by the EEAS to match the amount initially advanced by the Commission for the EDF.[[43]](#endnote-44) For many Brussels observers, ‘The HR wants to balance the influence of the Commission and to become a big financial actor’.[[44]](#endnote-45)

This emerging bureaucratic spillover suggests that even if supranational actors are not necessarily ideologically committed to strengthening their own power as new intergovernmentalists claim (Peterson 2015: 198–200), they are nevertheless engaged in bureaucratic logics that encourage them to strengthen their capacities to reinforce their position and credibility. This tends to confirm the neofunctionalist assumption that, once launched, integration can become a relatively autonomous process.

## Conclusion

The EDF initiative generally illustrates a striking resurgence of supranationalism in a domain that was supposed to be the most immune to this dynamic, at a time viewed by many as the golden age of intergovernmentalism. The EDF also shows that neofunctionalist mechanisms can adapt to develop in new (post-Maastricht) areas of cooperation. A *political* cultivated spillover encouraged the Commission to increase its level of ambition to intervene in an area of high politics. An *offensive* functional spillover allowed the Commission to demonstrate its added value for achieving new defence-related objectives, not only for securing pre-existing single-market-related objectives. An emerging *bureaucratic* spillover suggests that the Commission will be able to develop its administrative capacities in an area that is new to it. Although at the time of writing, the post-2020 EDF is still under discussion, its negotiation has been largely based on the governance principles agreed during the EDIDP negotiation studied in this article.

The EDF clearly challenges some key hypotheses of new intergovernmentalism (Table 1). This challenge tends to confirm Smith’s conclusion that although the flexible method of new intergovernmentalism facilitated the initial development of the CSDP, recent crises also exposed its limitations (Smith 2015: 127–28). A sequential approach, close to the ‘failing forward’ argument presented by Jones *et al.* (2016), could combine new intergovernmentalist and neofunctionalist mechanisms. In a first step, member states find it less costly in terms of sovereignty to adopt new intergovernmentalist solutions. In a second step, when the dysfunctionality or even the failure of these arrangements is exposed, they can agree to delegate more tasks to supranational actors. This could contribute to explain variations in the Commission’s level of supranational entrepreneurship. For example, in the late 1990s, when member states did not want to place defence industrial cooperation under the supranational flag, the Commission preferred to support the creation of the EDA rather than taking the risk that this cooperation would develop away from the EU (Fiott 2015b: 547). However, when it appeared that the EDA had failed to stimulate defence industrial cooperation and that the context was favourable to new initiatives, the Commission relied on a functional spillover to claim the task for itself. Similarly, although the EDF is clearly a supranational initiative, it is partially connected to PESCO through a bonus funding rate for PESCO projects. This support for an intergovernmental initiative does not mean that the Commission will not opportunistically challenge PESCO’s governance if future crises expose its limitations.

**Notes**

1. Interview, member state, January 2018. [↑](#endnote-ref-2)
2. Interviews, member state, January 2018, and Commission, February 2018. [↑](#endnote-ref-3)
3. Interview, Commission, February 2018. [↑](#endnote-ref-4)
4. Interview, Commission, January 2018. [↑](#endnote-ref-5)
5. Ibid. [↑](#endnote-ref-6)
6. Interviews, member states, November 2017 and January 2018. [↑](#endnote-ref-7)
7. Interview, EP, March 2018. [↑](#endnote-ref-8)
8. Interview, Commission, February 2018. [↑](#endnote-ref-9)
9. Interview, Commission, November 2017. [↑](#endnote-ref-10)
10. Interviews, Commission, October 2017, and member state, January 2018. [↑](#endnote-ref-11)
11. Interview, Commission, February 2018. [↑](#endnote-ref-12)
12. Ibid. [↑](#endnote-ref-13)
13. Interview, industry, February 2018. [↑](#endnote-ref-14)
14. Interview, EDA, January 2018. [↑](#endnote-ref-15)
15. Interview, member state, January 2018. [↑](#endnote-ref-16)
16. Interview, Commission, November 2017. [↑](#endnote-ref-17)
17. Interview, EDA, January 2018. [↑](#endnote-ref-18)
18. Interview, member state, January 2018. [↑](#endnote-ref-19)
19. Interview, Commission, January 2018. [↑](#endnote-ref-20)
20. Interview, Commission, November 2017. [↑](#endnote-ref-21)
21. Ibid. [↑](#endnote-ref-22)
22. Interview, Commission, February 2018. [↑](#endnote-ref-23)
23. Ibid. [↑](#endnote-ref-24)
24. Interview, EP, March 2018. [↑](#endnote-ref-25)
25. Interview, Commission, November 2017. [↑](#endnote-ref-26)
26. Interview, EP, March 2018. [↑](#endnote-ref-27)
27. Interview, EDA, January 2018. [↑](#endnote-ref-28)
28. Interview, Commission, June 2018. [↑](#endnote-ref-29)
29. Interview, Commission, November 2017. [↑](#endnote-ref-30)
30. Interview, EDA, January 2018. [↑](#endnote-ref-31)
31. Interview, Commission, June 2018. [↑](#endnote-ref-32)
32. Interview, member state, January 2018. [↑](#endnote-ref-33)
33. Interview, Commission, January 2018. [↑](#endnote-ref-34)
34. Interview, member state, January 2018. [↑](#endnote-ref-35)
35. Interview, Commission, January 2018. [↑](#endnote-ref-36)
36. Ibid. [↑](#endnote-ref-37)
37. Interview, member state, February 2018. [↑](#endnote-ref-38)
38. Interviews, EDA, January 2018, and member state, June 2018. [↑](#endnote-ref-39)
39. Interview, Commission, November 2017. [↑](#endnote-ref-40)
40. Interview, Commission, February 2018. [↑](#endnote-ref-41)
41. Interviews, member states, November 2017 and January 2018. [↑](#endnote-ref-42)
42. Interview, member state, February 2018. [↑](#endnote-ref-43)
43. Interview, EEAS, June 2018. [↑](#endnote-ref-44)
44. Interview, member state, February 2018.

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    Table 1: New Intergovernmentalism versus the EDF

    |  |  |  |
    | --- | --- | --- |
    |  | New Intergovernmentalism | EDF |
    | Decision-making | Intergovernmental consensus-seeking deliberation | Key role of supranational actors and procedures:  * Commission (initiative and implementation) * EU budget (incentive) * QMV (facilitator) |
    | Supranational institutions | Reluctant to promote task expansion | Political leadership and increasing bureaucratic capacity to take over a new task |
    | Delegation | Benefits *de novo* intergovernmental institutions at the expense of the Commission | Benefits the Commission at the expense of an intergovernmental agency (EDA) |

    [↑](#endnote-ref-45)