



PhD Thesis

**THE LISBON TREATY AND TRANSATLANTIC
DIALOGUE:
SIGNIFICANCE AND INEFFICIENCIES**

**EL TRATADO DE LISBOA Y EL DIÁLOGO TRANSATLÁNTICO:
RELEVANCIA E INEFICIENCIAS**

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DEDICATION AND ACKNOWLEDGEMENTS

Dedication

This PhD Thesis is dedicated to my wife, Mercedes, and my daughters, Merceditas and Ana. For the countless hours I spent on it, and not with them, but always heartened by them. Throughout the hardships of research, their love was a beacon.

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ABSTRACT

Enhanced institutional structures do not always entail increased efficiency in diplomatic interlocution. Both exogenous and endogenous factors may hinder smooth interaction between international actors, notwithstanding reinforced diplomatic frameworks. An analysis of waning political dialogue, in the past decade, between the United States (henceforth, US) and the European Union (EU) supports this consideration. In spite of the EU having in place the most extensive array of foreign policy instruments in its history, a decline in transatlantic political relations has not been averted. What is more, the decline has accelerated since the creation of such instruments by the Lisbon Treaty. Thirteen years after the entry into force of the treaty and the implementation of its foreign policy institutions, unprecedented in European integration, an assessment of their effectiveness within transatlantic dialogue is timely and necessary. What has the Lisbon Treaty meant for EU-US political dialogue? Why has the Lisbon Treaty been ineffective for strengthening EU-US political relations, and avoiding ever-increasing transatlantic rifts throughout the different crises of the past decade -recently, COVID-19? With the aim of addressing the aforementioned questions, this PhD Thesis will 1) substantiate the significance of the Lisbon Treaty in transatlantic dialogue, 2) trace a relation between the decline in EU-US top-level dialogue and the implementation of the Lisbon Treaty foreign policy institutions, and 3) analyze factors which have inhibited the effectiveness of the EU diplomatic framework in preventing such decline, the consequences of which are pivotal for the security dimension of the transatlantic relationship: it is ultimately in this trying context that NATO and the EU's Common Security and Defence Policy (CSDP) will operate in the coming years and decades.

KEY WORDS: Diplomacy, Transatlantic Relations, Lisbon Treaty, Security, Defence.

RESUMEN

El desarrollo de estructuras institucionales no conlleva necesariamente una mayor efectividad en la interlocución diplomática. Tanto factores exógenos como endógenos pueden impedir interacciones fluidas entre actores internacionales, a pesar de aparatos diplomáticos reforzados. Un análisis del declive en el diálogo político entre Estados Unidos (EEUU) y la Unión Europea (UE), a lo largo de la última década, apoya empíricamente esta consideración. A pesar de que la UE cuenta con la panoplia más extensa de instituciones de política exterior de su historia, no se ha evitado un declive en las relaciones políticas transatlánticas. Es más, el declive se ha acelerado desde la creación de tales instituciones por el Tratado de Lisboa. Trece años después de la entrada en vigor del Tratado y la implementación de sus instituciones de política exterior, sin precedentes en la integración europea, una evaluación de su efectividad para el diálogo transatlántico es oportuna y necesaria. ¿Qué ha significado el Tratado de Lisboa para el diálogo político entre la UE y EEUU? ¿Por qué el Tratado de Lisboa ha sido ineficaz para fortalecer las relaciones políticas entre la UE y EEUU y evitar crecientes desavenencias transatlánticas a lo largo de las diferentes crisis de la última década, como la COVID-19? Con el objetivo de abordar dichas cuestiones, esta tesis doctoral 1) analizará la relevancia del Tratado de Lisboa para el diálogo transatlántico, 2) trazará una relación entre el declive del diálogo político de alto nivel UE-EEUU y la implementación de las instituciones de política exterior creadas por el Tratado de Lisboa, y 3) analizará los factores que han inhibido la eficacia del aparato diplomático de la UE para prevenir tal declive, cuyas consecuencias son claves para la dimensión de seguridad de la relación transatlántica: este complejo contexto de declive marcará, en definitiva, el desarrollo de la OTAN y de la Política Común de Seguridad y Defensa (PCSD) de la UE en los próximos años y décadas.

PALABRAS CLAVE: Diplomacia, Relaciones Transatlánticas, Tratado de Lisboa, Seguridad, Defensa.

INDEX

DEDICATION AND ACKNOWLEDGEMENTS	3
ABSTRACT	4
RESUMEN	5
1. INTRODUCTION	10
2. OBJECTIVES, LITERATURE REVIEW, METHODOLOGY, AND THEORETICAL FRAMEWORK	16
3. MAJOR FOREIGN POLICY INSTITUTIONAL INNOVATIONS INTRODUCED BY THE LISBON TREATY	25
4. WHAT HAVE THE LISBON TREATY INSTITUTIONS MEANT FOR TRANSATLANTIC DIALOGUE?	28
4.1. Qualitative historical analysis of pre- and post-Lisbon Treaty transatlantic dialogue	28
4.1.1. Clinton Administration	28
4.1.2. W. Bush Administration	31
4.1.3. Obama Administration	32
4.1.4. Trump Administration	37
4.2. Quantitative analysis of pre- and post-Lisbon Treaty transatlantic dialogue.	40
4.2.1. EU-US Summits: decline and importance	40
4.2.2. Sectoral dialogue	49
4.2.3. US administration visits to Brussels	53
4.2.4. Economic relations	55
5. FROM THE US PERSPECTIVE, WHY HAVE THE LISBON TREATY INSTITUTIONS BEEN INEFFECTIVE IN PROMOTING TRANSATLANTIC DIALOGUE?	59
5.1. The political profiles of the Lisbon Treaty institutions' officeholders	60
5.2. The structure of EU-US Summits	72
5.3. EU Institutional and bureaucratic complexity	77
6. CONCLUSIONS	86
7. DATA LIMITATIONS AND SUGGESTIONS FOR FURTHER RESEARCH.	104
8. ANNEX	105
9. RESUMEN Y CONCLUSIONES EN ESPAÑOL	109
10. REFERENCE LIST AND BIBLIOGRAPHY	138

TABLES AND FIGURES

TABLE 1: ASSORTED TRANSATLANTIC DIALOGUES AND FORUMS	51
TABLE 2: EU-US SUMMITS AND SECTORAL MEETINGS	52
FIGURE 1: EU-US SUMMITS	41
FIGURE 2: PRESIDENTIAL AND SECRETARY OF STATE VISITS TO BRUSSELS.....	54
FIGURE 3: ADMINISTRATION TRIPS TO BRUSSELS	55
FIGURE 4: US TRADE RELATIONSHIP WITH THE EU	56
FIGURE 5: EU-US FOREIGN DIRECT INVESTMENTS (FDI).....	57
FIGURE 6: US AND EU WTO CASES OVER TIME	58
FIGURE 7: VISITS TO BRUSSELS AS A PERCENTAGE OF VISITS ABROAD BY ADMINISTRATION	105
FIGURE 8: OFFICIAL PRESIDENTIAL VISITS TO EU MEMBER STATES.....	105
FIGURE 9: PRESIDENTIAL VISITS TO EU MEMBER STATES AS PERCENTAGE OF TOTAL TRAVEL ABROAD	106
FIGURE 10: US SECRETARY OF STATE OFFICIAL VISITS TO THE EU	106
FIGURE 11: US SECRETARY OF STATE VISITS TO EU VERSUS TOTAL TRIPS ABROAD	107
FIGURE 12: ADMINISTRATION VISITS TO EU MEMBER STATES.....	107
FIGURE 13: ADMINISTRATION VISITS TO EU MEMBER STATES AS A PERCENTAGE OF OVERALL TRAVEL ABROAD.....	108

ABBREVIATIONS AND ACRONYMS

APEC	Asia-Pacific Economic Cooperation
CETA	Comprehensive Economic and Trade Agreement
CFSP	Common Foreign and Security Policy
COREPER	Committee of Permanent Representatives
CSDP	Common Security and Defense Policy
DG COMP	Directorate-General for Competition
DG CONNECT	Directorate-General for Communications Networks, Content and Technology
EEAS	European External Action Service
EU	European Union
FDI	Foreign Direct Investment
FMRF	Financial Markets Regulatory Forum
G20	Group of Twenty
G7	Group of Seven
GATT	General Agreement on Tariffs and Trade
GDP	Gross Domestic Product
GDPR	General Data Protection Regulation
HR	High Representative
ICC	International Criminal Court
JCPOA	Joint Comprehensive Plan of Action
MMR	Mixed Method Research
NATO	North Atlantic Treaty Organization
NTA	New Transatlantic Agenda
P5+1+EU	China, France, Russia, the United Kingdom, the US and Germany plus EU
PTB	Belgium's Marxist Workers Party of Belgium
PHD	Doctor of Philosophy
SALT	Strategic Arms Limitation Talks
SWIFT	Society for Worldwide Interbank Financial Telecommunication
TTIP	Transatlantic Trade and Investment Partnership
TPP	Trans-Pacific Partnership
UK	United Kingdom
US	United States
WTO	World Trade Organization

*“There’s been a shift. President Obama already spoke about the Asian century, as seen from the US perspective. This also means that Europe is no longer, so to say, at the center of world events. The United States’ focus on Europe is declining — that will be the case under any president. We in Europe, and especially in Germany, need to take on more responsibility.”*¹

Angela Merkel

*“Our governments, including the EU, cannot be remote institutions; they have to be responsive and move more quickly, with minimal bureaucracy to deliver real economic progress in the lives of ordinary people.”*²

Barack Obama

¹ In: Transcript: “Europe Is No Longer at the Centre of World Events” (Barber L., 2020, January 16).

² In: Remarks by President Obama, President Tusk of the European Council, and President Juncker of the European Commission after US -EU Meeting (US White House, 2016, July 8).

1. INTRODUCTION

The Lisbon Treaty entered into force on 1 December, 2009.³ With the purpose of boosting the EU's performance as an international actor, reinforcing its interlocution with strategic partners on the global scene, and furthering integration of its foreign policy, the Treaty introduced the following institutional innovations: a permanent President of the European Council, a revamped High Representative of the Union for Foreign Affairs and Security Policy, a full-fledged European External Action Service (EEAS), and the express conferral to the EU of its own legal personality. The institutions established thirteen years by the Lisbon Treaty are fully in place and have undergone successive political cycles, as well as corresponding changes in their officeholders. As the institutions continue to deploy their functions and activities in an evolving international scenario, their effectiveness, as well as their contribution to the integration of EU foreign policy, have been subjects of thorough research (Koops & Tercovich, 2020; Aggestam & Hedling, 2020; Hill, Smith, & Vanhoonacke, 2017; Spence & Batorá, 2015; Howorth, 2014; Teló & Ponjaert, 2013; Balfour & Raik, 2013; Howorth, 2011). While an exegesis of their scope and rationale would overshadow the purposes of this paper and be redundant to existing literature, some of their main features will be briefly highlighted later in order to draw a comparison with the pre-Lisbon foreign policy framework, and to underline that the Lisbon Treaty institutions constitute milestones for the institutional development of the EU. These institutions have hardly resolved the complexity of the EU foreign policy framework, multi-layered and polycentric (Grzeszczak & Karolewsk, 2012; Wallace, Polack, & Young, 2010), but are considered landmark modifications resulting in fullest EU diplomatic quiver to date.

In consideration of the strategic value of the transatlantic partnership, the effect of the Lisbon Treaty as a whole on EU-US political dialogue warrants a focused and comprehensive analysis, which has surprisingly not been afforded by literature.⁴

³ Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, signed at Lisbon, 13 December 2007. Available in <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12007L/TXT>

⁴ See literature review in the next section.

Together, the US and the EU represent over 778 million citizens,⁵ 50% of global personal consumption, a third of global GDP (in terms of purchasing power), 5.6 trillion dollars in commercial sales per year, 75% of digital content produced globally, and the largest and fastest data flows in the world⁶ (Hamilton & Quinlan, 2020; Gardner, 2020). Their common values—liberal democracy, human rights, and the rule of law— have been considered bedrocks of western civilization, and cooperation through NATO -most of whose members are also members of the EU- is the cornerstone of the transatlantic security system (Sloan, 2016).

An analysis of the relation between the Lisbon Treaty and transatlantic dialogue departs from a triple premise: 1) upon its conception, the Lisbon Treaty raised high expectations for transatlantic dialogue, which clearly have not been met; 2) EU-US political dialogue was more vigorous before the entry into force of the Treaty, when the EU had less foreign policy instruments; 3) economic relations between the two blocks have continued to strengthen, in spite of the deteriorating political dialogue, indicating an absence of epiphenomenal causality between EU-US political and economic relations in recent history.

With regard to the first premise -high expectations which have not been met-, high ranking US Government officials praised the potential of the Lisbon Treaty, before its entry into force, for EU foreign policy, and in particular for transatlantic dialogue. The mentioned institutional innovations of the treaty (President of the European Council, revamped High Representative, and European External Action Service) were understandably viewed, with cautious albeit distinct optimism, as a window of opportunity. Anthony Gardner, former Director for European Affairs at the National Security Council and US Ambassador to the EU, explained that government officials thought the Treaty “would (...) enhance Europe's ability to partner with the United States in addressing global challenges” (Gardner, 2010:104). Another official, Philip Gordon, Assistant Secretary of State for European and Eurasian Affairs, declared, in testimony before the US Congress, that the Lisbon Treaty "marks a milestone for Europe and for its role in the world," and could contribute to, "a more consistent, coherent, and effective foreign policy" (Gordon, 2009, December 15). In that same hearing, Karen Donfried,

⁵ After Brexit, the EU has 447 million inhabitants (European Union [EU], 2021, January 1) and US population in January 2021 was 331,696,751 million (US Census Bureau, 2021).

⁶ Transatlantic data flows rank number 1 in the world; they are 50% higher than US-Asia data flows in absolute terms, and 4 times as large on a per capita basis.

from the German Marshall Fund, stated, “I would argue the post-Lisbon architecture gives us new opportunities to engage and encourage a stronger partner on the other side of the Atlantic” (House of Foreign Affairs, 2009, December 15). Michael E. McMahon, member of the House of Representatives, summed up the prevailing understanding of the hearing: “I think we all believe that a stronger, more coherent, more effective EU can be borne out of the Lisbon Treaty”. The exception was Sally McNamara, from The Heritage Foundation: “The Lisbon Treaty will do huge damage to American interests in Europe” (Gordon, 2009, December 15).

In the EU, the debates of the Convention on the Future of Europe in 2002/2003, organized in the aftermath of the 2001 Iraq invasion, had diffused these expectations in Brussels and national capitals. The Convention made foreign policy a central issue of its discussions while drafting the Treaty establishing a Constitution for Europe (Méndez, 2005) which would later become the Lisbon Treaty. Jean-Claude Piris, legal mastermind behind both Treaties -who was Director of the Legal Services of the Council during the negotiation and adoption of the Lisbon Treaty-, enunciated that, “if efficient and coordinated, these two new figures [the full-time President of the European Council and the new High Representative] will strengthen considerably the center of the EU (...). This should result in better visibility for the EU on the international scene” (Piris, 2010). Similarly, renowned European academic voices considered that the Lisbon Treaty opened up, theoretically, new prospects for the EU’s performance on the global stage. Talks of “new impetus” were not uncommon (Howorth, 2011). In sum, institutions, academia, and policy analysts from both sides of the Atlantic, with their respective nuances, contemplated the Lisbon Treaty as a potential step forward for the EU’s foreign policy and international visibility. It is clear today, however, that this language ran well ahead of reality, making evident the much commented “capabilities-expectation gap” in EU foreign policy (Hill C., 1993).

With respect to the second premise -more vigorous transatlantic dialogue before Lisbon-, it is a truism that political dialogue between the US and the EU was more fluid during the pre-Lisbon period, when the EU had significantly less foreign policy instruments and legal capabilities of international maneuver. Deterioration in transatlantic relations had begun, of course, well before the Lisbon Treaty, owing to tectonic structural, exogenous factors. The end of the Cold War was undoubtedly one of the most significant. Prior to 1989, the Soviet threat constituted a firm “cohesive glue” for geostrategic

interests of the US and Europe. While Cold War transatlantic relations were hardly free from strife,⁷ after 1989 the relationship shifted, as the cohesive glue holding the two actors together withered. As Robert Kaplan put it “Ironically, we may have gained victory in the Cold War, but lost Europe in the process” (Goldberg, 2009, November 10). The US became “post-European” as a result of profound geopolitical changes that emerged in the post-bipolar world (Chopin, 2011; Shapiro & Witney, 2009, November 2). However, the US and Europe maintained a transatlantic alignment well into the end of the 1990s due to the general uncertainty caused by the collapse of the Soviet world power. This period of alignment in times of uncertainty bore some of the main achievements of post-Cold War transatlantic dialogue -e.g., the 1990 Transatlantic Declaration⁸ and the 1995 New Transatlantic Agenda⁹, which established a bilateral summit framework and a programmatic agenda-, but it didn’t last.

Another structural exogenous factor of transatlantic disengagement is the shift in international power balance towards Asia, and the corresponding pivot in US foreign policy priorities. This pivot has entailed a significant opportunity cost for US foreign policy towards Europe and has led commentators to question whether Europe and the US will be able to rethink the transatlantic relationship in the light of China’s re-emergence and the new power distribution increasingly tilted towards the Indo-Pacific region (Small, 2019, April 3; Pompeo, 2018; Nye, 1997; Jain, 2018; Sendagorta, 2019). A more recent factor of deterioration in the transatlantic relationship is the collective impact of multiple crises throughout the past decade -i.e., economic and financial crisis, refugee and immigrant crisis, the Russian invasion of Georgia and annexation of Ukraine (Kaiser,

⁷ This is well explained by Andrew Moravcsik: “Anyone who thinks that the cold war was a period of Western harmony really needs to go back and reread history. What about the epic battles between the United States and Europe over policy toward Russia, over détente and Ostpolitik, over trade policy in the 1960s and 1970s? What about the brutal way that Americans pulled the rug out from European efforts to maintain their colonial possessions: the battleships deal during Suez, Algeria, etc.? How about the way in which US dollar policy overturned European governments one after the other (for example, leading to Helmut Schmidt’s fall from power)? What about Europeans ignoring the American blockade of Cuba in area after area? There was also Charles de Gaulle’s decision to pull France out of NATO’s military command.” (Moravcsik, 2010:204).

⁸The Transatlantic Declaration set out an institutional framework for consultation that calls for bi-annual consultations between the President of the European Council and the President of the Commission with the US President. Additionally, it outlined the Principles of the US-EC Partnership and common goals between the two entities which include democracy, rule of law, human rights, security, economics, and political reform (European Parliament , 1990, November 23).

⁹ The New Transatlantic Agenda (NTA, 1995) set out areas of cooperation between the US and the EU. Included in those where: promoting peace, stability, democracy, and development around the world; responding to global challenges; contributing to the expansion of world trade and closer economic relations; building bridges across the Atlantic; parliamentary links; and implementation of the agenda.

2019, January 23), Brexit, the increase in nationalist and populist parties (Abecassis & et. al., 2020; Norris & Inglehart, 2019; Fabbrini, 2019; Riddervold & Newsome, 2018), and the weakening of multilateralism, among others. Other related factors are increasingly diverging perspectives, policies, and positions on international issues between the two actors, and the open hostility towards the EU during the Trump administration. The impact of these factors has been documented in important studies, which indicate that EU-US relations in major fields of cooperation (such as security and defense, foreign policy, climate change, and human rights) have further weakened as a consequence of “a perfect storm”, which has put the transatlantic relationship under more pressure today than in any other period since its establishment after World War II (Smith, 2018).

Fully acknowledging such factors, qualitative and quantitative analysis carried out for this study confirm that the existing “forest of institutions dedicated to managing transactions and the inevitable disputes between the EU and the US” (Smith, 2018) has not avoided a deterioration in transatlantic political dialogue. What is more, such deterioration *accelerated* after the entry into force of the Lisbon Treaty (Renedo, forthcoming 2022). Starting in 2010, the functioning of the framework of political consultations, through EU-US summits, became irregular and, after 2014, came to a seven-year interruption. EU-US Summits had been ongoing since 1995 and had been considered a key institution for the bridging of transatlantic dialogue, along with NATO and the G7 (Niblett, 2013). Without prejudice to long-running debates between proponents and detractors of summit diplomacy, history and literature make allowance for compelling benefits of EU-US Summits for the transatlantic relationship, as they may foster interpersonal trust among decision makers at the highest political level, lay the groundwork for coordinated crisis management, unlock political breakthroughs and establish inter-administrative networks for institutionalized dialogue. In addition to the interruption of summits, the Lisbon Treaty has not prevented waning US Government visits to the EU’s headquarters in Brussels.¹⁰

These inefficiencies, which run parallel to a general worsening in the quality of EU-US political engagement, will be analyzed in this PhD Thesis, and are particularly concerning in the current international scenario. Today’s global challenges require effective governance especially, although not exclusively, among like-minded actors. Moreover, geopolitical trends and power shifts are generating uncertainty regarding the

¹⁰ See next section.

long-term capabilities of these two actors to effectively defend their values and promote their interests, on their own, in an ever more competitive context. Negotiations within the G20 are testimony to this: actions coordinated between the US and the EU, although hardly a guaranteed recipe for success,¹¹ have a higher chance of prospering; however, divergent actions are more difficult to push forward and depend to a greater extent on the positions maintained with regard to such actions by other influential members, such as China, Russia, India, Brazil, Canada, or Turkey, among others.¹²

As for the third premise mentioned in the outset -absence of epiphenomenal causality between EU-US political and economic relations in recent history-, since the entry into force of the Lisbon Treaty economic links between the US and Europe have continued to strengthen, following a positive trend that has been ongoing for over half a decade. This positive trend has been sustained even when political relations have been relatively strained -for example, during the period leading to the 2001 Iraq war, or the Trump administration. As mentioned, the US and the EU have deep economic ties as they are each other's most important markets, generating \$5.6 million in total commercial sales, employing 16 million workers, accounting for half of total global personal consumption, and close to one third of world GDP in terms of purchasing power. The strength of the EU-US economic relationship in the face of the fluctuating political relationship will be substantiated in the preceding section through analysis of data on trade, investment, and economic disputes between the actors.

In sum, with regard to EU-US political dialogue, the Lisbon Treaty foreign policy institutions have, arguably, not met expected utility predictions. They have borne political results inferior, in quantity and in quality, to those of the pre-Lisbon period. And, in spite of the positive trend in economic relations, they have not prevented a progressive decline in transatlantic political dialogue.

¹¹ For example, in the perspective of the Toronto Summit in 2010, the US and the EU supported a global levy on financial institutions, a proposal that quickly was confronted by Canada and emerging countries and was finally not included in the agenda of the Canadian presidency (Ordóñez, 2017).

¹² For a rare analysis of G20 negotiations which illustrates this idea, see Ivette Ordóñez Núñez (Ordóñez, 2017). For an overview of the diverging EU-US positions before the Los Cabos Summit in 2012, see Oxford Analytica (Oxford Analytica, 2012).

2. OBJECTIVES, LITERATURE REVIEW, METHODOLOGY, AND THEORETICAL FRAMEWORK

This PhD Thesis will address two research questions:

- 1) What has the Lisbon Treaty meant for EU-US top-level political dialogue?
- 2) From a US perspective, why have the Lisbon Treaty institutions been ineffective in promoting top-level EU-US political dialogue?

While dialogue between international actors is a phenomenon which is not directly observable and whose conceptualization presents relatively abstract parameters, it has been traditionally associated with political interactions within the international system. As indicated by the English school of international relations theory, international actors are “obliged to manage the consequences of the fact that they enjoy their independences not absolutely and in isolation but in a setting of interdependence” (Watson, 1982: 1); therefore, they must look outwards and engage in communication with their peers. Such outward dynamic has historically been considered functional -e.g. the French school of sociological objectivism and George Scelle’s *dédoublement fonctionnel* theory, which posited that states must carry out both internal and external functions (Scelle, 2006)-; but also ontological, as actors realize that the existence of other actors, along with their distinct interests and purposes, impinge on their own: “The body politic” according to Rousseau, “is forced to look outside itself in order to know itself” (quoted in Watson, 1982: 1). Dialogue is, thus, essential to diplomacy *lato sensu*:

“States which are aware that their domestic policies are affected by ‘everything that happens’ outside, are not content merely to observe one another at a distance. They feel the need to enter into a dialogue with one another. This dialogue between independent states—the machinery by which their governments conduct it, and the networks of promises, contracts, institutions and codes of conduct which develop out of it—is the substance of diplomacy” (Watson, 1982: 1).

This study will be based on the following operative definition of transatlantic political dialogue: direct interactions between top-level political representatives of the EU as such and the US (i.e. Presidents of EU institutions, US Presidents, EU High Representatives, US Secretaries of State, high-level representatives of federal executive US departments and the EU Commission or their surrogates). Both qualitative and quantitative aspects of transatlantic political dialogue will be analysed: as will be explained further in this section, a qualitative-quantitative sequential mixed methods design will be used, in which a historical qualitative analysis of top-level EU-US dialogue throughout four different US

administrations is verified and expanded upon by a quantitative analysis based on three behavioral indicators (EU-US Summits, sectoral meetings, and US administration visits to Brussels), and data on EU-US trade, FDI and WTO disputes. The findings will be triangulated with the ones collected from eight structured qualitative interviews with senior government officials from the aforementioned US administrations.

While literature on transatlantic dialogue is broad and covers an extensive array of areas,¹³ this PhD Thesis will focus, specifically, on the relation between the Lisbon Treaty institutions and transatlantic dialogue as per defined previously. For such purpose, existing literature presents three limitations: fragmentation, methodology, and perspective.

The first limitation -fragmentation- is occurring in the field of study because the Lisbon Treaty institutions tend to be studied individually and in an isolated manner. This has caused literature to broadly split into three areas of focus: literature on the EEAS (Blockmans & Wessel, 2021; Jørgensen & et al, 2020; Jost-Henrik, 2018; Balfour, Carta, & Raik, 2016; Spence & Batorá, 2015; Balfour & Raik, 2013; Balfour, Alyson & Kenna, 2012); the performance of specific High Representatives (Koops & Tercovich, 2020; Aggestam & Hedling, 2020; Calcara, 2020; Bassiri & Kienzle, 2020; Amadio, 2020; Bremberg, 2020; Howorth, 2011; Müller-Brandeck & Rüger, 2011) and the performance of specific Presidents of the European Council (this area comprises the smallest amount of literature) (Hagemann, 2020; Beach & Smeets, 2020; Tömmel, 2017; Fabbrini & Puetter, 2016; Puetter, 2012).¹⁴ This fragmentation in the literature is detrimental because it impedes the ability to take a holistic approach on measuring the impact of the Lisbon Treaty institutions warranted by their original purpose to work together. Thus, studying the institutions' impact in isolation critically misses the grander picture of how they interact with each other, collectively, and what impact they have on transatlantic dialogue.

Methodology used to conduct research is the second limit in the field. Currently, academic work on how Lisbon Treaty institutions affect transatlantic dialogue presents an overwhelming number of pure qualitative studies instead of mixed method research (MMR).¹⁵ While it could be argued that historically many of the topics within diplomacy

¹³ A Boolean search of “transatlantic dialogue” yielded 6,090 articles, books, and reports on Google Scholar.

¹⁴ Boolean searches within google scholar on “European Council President” yielded 3,020 results.

¹⁵ [MMR] is the type of research in which a researcher or team of researchers combines elements of qualitative and quantitative research approaches (e.g., use of qualitative and quantitative viewpoints, data

and foreign relations have been analysed qualitatively,¹⁶ the lack of MMR in the field is a detriment. For example, the inclusion of MMR in the field of social violence and conflict improved the understanding of structures, agency, and processes related to violence and conflict, provided the opportunity to influence a broader academic and policy audience, and enhanced understanding of the causes, consequences, and potential remedies of violence and conflict (Thaler, 2017). Like in the social violence and conflict field, MMR has promise in the field of transatlantic dialogue as it would verify, bolster, and strengthen existing views in the literature, as well as add levels of complexity and nuance within the literature pool.

The last major shortfall in the field of transatlantic dialogue is, broadly, perspective. Currently, there is an overrepresentation of the European perspective on the issue.¹⁷ Most of the literature in the field is either written by the European side of the alliance or analyzes problems from the European perspective.¹⁸ The US half of the transatlantic equation is underrepresented, leading to insufficient analysis and missed opportunities. Having studies incorporate more US perspectives on the institutions' effectiveness could afford new, fresh ideas into the literature base.

This PhD Thesis addresses fragmentation by focusing on the collective impact of Lisbon Treaty institutions on top-level transatlantic dialogue. It addresses the methodology literature limitation by following a qualitative-quantitative sequential mixed methods research design, in which historical qualitative analysis is verified and

collection, analysis, inference techniques) for the broad purpose of breadth and depth of understanding and corroboration (Burke, Onwuegbuzie, & Turner, 2007)

¹⁶ Part of the reasoning for the overabundance of qualitative studies is linked to the inherent difficulty to quantify certain political interactions on the international stage and limitations in accessible data on foreign policy. This inaccessibility is also due to the tendency in the US to prioritize data on domestic issues. This has created data limitations for scholars in the US, including lack of polls on foreign topics and inconsistent data collection methods. This has led to the development of theoretical arguments (lack of interest by US electorate on foreign policy) for the cause of the problem, and to the creation of statistical fixes to address data limitations (algorithms, e.g. Dyad Ratios).

¹⁷ In the US, it is acknowledged that there is a deficit of US research on transatlantic dialogue. Much of this has to do with a traditional view that the transatlantic alliance is secure and that other fields of study in international relations merit more attention and resources (i.e. Middle East and Indo-pacific). This view has shifted in the US in the past few years, especially after the Trump administration.

¹⁸ In spite of important research conducted on transatlantic dialogue by US think-tanks (e.g. GMFUS, Carnegie, Brookings, CSIS), it is acknowledged that there is a relative deficit of US academic literature on the subject, as other fields have received more attention and resources (i.e. Middle East and Indo-Pacific). In this sense, a Boolean search of "transatlantic" and "US perspective" yielded 2,620 results, while a search of "transatlantic" and "European perspective" yielded 7,780. A possible explanation of this is that the complexity of the EU institutional system disincentives individuals who are not in the EU system to navigate its complexity. The idea of the EU as a complex bureaucracy will be touched upon further in this PhD Thesis.

expanded upon by quantitative analysis. The resulting findings are subsequently triangulated with the ones collected from eight structured qualitative interviews with senior US government officials from four different administrations. Data are used in three ways: 1) to refine the research scope within the periods of analysis and select reliable proxies for EU-US engagement, 2) to select interviewees and interview questions, and 3) to triangulate and help illustrate and interpret findings.

In addressing question one (What has the Lisbon Treaty meant for EU-US top-level political dialogue?), a historical qualitative analysis of transatlantic dialogue in the pre- and post-Lisbon Treaty timeframes is carried out, followed by a corresponding quantitative analysis based on three behavioral measures (EU-US Summits, sectoral meetings, and US administration visits to Brussels), and data on EU-US trade, FDI and WTO disputes. The historical qualitative analysis, which indicates a progressive decline in EU-US top-level political dialogue throughout the pre-Lisbon Treaty timeframe and an accelerated decline in the post-Lisbon Treaty timeframe, is verified and expanded upon by the quantitative analysis. For the purposes of this study, the period of analysis for the pre-Lisbon Treaty timeframe begins with the Clinton administration, during which the 1995 New Transatlantic Agenda was adopted. The post-Lisbon Treaty timeframe begins on December 1st, 2009, with the entry into force of the Lisbon Treaty, and ends with the Trump administration. The quantitative analysis is based on data obtained from the US Presidential Archive, Department of State Office of the Historian, press statements, US Census Bureau, US Department of Commerce and World Trade Organization Dispute Tracker.

Findings show that the Lisbon Treaty has been ineffective in promoting EU-US political dialogue and that, upon the entry into force of the Lisbon Treaty, an accelerated decline in top-level dialogue ensued, along with a proliferation of lower-level sectoral dialogue; throughout the periods of analysis, the positive economic relationship remained constant. Furthermore, the costs of the accelerated decline in top-level dialogue are weighed, on the basis of historical precedents and literature, indicating that lower-level sectoral dialogue is not functionally equivalent to top-level dialogue through summits owing to the following reasons: 1. summits place diplomacy in the hands of those with ultimate decision-making power, thereby affording the possibility of unlocking political breakthroughs and critical junctures which may be obstructed at lower levels of government; 2. decisions adopted in summits may have far-reaching consequences, well

beyond those of lower-level political decisions, and may decisively shape the course of history; 3. meetings at the highest political level may foster trust and interpersonal relationships, a key factor for improving interstate relations and crisis management dynamics; 4. summits encompass a complex array of components which include not only the summit itself, but surrounding activities (preparation, implementation, follow-up) that contribute to intense contacts between administrations at different levels, e.g. Embassies, sherpas, offices of the Heads of State or Government, Ministries and Agencies.

The perspective issue is addressed by incorporating empirical findings collected systematically from eight structured qualitative interviews with senior US government officials who participated in major episodes of transatlantic dialogue. The interviews were conducted between 1 September 2019 and 31 August 2020. There was the same number of interviewees per administration, from a total of four administrations: two Democrats (Clinton and Obama) and two Republicans (W. Bush and Trump). The interviewees: 1) were senior officials in the National Security Council at the White House or the Department of State, epistemic communities (Haas, 1992) relevant for understanding dynamics and sensitivities in US foreign policy decision-making, 2) worked on Europe policy, and 3) had direct access to the US President. Building on the assumption that practice-based approaches may help infer foreign policy motives (Schmitt, 2020), the insights from eight key US practitioners from four different administrations reveal common understandings on factors that have restricted the effectiveness of the EU diplomatic framework for transatlantic dialogue. The primary information produced herein is a reliable proxy for shared causal beliefs and notions of intersubjective validity in US foreign policy elite regarding EU foreign policy institutions, as qualitative interviews collect data not only on behavior or empirical tendencies, but also on “representations, classification systems, boundary work, identity, imagined realities, and cultural ideals” (Lamont & Swidler, 2014:160). Findings indicate that, according to the opinions of frontline US diplomats, the Lisbon Treaty per se has been ineffective in promoting transatlantic dialogue. Moreover, findings show that the implementation of the Lisbon Treaty foreign policy institutions has been detrimental to top-level transatlantic dialogue, owing to three inhibiting factors, endogenous to the EU,¹⁹ which surfaced as

¹⁹ These endogenous factors are differentiated from the exogenous and structural factors of post-Cold War transatlantic disengagement, outlined previously. For the purposes of this study, endogenous factors are circumstances which have been decided internally by the EU, within the margin of discretion afforded by the EU Treaties, and which affect the functioning, configuration, and contours of the Lisbon Treaty institutions.

relevant from the interviews: political profiles of Lisbon Treaty institutions' officeholders, structure of EU-US Summits, and EU institutional and bureaucratic complexity. The first factor relates to human agency and the association drawn by social psychology between political leadership and cognitive profiles and skills. The second factor pertains to dysfunctional intra-organizational praxis when structuring EU-US summits. The third factor refers to inefficiencies in EU foreign policy stemming from suboptimal institutional design. From the perspective of US foreign policy elite, these factors have restricted the effectiveness of Lisbon Treaty institutions for transatlantic dialogue.

Finally, the empirical findings provide touchstones for major theoretical frameworks used to explain European integration, namely historical institutionalism and liberal intergovernmentalism.

Stemming from an analysis of how institutions structure the interaction between states and markets and also between market actors (Steinmo et al., 1992), historical institutionalism focuses on temporality and posits that timing and sequence profoundly shape political processes, contributing to: unpredictability and variety of outcomes; nonergodicity or possible lasting effects of chance events; inefficiencies with regard to previous alternatives; and inflexibility in decision making processes owing to path-dependence and inertia (Fioretos, 2011). Institutional development is determined frequently by long periods of path-dependent institutional stability that are interrupted occasionally by "brief phases of institutional flux -referred to as critical junctures- during which dramatic change is possible" (Capoccia, G., & Kelemen, R., 2007:341).

From the perspective of historical institutionalism, it may be argued, in consideration of the relatively short lifespan of the Lisbon Treaty institutions, that more time is needed for the institutions to reach their potential -or, at least, "what could be tumultuous teenage years" (Blockmans & Wessel, 2021:5). Post-Lisbon EU foreign policy is still, as today, a "work in progress" (Missiroli, 2010). European integration is undoubtedly a process that unfolds progressively over time, and its *épanouissement institutionnelle* is weighed down by inertia and path-dependence (Pierson, 1996). Nonergodicity, unpredictability and inefficiencies have characterized such process throughout history. EU Institutions are limited in their capacity to mould diplomatic conduct as a consequence of well-known EU structural constraints: system of distribution of powers, asymmetric levels of integration and voting methods in various policy fields, and steadfast intergovernmental

checks. While these inbuilt limitations explain historical efficiency contrasts in different policy fields throughout the course of European integration (i.e. certain exclusive internal market policies vs. foreign policy, chiefly in the hands of Member States), the research findings of this PhD Thesis provide arguments against “a too easy conclusion of inevitability or functionality of observed outcomes” (Pierson, 2000:252) and compelling reasons to believe that the EU diplomatic apparatus, responsible for conducting the CFSP, can be made significantly more effective by addressing the aforementioned endogenous factors (e.g. through the appointment of optimal EU institution leaders, and through a more effective approach to summit diplomacy, providing fertile ground for critical junctures and institutional flux).

Liberal intergovernmentalism builds on realist intergovernmentalism (Hoffmann 1966), focusing on the centrality of governments and their interests throughout power interactions in the framework of European integration. Moreover, drawing on liberal preference formation theory, it focuses on “national preference” formation associated with domestic politics processes’ outcomes which reflect interests of societal groups mediated by national political institutions (Moravcsik, 1993: 481). Liberal intergovernmentalism also integrates a functional, neoliberal theoretical perspective of international institutions (Keohane, 1984): EU institutions are means 1) to facilitate intergovernmental cooperation in an interdependent international system, and 2) to strengthen domestic regimes’ commitment to integrated policies and norms (Riddervold, Trondal & Newsome, 2020).

From a liberal intergovernmentalism viewpoint, the structural limitations which have historically affected CFSP institutions -and which of course do not constitute per se barriers for cooperation between Member States in high politics-, underscore the critical role of national preference in the EU’s institutional development (Moravcsik, 2018). Moreover, they shed light on certain shortcomings of the still developing diplomatic institutions, the creation and implementation of which have vindicated the three stages of European integration identified by liberal intergovernmentalism: domestic formation of state preferences, intergovernmental constellation of preferences and power which lead to integration outcomes, and the establishment of EU-level institutions with their corresponding legal and political limits (Moravcsik, 1993).

The shortcomings give grounds for questioning whether institutional autonomy may be lower than posited by neofunctionalists vis-à-vis supranational actors (Caporaso &

Kim, 2016), and highlight that intergovernmental-supranational dialectical tensions continue impinging on EU diplomacy, without prejudice to positive diplomatic steps taken by the relevant Lisbon Treaty institutions -e.g., the EU High Representative's role in the JCPOA negotiation; the EEAS's activity throughout the world and its coordination of the activity of EU Member State's Embassies; and the President of the European Council's active participation in key foreign policy portfolios, such as Russia's annexation of Crimea, 2020 Belarus elections, and participation in G7 Summits. These achievements show that Lisbon Treaty institutions can and do deliver significant results for EU foreign action. However, for the EU to compete successfully in world diplomacy, it needs to truly empower its CFSP and CSDP, as well as the institutions it has created throughout the course of European integration. Increased control over domestic political dynamics may indeed lead to a loss of flexibility in international affairs (Kissinger & Wellings, 1977), and tactical benefits commonly associated to *realpolitik* (e.g. by appointing suboptimal, easier to control EU institution holders) are ultimately outweighed by the strategic benefits that EU integration could afford to Member states in CFSP and CSDP by ambitious institutional empowerment (e.g. by appointing optimal international representatives in charge of effectively conducting such policies in coordination with Member States). Following the reasoning of liberal intergovernmentalism, regimes should not merely supplant states; they should strengthen them (Moravcsik, 2018).

Finally, in line with recent applications of interactionist role theory and ontological security literature to the EU's engagement with third-party countries (Klose, 2020), this PhD Thesis argues that *the way* in which Lisbon Treaty foreign policy institutions were deployed significantly altered the preexisting context of EU-US bilateral consultations, establishing new frameworks and roles which have ultimately underperformed for the purposes of EU-US top-level political dialogue. The findings are consistent with what has been considered an "inverse relationship between institution-building and policy effectiveness" (Münchau, 2021, April 10); raises questions regarding the legitimacy quality of the performance, representation, and governance process of CFSP (Schmidt, 2020); and provides primary information that may aide further research on suboptimal implementation of EU foreign policy institutions.

In sum, the analysis contained in this PhD Thesis of the relation between the Lisbon Treaty and transatlantic dialogue does not favour one theoretical framework or perspective with regard to the functioning of international relations and institutions. The

formal object of study -understood as the viewpoint from which a material object is analysed (Obi-Okogbuo, 2015)- is eclectic in the sense that it focuses on multiple layers of causal reality, without necessarily giving preeminence to one over the other: potential significance is attributed in similar terms to systemic elements (e.g. geopolitical shifts and global power balancing), inter-state elements (e.g. asymmetric degrees of influence among EU Member States), and inter-individual elements (e.g. cognitive skills and profiles of EU institution holders).

3. MAJOR FOREIGN POLICY INSTITUTIONAL INNOVATIONS INTRODUCED BY THE LISBON TREATY

Much has been written on the germinating context and *raison d'être* of the institutional innovations introduced by the Lisbon Treaty in the field of foreign policy. The post-Cold War multi-polar world called for mechanisms and procedures that could further contribute to efficient coordination among EU Member States in foreign policy; heightened coherence in EU foreign action and the external dimension of common EU policies; and improved formulation processes leading to common EU approaches to major international challenges. In this geopolitical context, the 1990s, arguably the most dynamic decade in terms of EU integration (Riddervold, Trondal & Newsome, 2020), had given birth to the Council Secretariat as a natural consequence of the single market; the Political and Security Committee as the successor of the “the inefficient, peripatetic, and politically inadequate Political Committee” (Howorth, 2011:305); and the High Representative and Secretary General of the Council as a logical result of the CFSP. Opinion polls throughout Europe consistently indicated significant popular support for the view that foreign and security policy should be further coordinated at European level and not exclusively conducted at national level (Howorth, 2011).

Throughout the decade-long process of treaty review leading first to the stillborn Constitutional Treaty and subsequently to the Lisbon Treaty, policy analysts and EU governments and institutions agreed, by and large, on the need to further develop the EU diplomatic apparatus. Moreover, the enlargement process also required ostensibly a corresponding institutional adaptation: in a union of over twenty-five Member States, “the rotating presidency of the European Council no longer made sense” (Howorth, 2011:305). Thus, the commonly accepted need to increase the efficiency, effectiveness, and impact of CFSP/CSDP paved the way to an extensive development of the EU’s foreign policy framework: of the over sixty amendments to the previous treaties introduced by the Lisbon Treaty, twenty-five pertained CFSP/CSDP, with the purpose of increasing institutional capabilities in those policy areas.

The Lisbon Treaty created the President of the European Council, elected for a term of two and a half years, extendable for a same period. The President “shall, at his level and in that capacity, ensure the external representation of the Union on issues concerning its common foreign and security policy, without prejudice to the powers of the High

Representative of the Union for Foreign Affairs and Security Policy”²⁰, the latter part of the phrase being an example of the EU’s multi-layered and polycentric decision-making structure (Grzeszczak & Karolewski, 2012; Wallace, Polack, & Young, 2010). Before the treaty, the Presidency of the European Council was a position that rotated every 6 months to correspond with the country that held the Presidency of the Council -and, in particular, its Head of State or Government. This system was considered by US Government officials as inefficient and erratic (Gardner & Eizenstat, 2010). Similarly, European academia considered that, “initially conceived as both a statement of membership equality between the original six and an empirical form of apprenticeship in leadership, the arrangement had become internally dysfunctional and externally mystifying” (Howorth, 2011:305).

Another major innovation of the Lisbon Treaty is a revamped High Representative of the Union for Foreign Affairs and Security Policy. This institutional figure conducts the CFSP, is Vice President of the European Commission, and chairs the Foreign Affairs Council. Owing to the significantly enlarged powers and means that this implies, the post-Lisbon High Representative is commonly referred to, in literature, as being “triple-hatted”. The High Representative now performs and concentrates functions which, in the pre-Lisbon era, were dispersed in three different figures: 1. The High Representative for CFSP, who, as Secretary General of the Council, was formally in charge of assisting *the Council* -the author’s stress- by “contributing to the formulation, preparation, and implementation of policy decisions” and “conducting political dialogue with third parties”. 2. The Commissioner for External Affairs who, among other functions, could exercise the Commission’s non-exclusive right of initiative in CFSP, and could assist the Council Presidency in the negotiation of agreements in that field. 3. The Presidency of the External Relations Council, which, before Lisbon, represented the Union in CFSP, was responsible for the implementation of decisions in that field, expressed the position of the Union in international organizations and conferences, and represented the Council in the negotiation of international agreements concerning CFSP. In sum, the main purpose of the post-Lisbon “triple-hatted” High Representative is to give more visibility and stability to the external representation of the EU in CFSP, and more consistency between the different sectors of the EU’s external action (Piris, 2010). A question which has been legitimately posed -and which will be touched upon at a further moment- is whether this

²⁰ Lisbon Treaty, Article 15. EUR-Lex. European Union. Obtained from: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12007L/TXT> Accessed March 19, 2020.

triple hatting does indeed lead to this outcome, or, rather, renders the job highly difficult to carry out. The consequences of this debate, in general and with regard to transatlantic dialogue, are crucial for the CFSP and CSDP, as they relate to the functions of the High Representative -the institutional figure in charge of conducting such policies.²¹

The Lisbon Treaty also created the European External Action Service (EEAS), a full-fledged diplomatic service. The EEAS comprises a staff of over 4,000, central services of complex administrative structure in Brussels (EEAS, 2020, March 9) and over 140 Delegations around the world. These delegations are considered the “crown jewels” (Balfour & Raik, 2013) of the EEAS and have been progressively upgraded to ambassadorial status. All of this makes the EEAS one of the largest existing foreign services. The EEAS assists the High Representative and works in cooperation with the diplomatic services of the Member States (Lisbon Treaty, 2007: Art.27). In 2020, the EEAS had a budget of € 682.3 million (European Commission, 2020).

Before the entry into force of the Lisbon Treaty, the institutional framework of the EU for external relations was fundamentally comprised of 1) a High Representative for Common Foreign and Security Policy, who was at the same time Secretary General of the Council of the EU, and had significantly less formal attributes and means than the current High Representative of the Union for Foreign Affairs and Security Policy; and 2) a European Commissioner for External Relations, the scope of whose powers were, also, more narrow than those of the current High Representative. Furthermore, the European External Action Service did not exist,²² and the Union, as such, did not have explicitly recognized legal personality from a perspective of public international law.²³

²¹ Article 18.2 of the Treaty of the EU: “The High Representative shall conduct the Union’s common foreign and security policy”.

²² The Commission had “Representations” throughout the world, which were overtaken by EEAS Delegations once the Lisbon Treaty entered into force. These “Representations” did not have the diplomatic status of the current Delegations and did not embody the representation of the EU as a whole -it represented only one of its institutions, the Commission, but not the Council nor the Member States (Howorth, 2014).

²³ The EU’s legal personality was not explicit, and its scope was disputed among scholars and government circles. Article 47 of the Treaty of the EU, introduced by the Lisbon Treaty, resolved this issue, stating that “the EU shall have legal personality.” This has important implications for the EU’s capacity to act under public international law (treaty making powers, diplomatic representation, membership in international organizations, capacity to sue or be sued, etc.) (Mangas & Liñán, 2017; Piris, 2010; Howorth, 2014).

4. WHAT HAVE THE LISBON TREATY INSTITUTIONS MEANT FOR TRANSATLANTIC DIALOGUE?

4.1. Qualitative historical analysis of pre- and post-Lisbon Treaty transatlantic dialogue

A historical overview of EU-US political dialogue indicates that, despite the institutions established by the Lisbon Treaty, there has been a decline in political dialogue between the US and the EU in comparison to the pre-Lisbon period. As explained, for the research purposes of this PhD Thesis, the period of analysis of the pre-Lisbon timeframe begins with the Clinton administration, during which the 1995 NTA was adopted, and the post-Lisbon timeframe begins on 1 December 2009 with the entry to force of the Lisbon Treaty.

4.1.1. Clinton Administration

The relationship between the Clinton administration and the EU has been categorized by scholars as initially tense (Dumbrell, 2010). In January 1993, when the new administration took office, there was an almost immediate dispute with the EU caused by remaining H.W. Bush era anti-dumping duties of US imports of steel. This issue almost resulted in a full-blown trade war (Peterson, 1994) and led to tensions over US public procurement that ended up poisoning the climate of the Uruguay Round of the General Agreement on Tariffs and Trade (GATT). Additionally, the backing away of US commitment to humanitarian aid in Somalia, and conversations about lifting the international arms embargo on Bosnia in May 1993, led to fears in the EU that, without an external threat that acts as a rallying point, cooperation with the US would be increasingly difficult (Williams, Hammond, & Brenner, 1993). Moreover, with the Maastricht Treaty being rejected by Danish voters in 1992, the resulting internal institutional impasse in the EU left it, “unable to relate to the US as an equal partner” (Peterson, 1994:414). Thus, EU relations with the new Clinton administration seemed to start off, by and large, on the wrong foot. However, in spite of the political rows, four key trade deals²⁴ were reached and paved the way to the 1995 NTA, one of the main institutional milestones in post-cold war transatlantic dialogue (Gardner, 1996, November 13), established in the wake of the 1994 Marrakesh Agreement and the resulting creation of the World Trade Organization. Adopted during the EU-US Summit in Madrid on

²⁴ “Airbus Accord”, Blair House Agreement, Government Procurement Deal, and the GATT deal.

December 3rd, 1995, the NTA built upon the 1990 Transatlantic Declaration and the summit system established therein and set out areas of EU-US cooperation based on common values.²⁵ The significance of the NTA was not only symbolic, as it took an administration described as “having a relative low priority on foreign policy” and a President who “came into office with no fixed notion of whether or how European integration served US interests”, and gave new form to a transatlantic relationship which became later categorized as the most fruitful in the post-Cold War era (Peterson, 1994). This agreement became the turning point for the Clinton administration’s transatlantic relationship.

The shift of the Clinton administration from ambivalent to engaged and ready to work with the EU was a consequence of various factors. Among those were the recognition that the international system was unipolar and organized around American hegemony (Dumbrell, 2009); and a change from a Democrat majority in the House and Senate to a Republican majority in both chambers in 1995, altering President Clinton’s domestic malleable constraints framework (Hyde & Saunders, 2020). This shift in Clinton’s “personal disengagement” to “intense personal activism” in foreign policy is evident in arguably the most important transatlantic issue of Clinton’s presidency, Bosnia (Dumbrell, 2010).

Early US policy in Bosnia was a source of conflict between the US and Europe, the US initially refusing to take the lead to end the conflict (Daalder, 1998). Scholarship considers the year 1995 as a transformative moment for the Clinton administration, as it ended what many considered an “almost impossible to defend” policy on Bosnia, due to its “inaction and irresolution” (Dumbrell, 2010:268-278). This policy shift paved the way to the Dayton agreement in 1995 which was considered as, “provid[ing] the framework for lasting success”, for the future of Bosnia. However, the agreement did not come without issue, as the Europeans rebuked the way they were treated at Dayton (Neville-Jones, 1996). In spite of this, finding an answer to the Bosnian crisis marginally improved EU-US relations, and led to the joint intervention in the territory of Kosovo, Yugoslavia. While this intervention was an important demonstration of possible EU-US cooperation

²⁵ E.g., peace, stability, democracy, and development through concerted actions in different geographic regions and foreign policy issues; coordinated response to global challenges (international crime, drug trafficking, terrorism, climate change, and communicable diseases); expansion of world trade and closer economic relations through diverse multilateral and bilateral forums and agreements; strengthening civil society ties and parliamentary links; and monitoring agenda implementation (NTA, 1995).

through NATO, there were massive conflicts over policy during the intervention and post-Kosovo both sides said that they would “never again” fight together in such a way.²⁶ This set the stage for the Saint-Malo declaration in 1998 (Saint-Malo Declaration, 1998), in which France and the United Kingdom, having taken stock of the armed conflict in the territory of Kosovo and the difficulties to work with the US, agreed on the need to give the EU the capacity for autonomous decision-making and action, backed up by credible military forces, in order to respond to international crises when the Atlantic Alliance as a whole is not engaged. The 1999 Amsterdam Treaty thus gave birth to the European Security and Defense Policy (Howorth, 2014).

Overall, while Bosnia and Kosovo could be characterized as mixed successes, the Clinton administration did achieve successful cooperation in other issues, such as Northern Ireland. By helping to settle the dispute and reaching the 1998 Belfast agreement, the US proved itself a worthy partner for the EU. Another achievement was NATO enlargement, possible after well-documented internal debate (Sarotte, 2019). More accomplishments in the economic sphere, like the Agreement on Customs Cooperation and Mutual Assistance, and the Mutual Recognition Agreement, signed on 28 May 1997, and 13 June 1997, respectively, also contributed to the overall success of the Clinton Administration in transatlantic dialogue, despite earlier setbacks.

Lastly, there is the political profiles dimension to consider in reviewing the success of the Clinton administration. Part of such success was related to the individual attributes and profiles of the administration members on the US side (Phillips, 2007). Particularly significant was Clinton’s decision, in his second term, to make Madeleine Albright Secretary of State, the second²⁷ to be born outside of the US (Czech Republic). Having a Secretary of State originally from Europe provided the transatlantic relationship a distinct advantage. When it came to issues like Bosnia and Herzegovina or NATO, the Europeans could trust the US and collaborate because they knew the Secretary of State had a special sensitivity and knowledge of the region in a way few of her predecessors had. This savvy that Secretary Albright brought to the table helped smooth the relationship, especially on contentious issues such as Bosnia and Herzegovina. Additionally, another key figure for

²⁶ “During the Kosovo War, US military leadership was so total that the Europeans vowed “never again” to allow themselves to be reduced to a sideshow. The United States, for its part, vowed “never again” to allow the fractious European allies to retain political oversight over a complex military operation (“war by committee”)” (Howorth & Keeler, 2003:9-10).

²⁷ Henry Kissinger was the first.

the success of the relationship at this time was President Clinton himself. While the relationship started off rocky, President Clinton's general charisma and the perception, on the EU side, that he both shared "European values" and "could talk European" (Dumbrell, 2010:268-278) were instrumental in his ability to turn a tense relationship into a flourishing one.

4.1.2. W. Bush Administration

On entering office on 20 January, 2001, George W. Bush inherited a robust transatlantic relationship with a strong linkage to the EU. The first blow to the relationship came when the US rebuked the Kyoto Protocol, signed by President Clinton. President George W. Bush claimed that the Kyoto Protocol was "unfair and ineffective" (Bush, 2001, March) because it would exempt 80 percent of the world and cause serious harm to the US economy; such claim was seen by the Europeans as an unveiled preference for protecting US industry. This built-up tensions between the US and Europe at the start of the Bush administration. Tensions between the US and the EU were also bolstered by neoconservatives in President Bush's close sphere of influence that were critical of the EU and argued that the EU was a potential rival and free rider (Horwitz, 2013).

An incident which clearly demonstrates the ambivalence in policy towards the EU during the early days of the Bush administration is the following: in preparing his first visit to Europe in the summer of 2001, Bush invited a group of European intellectuals to the White House, where he famously provoked his European visitors by asking, "Do we want the EU to succeed?" British historian Garton Ash, who was present in the meeting, recalls that he responded that, "We [Europe] certainly did, and we thought the United States should, too". In an interview recalling the incident, Garton Ash remarked that, "not since 1945 had a single President ever asked the question in that form" (Stephenson, 2004, November 21).

In spite of these tensions, when tragedy struck on 11 September, the first individuals to reach out to the US following the attack were European leaders, who contacted the US Ambassador to NATO (Burns, 2018, September 5). Before the invocation, for the first time in history, of Article 5 of the NATO treaty, European leaders had already expressed they would support the US. However, it was in the context of this solidarity by the EU and the expectation that NATO would play a key role in Iraq, that the decision of the Bush administration to bypass NATO put the transatlantic relationship in jeopardy. Europeans' leaders perceived such decision as insulting because they had offered up

NATO services, but were in essence told, “Don’t call us, we’ll call you” (Baylis & Roper, 2007:92). As further elaborated on by Anderson:

The Iraq crisis produced a deep rift at the core of the APO [Atlantic Political Order], pitting the United States against two key European allies [...], with the rest of the continent split over the US’s action. The decision to invade Iraq met with nearly unanimous condemnation in Germany, where Chancellor Gerhard Schroeder waged an openly anti-American electoral campaign for re-election in the fall of 2002 and elicited outright opposition from France at the United Nations, which sought to utilize the arena to thwart the looming American military initiative in the months leading up to the invasion (Anderson, 2018: 625).

Gerhard Schröder won the election and would remain Chancellor until 2005, when Angela Merkel was elected. Chancellor Angela Merkel’s election subsequently led to a reduction in tensions between the US and Germany. However, the initial decision by the US to circumvent international institutions to go to war in Iraq was not settled and bled into the proceeding relationship with most of Europe.

Despite the rift caused by the Iraq War, work continued on the basis of the NTA and initiatives for economic dialogue increased. EU-US Summits were held annually and contributed to the establishment of a “Euro-American regulatory condominium” (Posner, 2009). The 2002 EU-US Summit launched the Positive Economic Agenda and the EU-US Financial Markets Regulatory Dialogue (renamed the Financial Markets Regulatory Forum (FMRF)), and the 2004 EU-US Summit adopted the Roadmap for EU-US Regulatory Cooperation and Transparency, outlining a range of specific regulatory cooperation activities. This highlights that, while there was conflict over the decisions made on Iraq, close economic cooperation continued as per usual up until the end of the administration, when the international financial crisis started. Nevertheless, European public opinion became increasingly anti-American in the Bush years, with majorities seeing the alliance in very negative terms. At the end of 2008, France had a 57% unfavorable view of the US, Germany 66%, and Spain 55% (Pew Research Center, 2020, March).

4.1.3. Obama Administration

The Obama administration maintained a positive discourse on the strategic nature of transatlantic dialogue, manifested in the President’s propitious speeches in Berlin in July 2008 – “America has no better partner than Europe”-, in Prague in 2009 – “I’m speaking to you in the center of a Europe that is peaceful, united and free...”- and in Berlin in June 2013 – “our alliance is the foundation of global security”-. Similarly, the 2010 National Security Strategy indicated that “Our relationship with our European allies remains the cornerstone for US engagement with the world” (White House, 2010, May). Secretaries

of State Clinton and Kerry used similar language when referring to the transatlantic bond (Clinton, 2012, November 29; Kerry, 2016, October 4). Were these words... just words? It would not seem wholly fair to say so, as this encouraging narrative was accompanied by important endeavors which required high doses of transatlantic dialogue: the negotiation of the Transatlantic Trade and Investment Partnership (TTIP), considered a potential turning point in transatlantic relations but which confronted opposition in various EU Member States like Germany (Dempsey, 2016, April 25); the Joint Comprehensive Plan of Action (JCPOA) negotiated between Iran and the so-called P5+1+EU; and the Paris Climate Agreement, among others. Of course, not all the garden was rosy, as shown by tensions in NATO because of reduced European defense spending -Secretary of Defense Robert Gates warned that the alliance was “a matter of life or death” (Gates, 2011, June), and famously chided European allies in his valedictory speech (Washington Post, 2011, June 10; Birnbaum, 2011, June 10)-, disclosures of spying operations by the National Security Agency against European allies,²⁸ differences in climate change policy glaringly displayed in the 2009 Copenhagen Summit,²⁹ the EU’s perceived inability to intervene decisively in the Ukraine conflict after 2014, and the maintenance of Guantanamo. However, all in all, such strains seemed minor in comparison to the ones caused previously by the Iraq war, which on the other hand had never entirely dissipated (Niblett, 2013).

Part of the reason the Obama administration’s pre-Lisbon transatlantic dialogue was successful was due to former Secretary General of NATO, Javier Solana, appointed in 1999 EU High Representative for Common Foreign and Security Policy. In 2009, months before the entry into force of the Lisbon Treaty, High Representative Solana deployed joint diplomatic actions with the US Vice President, Joseph Biden, and the Secretary of State, Hillary Clinton. In May that year, High Representative Solana carried out a joint visit to the Western Balkans with Vice President Biden. They travelled together to Bosnia, Serbia and Kosovo, and held talks with the corresponding Heads of State or Government. A joint statement was released (Biden & Solana, 2009, May 20), indicating their

²⁸ In 2013, Snowden leaks covered by European media informed of successful NSA initiatives to eavesdrop on the European Commission offices in Washington, D.C., and at the UN in New York, as well as the headquarters of both the EU Council of Ministers and the European Council, and Chancellor Merkel’s cell phone.

²⁹ The Obama administration upset Europe’s plan for a binding climate change treaty and convinced the so-called BASIC group of countries (Brazil, South Africa, India and China) to agree to an alternative non-binding Accord. The Europeans felt open irritation by what they considered a diplomatic coup by President Obama (Hill, Smith, & Vanhoonacker, 2017).

objectives for this strategic region, in a display of transatlantic unity in foreign policy (Brandon, 2009, June 1). Previously, in March of that same year, Secretary Clinton had travelled to Brussels and, along with High Representative Solana, she met with the Ministers of Foreign Affairs and the Commissioner for Foreign Affairs, at the headquarters of the Council of the EU. As was confirmed by interviewees and will be explained further, Javier Solana's political pedigree and track record, along with his personal deftness and relationships, were determinants of his elevated capacity of interlocution and effectiveness for transatlantic dialogue.

Data corresponding to the Obama administration yields, however, checkered results: as will be illustrated below, while relations with Member States were overall intense and EU-US sectoral dialogues proliferated, during the Obama administration the EU-US summit system first became irregular, and after 2014 experienced a breakdown hitherto unprecedented. EU-US Summits had been ongoing since 1995 and had been considered a key institution for the bridging of transatlantic dialogue, along with NATO and the G7 (Niblett, 2013). Without prejudice to long-running debates between proponents and detractors of summit diplomacy, history and literature make allowance for compelling benefits of EU-US Summits for the transatlantic relationship, as will be elaborated further. Also, President Obama spent five years in a row without traveling to Brussels, a telling absence in the headquarters of the EU institutions, in spite of reasonable hopes that his presence in Brussels would have increased, since post-Lisbon Treaty EU-US Summits are supposed to take place only in Brussels.³⁰ In stark contrast with his positive words on the strategic nature of the transatlantic partnership, President Obama's prolonged absence from Brussels was interpreted in European diplomatic circles as evidence of a Janus-faced approach towards the EU: inspiring narrative, but underwhelming engagement. This vindicated voices which had predicted that the Obama administration would not open a golden era in transatlantic relations, and disappointments were to be expected (Schake, 2007). Relatively high hopes, reflected in opinion polls which indicated an unprecedented surge in popularity of the US President among western Europeans,³¹ were confronted with

³⁰ Before, they took place in the US or in the EU member state holding the rotating Presidency of the Council.

³¹ According to a poll conducted by the German Marshall Fund, in mid-2009, President Obama enjoyed far more support in Germany, United Kingdom, and France, than he did in the US (German Marshall Fund, 2009).

the sober reality of a President more pragmatic and less Eurocentric than expected by many Europeans (Hamilton D., 2013).

European policy in the Obama administration faced a trying context. Evolving US foreign policy priorities -namely, the “Pivot to Asia”, exalted in President Obama’s self-declaration as “America’s first Pacific President” (Obama, 2009, November 14)- contributed to a transatlantic drift that some commentators have viewed as arguably structural (Tocci & Alcaro, 2014). President Obama stated in an interview in November 2010 that the “The new alliances of the US are not at the expense of Europe”³² (Caño, 2010, November 19), but commentators agree that his renewed Asia policy did in fact entail an opportunity cost for his European policy (Gelb, 2012; Binnendijk & Nitze, 2014). Moreover, leaders both in the US and the EU were focused on mounting domestic economic challenges in the wake of the crisis, and European and US strategies to relaunch growth followed different tracks -targeted Federal Reserve programs to stimulate growth and which allowed high deficits vs. fiscal consolidation in the EU (Niblett, 2013). Literature explains how the deep impact in Europe of the economic and financial crisis, along with other parallel or subsequent crises (refugee and immigrant, Russian invasion of Georgia and annexation of Crimea, increase in nationalist Eurosceptic parties, and Brexit), created conditions that, along with a weakening transatlantic bond, contributed to an unravelling of EU-US relations (Riddervold & Newsome, 2018). To make things even more complicated, the EU was still assimilating 13 new Member States, with all the corresponding challenges,³³ consuming significant energy and attention at a moment in which transatlantic relations had not yet recovered from the deep divisions caused by the Iraq war (Baun, 2003). And, of course, a classic structural factor persisted and kept European capitals in the limelight, restricting the international role of the EU per se: the preeminence of Member States, and, in particular, large ones, in the foreign and security policy of the EU.³⁴

³² Translation by the autor. The original published terms are: “Las nuevas alianzas de EE UU no son a expensas de Europa”.

³³ Between 2004 and 2013, the number of EU Member States passed from 15 to 28. No previous enlargements had taken in, in such a short period of time, so many countries, and so different in economic terms with regard to existing Member States. For example, the 2004 enlargement implied an increase in EU GDP of only 5%, being the GDP per capita of the acceding countries 23% with regard to GDP of incumbent Member States at the time of the enlargement (Lammers, 2004).

³⁴ Intensive transgovernmentalism remains the dominant mode of policymaking in the EU, despite significant institutional development and capability-building in the past two decades. Large Member States have had, historically, a leading role (Wallace, Polack, & Young, 2010).

Admitting the strong influence of such circumstances, it was precisely after the entry into force of the Lisbon Treaty that EU-US Summits first became irregular and subsequently came to an indefinite halt, as will be substantiated further. This halt has not been compensated by increased visits to Brussels by US Presidents or Secretaries of State. In 2010, a few months after the entry into force of the Lisbon Treaty, the EU-US Summit, which had been programmed to be held in May, was cancelled at the initiative of the US administration. This dealt a blow to the EU and, in particular, to the Spanish Presidency of the Council, which had announced and begun preparations for the Summit. After the cancellation, it was announced that Summits would take place “only when necessary” (Pop, 2010, Mar. 27). Distinguished academic voices in the US considered that President Obama made the right call cancelling his attendance, as it could encourage Europeans to do more on common projects and remind them that the transatlantic bond cannot be taken for granted (Walt S., 2010, February 3). The summit was later reconvened in November 2010. Media covering that summit reported that President Obama found the summit “dull”; they quoted him as saying “This summit was not as exciting as other summits... because we basically agree on everything” (Filder, 2010, November 20). The next EU-US Summit *stricto sensu* took place in Brussels on March 26th, 2014, on the heels of the Russian annexation of Crimea. Throughout the Obama and Trump administrations, subsequent meetings between US Presidents and the EU institution leaders have taken place on a bilateral basis or in the margins of other international summits, such as G20, NATO or the World Economic Forum.³⁵

In addition to this impasse in the EU-US Summit system, there are anecdotal albeit eloquent episodes that reveal the US declining interest in the transatlantic political bond. One of the most conspicuous was the leak —attributed to the Russian intelligence services— of the telephone conversation between the Assistant Secretary of State for European and Eurasian Affairs, Victoria Nuland, and the Ambassador of the United States in Kiev, Geoffrey Pyatt, at the end of January 2014. During this conversation, both parties considered the possible figures who could make up the post-Yanukovich government; the advisability of including the EU in the corresponding mediation was categorically

³⁵ As will be explained in the data section below, many Presidential trips to NATO summits included meetings with EU leaders. In addition, bilaterally, there are many examples of meetings: when President Trump met with Commission President Jean-Claude Juncker and European Council President Donald Tusk on May 25th 2017, when President Obama met European Council President Donald Tusk in Washington D.C. on March 9th, 2015, and when Obama met High Representative Federica Mogherini in November of 2016.

dismissed. Nuland, who was considered President Obama's emissary in the Ukraine crisis, replied, "F— the EU", to which Pyatt replied "Exactly..." (Chiacu, 2014, February 6).

4.1.4. Trump Administration

The Trump administration opened a new chapter which is viewed as the nadir in EU-US relations (Anderson, 2018). With unprecedentedly harsh narrative and tone, President Trump challenged principles which have been the backbone of transatlantic dialogue since World War II. The US defense guarantee scheme was put into question, opening what has been considered a crisis of credibility in US leadership of NATO (Burns, 2018, September 5) and in the fundamental "transatlantic bargain" (Sloan, 2016). Global free trade suffered a blow, as the US drew back from the Trans-Pacific Partnership (TPP) and the moribund TTIP, waged aggressive tariff wars, and disempowered the World Trade Organization's dispute settlement body (Packard, 2020, January 9). Of course, President Trump was not the first to use the America First narrative.³⁶ But the force of his measures, his promises of "kick-ass activism that would put America first and make it a winner, instead of a compromiser or a loser" (Peterson, 2018:7), and his seismic effect on the international scene, are unparalleled. Multilateralism was eroded, as the US withdrew from the Paris Climate Accord and the JCPOA. Furthermore, President Trump publicly favored Brexit, calling it a good move and a model for others to emulate (Anderson, 2018), a stance opposite to that expressed by President Obama before the Brexit referendum (Obama, 2016, April 23). It is famously known that the first European politician President-elect Trump held talks with was Nigel Farage, leader of the Brexit party, a telling gesture that conveyed scant sympathy towards European integration (McTague, 2016, November 13). His unorthodox style led him to claim, after his first meeting with Chancellor Merkel, that Germany owes the US "vast sums of money" for ensuring its security over the decades (Morin, 2017, March 18). He criticized the President of the European Commission, Jean Claude Juncker -with whom he met on several occasions, some of which decisive for providing respite from the tariff war (Chambers, 2018, July 26)-, as being "a vicious man who hated the United States desperately" (Bolton, 2020:128). It was disclosed that, over the phone, he called German Chancellor Angela Merkel "stupid" and UK Prime Minister Theresa May "a fool"; French

³⁶ See the early Reagan years.

President Emmanuel Macron was subjected to verbal “whippings”, while “the Putin-Trump conversations sounded like two guys in a steam bath” (Bernstein, 2020, June 29).

Much to the chagrin of Europeans, President Trump referred to the EU as a “foe” (Contiguglia, 2018, July 15), withdrew from the Open Skies Treaty (Momtaz, 2020, May 22; France Diplomatie, 2020, May 22), and repeatedly snubbed EU institutions. In spite of certain hopes raised -especially after a “warm and friendly” meeting between Secretary Pompeo and incoming EU leaders in September 2019 (Rankin, 2019, September 4)- that a renewal in leadership within EU institutions would perhaps enable a patching up of a beleaguered partnership, tensions did not subside, and relations with EU institutions did not warm up. The President of the European Commission, Ursula Von der Leyen, did not visit Washington, and held but one, brief meeting with President Trump in the margins of the World Economic Forum at Davos, partially leaked minutes of which were branded slapstick comedy,³⁷ despite the upbeat spin given to European press (Rios, 2020, January 28). In his capacity as President of the European Council, Charles Michel was also absent in Washington and did not meet with President Trump.³⁸ This contrasts with visits made to Washington by Donald Tusk, Michel’s predecessor, in 2015 (UPI, 2015, March); and Jean Claude Juncker, Ursula von der Leyen’s predecessor, in 2018 (European Commission, 2018, July).

COVID-19 added strain to the relationship throughout different moments of the crisis: for example, when the US imposed travel bans on Europe without prior notice or consultation (European Commission, 2020, March 12), when Germany accused President Trump of trying to purchase a German biomedical company working to develop a vaccine (Dams, 2020, March 15), and when the US confirmed it would not participate in the EU pledging conference to raise funds for the vaccine (Finnegan, 2020, May 4; Peel, Manson, & Jack, 2020, May 4). Chancellor Merkel’s refusal to accept President Trump’s invitation

³⁷ VON DER LEYEN: Thank you very much. TRUMP: Thank you. If you would like to say-- VON DER LEYEN: Thank you very much for having me here. TRUMP: Thank you. VON DER LEYEN: It’s a pleasure to meet you for the first time in Davos. And I think what we never should forget that we have a long history of a common foundation-- TRUMP: Yes. VON DER LEYEN: --the American people and the European people are good friends, and this is what we’re going to build on. And, indeed, we have issues to discuss-- TRUMP: That’s right. VON DER LEYEN: --and we will negotiate. But I’m looking forward to this relationship. TRUMP: Thank you very much. VON DER LEYEN: Thank you so much. TRUMP: It’s very nice. Great honor. Thank you. Thank you all. Thank you very much, everybody. Thank you. (Eder, 2020, January 22).

³⁸ Charles Michel did attend a dinner with Ivanka Trump and Jared Kushner in their private apartment in Manhattan in September 2019. Michel was in New York in his capacity as prime minister of Belgium, on the occasion of the 74th session of UN General Assembly.

to a G7 meeting in Washington in June 2020 -such meeting would have given a sign to the world that things were back to normal, according to President Trump- added to this list of controversies (Karnitsching, 2020, May 29), and was followed by a US plan to reduce the number of US military forces stationed in Germany -the plan was first leaked to the press and later confirmed by Richard Grenell, former Ambassador to Berlin (Herszenhorn, 2020, June 6). Furthermore, on 11 June President Trump signed an executive order authorizing the possible imposition of economic sanctions and visa restrictions on certain persons associated with the International Criminal Court (ICC), including agents of states parties that cooperate with the Court; such decision sparked criticism and discontent among EU institutions (European External Action Service, 16 June 2020; Barigazzi, 2020, June 16). Other sources of friction were the EU's proposed Digital Services Act, considered an aggressive act of "techno-nationalism" by former US Trade Representative Charlene Barshefsky (Barshefsky, 2020, August 2); the EU's flagship privacy instrument, the General Data Protection Regulation (GDPR), criticized by US officials³⁹ for its "overly restrictive implications for public safety and law enforcement" (Vinocur, 2020, June 28); and the exclusion, by the EU, of the US from the list of countries whose residents were allowed to travel to the EU and the Schengen common travel area from 1 July (Peel M., 2020, June 29). In this context, the chairman of the European Popular Party and former President of the European Council, Donald Tusk, didn't smooth things out with the Trump administration, repeatedly criticizing President Trump and "praying" for Joe's Biden's success (Gehrke, 2020, July 2) -an example of side-taking by foreign parties in partisan politics whose behavioral effects are object of growing research (Bush & Prather, 2020). These episodes overshadowed efforts to explain that lower-level cooperation between administrations continued discreetly behind the scenes -e.g. a press release by the State Department on COVID-19 transatlantic cooperation, describing weekly phone calls by Deputy Secretary of State Stephen E. Biegun to European allies, including the European Commission (US Department of State, 2020, June 5)-.

The state of transatlantic dialogue during the Trump administration was considered both a reflection and a contributor to the crises which scarred the relationship throughout the past decade (Smith, 2018), and President Trump was viewed as a decisive "change

³⁹ US Deputy Assistant Secretary of State for Cyber and International Communications Policy, Rob Strayer. He also referred to this as a "top diplomatic issue." (Vinocur, 2020, June 28).

agent” for transatlantic dialogue (Riddervold & Newsome, 2018). The abrupt change of narrative –unmistakably different but resonating with isolationist tendencies present throughout US foreign policy history-,⁴⁰ and its real impact, beyond rhetoric, were widely acknowledged (Wright, 2017). President Macron declared that “we find ourselves for the first time with an American president who doesn’t share our idea of the European project, and American policy is diverging from this project” (Macron, 2019, November 7). Calls were made for a transatlantic divorce (Walt S., 2017, May 30), and it was accepted that President Trump successfully tapped into “a widespread rejection of globalization and international involvement and... a questioning of long-standing postures and policies, ranging from openness to trade and immigrants to a willingness to maintain alliances and overseas commitments” (Haass, 2018:2). From a similar perspective, some viewed President Trump’s rise to power as a “symptom more than a cause of disillusion with America’s habitual support for liberal internationalism” (Peterson, 2018:6). Be that as it may, the Trump era caused an immediate negative influence on transatlantic relations but was also seen as an opportunity for the EU to assert its foreign policy nous and values, become more assertive, and develop strategic defense autonomy (Peterson, 2018). In the long run, this eventual autonomy may have the paradoxical effect of strengthening the transatlantic bond, should a beefed-up EU Common Security and Defense Policy someday be merged into NATO (Howorth, 2018), a dynamic which could be associated to neo-realist “soft-balancing” theory (Pape, 2005; Walt S., 2005).

4.2. Quantitative analysis of pre- and post-Lisbon Treaty transatlantic dialogue.

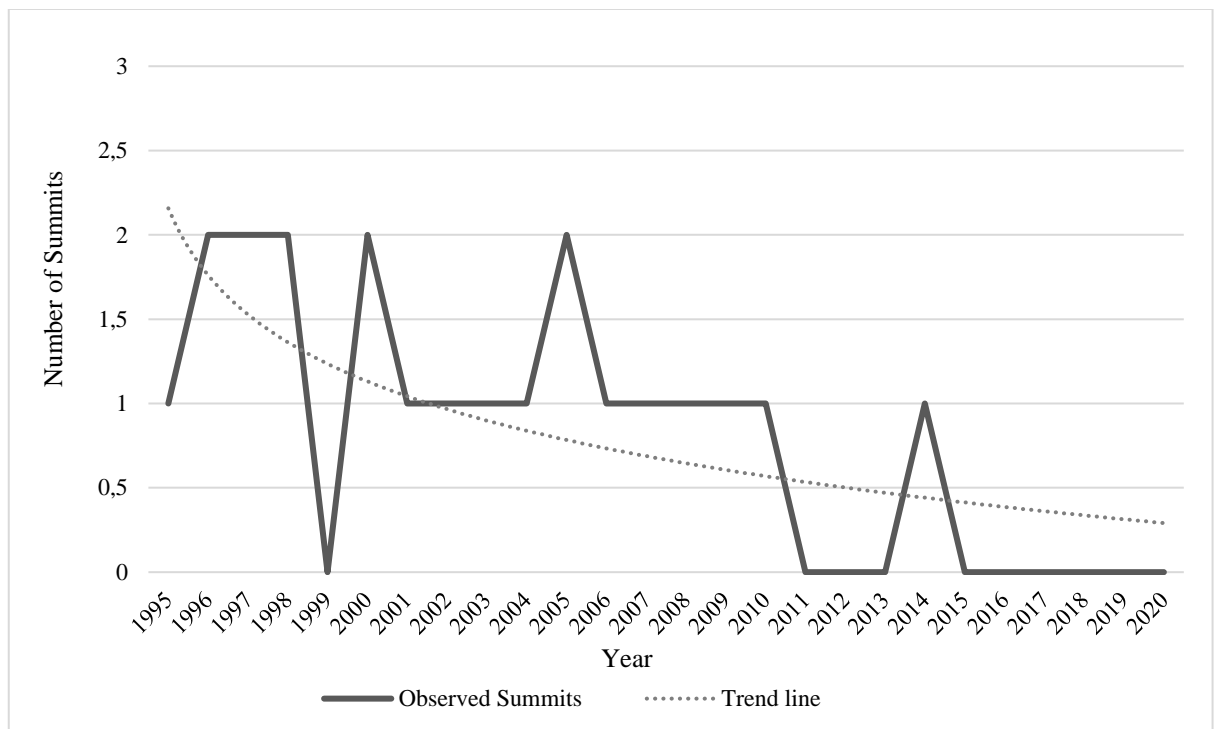
4.2.1. EU-US Summits: decline and importance

As previously outlined, top-level EU-US institutionalized engagement declined from the Clinton administration to the Trump administration. To evaluate this analysis from a quantitative perspective, a first behavioral measure is examined: EU-US Summits (see Figure 1), a reliable proxy for EU-US political engagement as these summits are the only forum for the US President and the heads of EU institutions to jointly discuss issues of cooperation and contention without third party actors.

⁴⁰ US foreign policy has historically oscillated, by and large, between isolationism/interventionism, and realism/liberalism (Dumbrell & Barrett, 1997; Kissinger, 1994).

These data show the number of EU-US Summits since the beginning of the Clinton administration. They were created using official press announcements, US presidential archives, and communications memos from the EEAS. This graph confirms the summit breakdown observed after 2014 and indicates that the summit system had been ongoing since 1995. Prior to 2014, summits were held at least annually, with four exceptions: 1999, the year of US President Bill Clinton’s Senate impeachment trial; and 2011, 2012, and 2013, a three-year standstill after the first post-Lisbon summit in 2010.

Figure 1: *EU-US Summits*



Sources: Author’s own elaboration from State Department Archives, Presidential Archives, and Summit Statements from US and EU.

The figure above demonstrates a decline in the frequency of EU-US Summits; the downward trendline for the period (logarithmic adjustment) clearly confirms this evolution. The data, in conjunction with the historical qualitative analysis, show that, when EU-US Summits were regular occurrences, political dialogue was more intense (i.e. during the Clinton and W. Bush administrations, the start of the Obama administration, and in 2014 during the Russian annexation of Crimea). This intensity was present even when relations were strained and/or the EU-US summits yielded low political deliverables (e.g. during the W. Bush years and the 2001 Gothenburg EU-US Summit,

considered a “disaster” and a “very negative experience” for the US President, according to interviewees).⁴¹

Methodological problems of endogeneity may be raised: do less summits lead to less intense dialogue, or does less intense dialogue lead to less summits? Which are dependent and independent variables? While inverse causality is commonly linked to insufficiencies in non-experimental controlled research (Antonakis, Bendahan, & Lalive, 2014), and dialogue may well be carried out through other diplomatic channels, there is an inherent value in summit diplomacy. It is when a relationship is strained, that top-level political dialogue is, arguably, all the more important. British Prime Minister Lloyd George’s counsel retains validity for 21st century diplomacy: “If you want to solve the situation, meet with your opponent and talk to him; the last thing you need to do is to write him a letter” (quoted in Bojcev, 2012:1). In a wholly different context, Marion Creekmore (Creekmore, 2006), who accompanied Carter on his mission to Pyongyang as a peacemaker, reveals that Kim told Carter: “The central problem is that we lack trust, and creating trust is our most important task. The distrust comes from the lack of contacts between us” (Creekmore, 2006:160).

While summit diplomacy⁴² is only a singular component of the transatlantic relationship, and without prejudice to the different varieties in summit configurations⁴³ and other types of “post-modern diplomacy”,⁴⁴ history and literature afford powerful rationales of the importance of summit diplomacy for fostering successful diplomatic relations:

- 1) Summits place diplomacy in the hands of those with ultimate decision-making power, and thus have the capacity to unlock political breakthroughs, which may be obstructed at lower levels of government.

⁴¹ See subsequent interview-based qualitative analysis.

⁴² While there is no standard academic definition of summit diplomacy, it is generally composed of two elements: diplomatic participation of Heads of State or Government, and high representatives of international organizations; and personal contact and *tête-à-tête* communication. (Bojcev, 2012)

⁴³ Summit conferences themselves can be divided into 5 categories: *ad hoc* summits, serial summits (such as EU-US summits) informative/consultative summits, ceremonial summits and institutionalized summits (Bojcev, 2012).

⁴⁴ “Post-modern diplomacy”, closely linked to technological evolution, encompasses three main types: public, summit, and virtual (Bojcev, 2012).

- 2) Decisions adopted in summits may have far-reaching consequences, well beyond those of lower-level political decisions, and may decisively shape the course of history.
- 3) Meetings at the highest political level may foster trust and interpersonal relationships, a key factor for improving interstate relations and crisis management dynamics.
- 4) Summits encompass a complex array of components which include not only the summit itself, but surrounding activities (preparation, implementation, follow-up) that are as much a part of summit diplomacy as the summits themselves, and contribute to intense contacts between administrations at different levels, e.g. Embassies, sherpas, offices of the Heads of State or Government,⁴⁵ Ministries and Agencies.

In terms of unlocking political breakthroughs, apart from the mentioned examples from the 2002 and 2004 EU-US Summits which contributed to a “Euro-American regulatory condominium”, there are a myriad of cases to draw upon.⁴⁶ A salient example is the unlocking of technical negotiations between France and West Germany in 1956 over the formation of the European Common Market (Giauque, 2001). When such negotiations reached a deadlock in October 1956, Adenauer travelled to Paris for a one-day summit on 6 November to meet with the socialist Prime Minister Guy Mollet, overruling domestic pressures to abort the summit owing to international uproar after the French and British launched the Suez expedition a few days prior. The November 1956 Franco-German summit thus broke the technical logjam and led directly to the signing in March 1957 of the Treaty of Rome, creating the Common Market (Giauque, 2001). Another historically strong example is the negotiations between the US government and China leading up to the secret visit by Secretary of State Henry Kissinger and the 1972 summit in which President Nixon met with Premier Zhou Enlai and Chairman of the

⁴⁵ “Heads of State or Government” is a technical expression commonly used in the EU to refer to the members of the European Council. Such members are chiefly heads of government, equivalent to prime ministers and thus are the counterparts of the US President within the EU. Out of the 27 EU Member States, only 4 are represented by heads of state in the European Council: Presidents of France, Romania, Lithuania, and Cyprus.

⁴⁶ Among many other examples of political breakthroughs via summit diplomacy: the 1972 Moscow summit between Nixon and Brezhnev that led to the start of the détente; Willy Brandt's visit to Moscow and Warsaw and his meeting with East Germany's leader Willi Stoph, which opened the door a new approach - the east politics of the Federal Republic of Germany-; and the “Oslo” handshake between Arafat and Rabin in 1993 (Bojcev, 2012).

Communist Party Mao Zedong. This week-long summit normalized US-China relations, which may well have been unfeasible at any other level aside from heads of state (Lord & Kissinger, 2019). Secondly, this summit also eased the gridlock between the US and the USSR -at the time the US was pursuing relations with China, it was simultaneously trying to achieve a summit with the USSR to discuss nuclear issues; a summit with the Chinese made the Soviets consider more seriously the possibility of a summit of their own, which resulted in the SALT Treaty. Another example of a breakthrough, blocked at lower-levels of government and made possible in a summit, is the green light given by President Bill Clinton to the negotiation of the US-Singapore Free Trade Agreement, after a midnight golf game with Prime Minister Goh in the margins of the 2000 APEC Leaders' meeting in Brunei (Chang & Koh, 2004; Green & Sebenius, 2014). The idea had been hatched in Singapore, between Charlene Barshefsky (US Trade Representative), and Steve Green (Ambassador to Singapore). National Security Adviser Sandy Berger and Secretary of State Madeleine Albright, who was not in favor of such agreement, were not aware of it. The designers of the operation agreed that, for the idea to prosper, it was necessary for Prime Minister Goh to pitch it directly and personally to President Clinton. The Brunei summit enabled this to happen, with golf as the catalyst. A more recent example of a political breakthrough made possible at a top-level summit was the creation of the Single Supervisory Mechanism, at the height of the euro crisis in 2012. When the going got tough for the stability of the eurozone, question marks hovered over the integrity of the single currency, and a breakthrough was needed to underpin the resilience of the euro in the eyes of the markets. The European Council, exercising the powers conferred to it in article 15 of the Treaty of the European Union,⁴⁷ gave crucial momentum to the negotiations at the ministerial level -within the Economic and Financial Affairs Council- to create a Single Supervisory Mechanism, which came into effect in 2013 as a pillar of the Banking Union (France 24, 2012, October 19; European Council, 2012, October 19). Summits may indeed break gridlocks at lower levels of government and propel "sluggish diplomatic bureaucracies forward" (Giauque, 2001:428).

Closely associated with this is the capacity shown by summit diplomacy to shape history, giving decision making to the ultimate authority, and thus leading to agreements with far-reaching consequences, well beyond those which ministerial meetings could

⁴⁷ Article 15.1 of the Treaty of the European Union: "The European Council shall provide the Union with the necessary impetus for its development and shall define the general political directions and priorities thereof. It shall not exercise legislative functions."

probably ever achieve. In Weberian terms, top-level leaders have the capacity to “move the wheel of history” (Weber, 2004), and more so when they get together. The examples previously mentioned illustrate this -Nixon dubbed his 1972 visit to China, “the week that changed the world”, and time has shown that this was no overstatement (Shambaugh, 2020). Another example is the Atlantic Charter that resulted from the summit between Roosevelt and Churchill in August 1941. While short in text, the 8 tenets of the Atlantic Charter are considered fundamentals of post-World War II international order (History, 2020, January 31). Although not exempt from vociferous domestic debate at the time, the charter showed how putting two top-level leaders together can result in a policy with global implications with rippling impacts, still felt and debated decades later -particularly, its incorporation into the Declaration of the United Nations on 1 January 1942, and the joining of 26 nations to the Charter (Brinkley & Facey-Crowther, 1994).⁴⁸ Other examples of far-reaching impacts from decisions made at the Heads of State or Government level include the joint statement between President Truman and Prime Minister Attlee on International Control of Atomic Energy in 1945, and the statement of US-UK Joint Political Aims in 1952 (Dillard, 1960). Fast-forwarding to the present moment, another example of such far-reaching impacts, in the EU, is the joint videoconference by Chancellor Merkel and President Macron, of 18 May 2020, a powerful manifestation of the Franco-German axis as the motor of European integration (Fleming, Mallet, & Chazan, 2020, May 18). President Macron and Chancellor Merkel agreed and announced what would be the foundations of the EU’s historic COVID-19 recovery plan, dubbed as Next Generation EU, presented by the European Commission on 27 May 2020 (European Commission, 2020, May 27). The Franco-German agreement has been considered a key driving force behind the amount of 750 billion euros envisaged in the proposed EU recovery plan, and the configuration of the funding mechanism presented by the European Commission and approved by the European Council, which includes both loans and grants for Member States, in spite of the initial opposition to the latter by Austria, Denmark, the Netherlands, and Sweden (Stelzenmüller, 2020, May 28).

⁴⁸ Interventionist reactions celebrated the Charter as a powerful symbol of Anglo-American unity and common democratic values but asked for public proclamation of the commitments certain to have been made. Commentators indicated that in any case it could have been negotiated by the British Ambassador Halifax and Secretary of State Hull in Washington. Isolationist sectors also expressed suspicious about secret commitments and disdained the Charter as “a rehash of old ideas”. International law scholar Edwin Borchard (1884-1951) commented, “I presume the British and other papers are correct in suggesting that Churchill did not come over at the President’s request merely to give utterance to the eight platitudes” (Brinkley & Facey-Crowther, 1994:19).

On interpersonal trust and relationships being able to improve interstate relations and crisis management dynamics, scholarship rightly points out that this requires special conditions, and “cannot be done with a quick chat in the margins of some large international gathering. It requires regular summits with whatever is in dispute dominating the agenda (...)”, as the leaders that spend time together “may come to appreciate each other’s humanity” (Wheeler, 2018:286). While it is true that trust-building has been theorized by the discipline of International Relations, the focus has been mainly on the state and the individual; recent studies argue that there is a need to duly consider a crucial level of analysis in trust research, the interpersonal (Wheeler, 2018). This has been particularly relevant in recent history, as a former senior US official has pointed out that, “Trump can’t distinguish between his personal relationship with a counterpart leader and the actual state of the national relationships between the two countries” (McDonald, 2020, June 25). Heads of State or Government are in essence politicians, and are thus always managing multiple relationships, with different degrees of trust; when leaders manage to understand each other as political actors, they “may achieve a politically attuned form of calculative trust, one that delivers significant peace dividends” (Reus-Smit & et al., 2018:1431-1446). Literature highlights prominent examples of interpersonal relationships forged through summits: the fifteen summits between French and West German leaders Charles de Gaulle and Konrad Adenauer from 1958 to 1963, which allowed de Gaulle to reassure Adenauer of his long-term vision of the Franco-German axis as the shaper of Europe, and restored interstate relations when they threatened to deteriorate;⁴⁹ the interaction between US and Soviet leaders Ronald Reagan and Mikhail Gorbachev at the end of the Cold War (Wheeler, 2018) and between Indian Prime Minister Atal Bihari Vajpayee and Pakistani Prime Minister Nawaz Sharif in the Lahore peace process of 1998–9 (Bojcev, 2012). Another strong example was the relationship developed between President Barack Obama and Iranian President Hassan Rouhani leading up to the announcement in 2015 of the Iran nuclear deal (JCPOA). During the lead up to the nuclear deal, President Obama and President Rouhani held the first phone call between the countries since 1979 (Mason, 2013, Sept. 27), a historic event. This phone call broke what had been considered a taboo between the nations and allowed for subsequent communications by the leaders during the process. This provided each side with the ability to understand their counterparts' positions even -or *especially*- when

⁴⁹ For example, in 1958–60, as de Gaulle demanded a US–France–Britain directorate in NATO that would reduce West Germany to second-class status (Giauque, 2001).

they didn't agree, and was critical in the stakeholder analysis that was needed to complete the Iranian nuclear deal. A more recent and lesser-known example of an interpersonal relationship of trust forged through telephone contacts but especially through prolonged in-person dealings, was the rapport between German Chancellor Merkel and Spanish Prime Minister Rajoy, fostered by their respective cabinets through summits with lax protocol, no Ministers -just a reduced number of *proches collaborateurs*-, and held in informal formats that enabled both heads of government to be at ease. Such informal summits -the first one, in August 2014, in Santiago de Compostela, Prime Minister Rajoy's place of birth, included walking a stretch of Saint James' Way (La Moncloa, 2014, August 24); the second one, in August 2015, at Meseberg castle, north of Berlin, included a walk around Lake Huwenow (Agencia EFE, 2015, August 31)- set an easy-going atmosphere for candid discussions on critical issues that enabled both leaders to better understand each other and the rationales behind their countries' positions. A climate of trust was established which facilitated subsequent negotiations and crisis management within the EU. Needless to say, interpersonal relationships of trust are also essential at lower levels, as shown by the common diplomatic practice of developing rapiers between officials from the offices of Presidents or Prime Ministers, as soon as they take office.⁵⁰ Such lower-level rapiers often mirror and/or encourage the rapiers between the Presidents or Prime Ministers.

Summits also entail intense contacts between administrations, at different levels, before and after the summits themselves. Both bilateral and multilateral summits usually recur to similar procedures to negotiate, between governments, the program, agenda, formal output (e.g. communiqué, statement, memorandum of understanding), implementation procedure, and monitoring system of the commitments adopted therein. The various parts of the administrative apparatus are put in motion to such end, frequently under the coordination of the Head of State or Government's Office or the Ministry of Foreign Affairs. Thus, contacts, relations and links are developed between administrations and officials, which may, or may not, persist in the future and facilitate

⁵⁰ For example, shortly after President Macron took office in May 2017, the author, in his capacity as the then Director of the Department of European Affairs and G20 in the Cabinet Office of the Prime Minister of Spain, traveled to Paris, along with the Chief of Staff of the Prime Minister, and the Secretary of State for the European Union, to hold in person meetings with the Secretary General of the *Elysée*, the Chief Diplomatic Advisor, and the Advisor for Europe and G20 to the French President. Such meeting marked the beginning of a good rapport between the officials from both offices, crucial for the preparations of summits, the negotiation of issues of maximum political importance, and crisis management dynamics.

further cooperation. The G20 exemplifies how an amalgam of working circuits and meetings (i.e. sherpas, finance ministers, other ministers, lower-level working groups, engagement groups with civil society), coordinated by the country that holds the presidency, contribute with their work to the preparation of the main annual event: the Leaders' Summit. European Council meetings also follow a multi-layered preparation process: Ambassadors in the Committee of Permanent Representatives (COREPER), Ministers of Foreign Affairs and/or Ministers for Europe in the General Affairs Council, contacts between the offices of the Heads of State or Government, contacts between the Heads themselves, visits to the capitals by the President of the European Council, eventual sherpa meetings, and so on and so forth. A more specific historical example is the summit on interconnections, between the President of France, the Prime Minister of Spain, the Prime Minister of Portugal, the President of the European Commission, the Commissioner for Climate Action and Energy, and the President of the European Investment Bank. The idea of such summit was discussed in a meeting in December 2014 (La Moncloa, 2014, December 18) -which had been carefully prepared and calibrated previously by officials- in the office of the Spanish delegation between Prime Minister Rajoy, Prime Minister Passos Coelho, President Hollande, and President Juncker. "*On va quand à Madrid?*",⁵¹ President Juncker asked. The summit took place in Madrid on 4 March 2015, adopted a historical declaration on the need to promote energy interconnections between the Iberian Peninsula and the rest of Europe -the Madrid Declaration (La Moncloa, 2015, March 4)-, and created a high-level working group to monitor its implementation. A second edition of such summit took place in Lisbon in July 2018 (European Commission, 2018, July 27), between the same parties, albeit with different signatories, as Governments had changed since the first edition. In sum, the preparation, execution, and follow-up of summits bring administrations and officials together, and enable the development of networks of interpersonal relations and structures for institutionalized dialogue, which may endure in time and survive changes in government and even policy.

The list of claimed benefits of summit diplomacy does not end here,⁵² however, it would be remiss to not mention the disadvantages and perils. Critics list: possible

⁵¹ Translation: "When do we go to Madrid?".

⁵² Other benefits of summit diplomacy not extrapolated on here include the heuristic value for leaders who lack political experience in the arena, the powerful symbolic meaning of summits, propaganda value, the instigation, acceleration or setting of deadlines for ending diplomatic negotiations, the acceleration of the process of decision-making inside the country, the identifying role of summits, the use of summits to

disagreements over cultural differences/negotiation styles, disagreements due to lack of knowledge/absence of interpreters, too high of expectations from the public, time limitations, potential of friendships to cause complacency, possible disruptive effect of social media on summits (Ashbrook & Zalba, 2021), and quantity of meetings not producing quality while generating “summit fatigue”, among their many critiques of summit diplomacy (Bojcev, 2012). Many of these issues can and have been addressed by advances in technology and increased social tolerance. However, practical issues such as time limitations, and quantity versus quality of summits require a close look to improve upon. It is irrefutable that there is room for improvement in summits’ design and deliverables; however, one could argue that, on balance, the potential benefits as listed above generally outweigh the negatives. Summit diplomacy must not be condemned as per the mentioned critiques, as they can be resolved with advancements in practice that could include but are not limited to innovating summit substance and formats, as well as routinely evaluating their efficacy.

Overall, the examples above serve as the evidence of the importance of summit diplomacy and why having summits, even with their shortcomings and downsides, is integral in maintaining political relationships with other nations and/or organizations. Thus, in the context of EU-US relations, the loss of summits over time, as seen in the data, has in fact diminished the ability to have robust top-level political dialogue and benefit from the singular merits of summit diplomacy, raising risks of political miscalculations over intents, and further deepening the distance between the two actors. This is far from irrelevant, taking into account the high significance of issues historically addressed in EU-US Summits: Arab Spring, climate change, Middle East Peace Process, Russian annexation of Crimea, terrorism, financial regulation, reform of international institutions, LNG exports, and many more.

4.2.2. Sectoral dialogue

The second behavioral measure exploited is lower-level sectoral dialogue, a reliable proxy for cooperation between administrations on specific policy fields (see Table 1). Some sectoral dialogues are directly channeled between US agencies and their European

promote firms and products, and the stabilization factor in international relations that summits play (Bojcev, 2012).

counterparts, some are people-to-people dialogues (civil society),⁵³ and others include a mix of agencies, civil society, and the private sector. This table shows assorted EU-US sectoral dialogues and was created using data from the various US government agencies and official press announcements. The criterion for their inclusion was that they represented agency-to-agency dialogues⁵⁴ (some with the inclusion of private actors as well) and represented what was identified as the main components of EU-US sectoral dialogue: EU-US Cyber Dialogue,⁵⁵ EU-US Energy Council,⁵⁶ Financial Market Regulatory Forum (FMRF),⁵⁷ EU-US Justice and Home Affairs Ministerials (JHA),⁵⁸ Legislators Dialogue,⁵⁹ Transatlantic Economic Council,⁶⁰ and Information Society Dialogue.⁶¹

⁵³ This includes the Transatlantic Business Dialogue, the Consumer Dialogue, and the Higher Education Dialogue.

⁵⁴ People-to-people dialogues were excluded as they go beyond the scope of the focus of this PHD, which is dialogue between governmental actors.

⁵⁵ The participants in the most recent meeting were EEAS Acting Head of Division for Security Policy, Rory Domm, and the US Department of State Deputy Coordinator for Cyber Issues, Michele Markoff. Office of Press Secretary (US Department of State, 2014, March 26; US Department of State, 2018, October 16).

⁵⁶ On the US side, the Secretary of Energy co-chairs with the Secretary of State, or their respective surrogates. On the EU side, the attendees are the High Representative, the Vice President for Energy Union and Commissioner for Energy and Climate, or their respective surrogates. The EU-US Energy Council is supported by three working groups: Energy Technology Working Group, Energy Policy Working Group, and Energy Security Working Group (Department of Energy, 2020).

⁵⁷ The Financial Market Regulatory Forum, formerly the Financial Market Regulatory Dialogue, is a joint EU-US forum where views on financial regulatory development are shared. In the 2019 meeting EU participants included representatives of the European Commission, the European Banking Authority (EBA), the European Securities and Markets Authority (ESMA), European Insurance and Occupational Pensions Authority (EIOPA), European Central Bank (ECB), Single Supervisory Mechanism (SSM), and the Single Resolution Board (SRB). On the US side, officials from the US Department of the Treasury and staff from independent regulatory agencies were present including: the Board of Governors of the Federal Reserve System (FRB), Commodity Futures Trading Commission (CFTC), Federal Deposit Insurance Corporation (FDIC), Securities and Exchange Commission (SEC), and Office of the Comptroller of the Currency (OCC) (US Department of the Treasury, 2019, July 3).

⁵⁸ At this ministerial meeting, the EU Commissioner for Justice meets with the US Attorney General or their respective surrogates (US Department of Justice, 2019, December 11).

⁵⁹ The Legislator's Dialogue is formal response of the European Parliament and the US Congress to the commitment in the NTA, to enhanced parliamentary ties between the US and the EU. In practical terms, the Legislator's Dialogue includes the bi-annual meetings of the European Parliament and the US Congress delegations (European Parliament, 2020, June 25).

⁶⁰ The co-chairs of the TEC –White House Deputy National Special Advisor for International Economic Affairs and European Commission Vice President for Trade– promote dialogue and agreement to further integrate the transatlantic economies. Across a spectrum of interrelated issues, the TEC seeks to eliminate trade barriers, implement best practices, harmonize standards, and develop market access (US Department of State, 2019, February 5).

⁶¹ The Information and Society Dialogue serves as a forum for the US and the EU to discuss global digital issues. At their last meeting in 2019, US Deputy Assistant Secretary for Cyber and International Communications and Information Policy, C. Robert Strayer, and Roberto Viola, Directorate-General for Communications Networks, Content and Technology (DG CONNECT) in the European Commission, co-chaired the dialogue (European Commission, 2019, May 27).

Table 1: Assorted Transatlantic Dialogues and Forums

Transatlantic Dialogues and Forums	Number of Meetings	Year of First Meeting
Cyber Dialogue	3	2014
Energy Council	8	2009
Financial Markets Regulatory Forum	13	2014
Legislators Dialogue	83	Post 1995
Justice and Home Affairs	8	2009
Transatlantic Economic Council	8	2007
Information and Society Dialogue	16	N/A

Sources: Author's own elaboration from Agency Archives, Press Statements, and Joint EU-US Press Releases.

By sheer count it is clear that the Legislators Dialogue has met the most, with 83 meetings (see Table 2). This is logical as it has existed as a formal structure for dialogue since the 1995 NTA. However, when analyzing the other dialogues and forums, no evidence is found of a consistent pattern for the meetings.

Table 2: EU-US Summits and Sectoral Meetings

Year	Cyber Dialogue	Energy Council	Financial Markets Regulatory Forum	Justice and Home Affairs	Transatlantic Economic Council	# of US EU Summits
1995						1
1996						2
1997						2
1998						2
1999						0
2000						2
2001						1
2002						1
2003						1
2004						1
2005						2
2006						1
2007					1	1
2008					2	1
2009		1		1	1	1
2010		1		0	1	1
2011		1		1	1	0
2012		1		0	0	0
2013		1		1	0	0
2014	1	1	2	0	0	1
2015	1	0	2	0	2	0
2016	1	1	3	1	0	0
2017	0	0	1	0		0
2018	1	1	1	2		0
2019	1		2	2		
2020	1					
Total number	6	8	11	8	8	21
Average number per year						
1995-2006						1,33
2007-2020	0,86	0,80	1,83	0,73	0,80	0,42

Sources: Author’s own elaboration from Agency Archives, Press Statements, and Joint EU-US Press Releases.

The counts (see Table 1 and Table 2) point to an inconsistency in number and frequency of meetings among sectors. For example, while both Cyber Dialogue and FMRF began in 2014, one has had 3 meetings and the other 8, showing that of the two

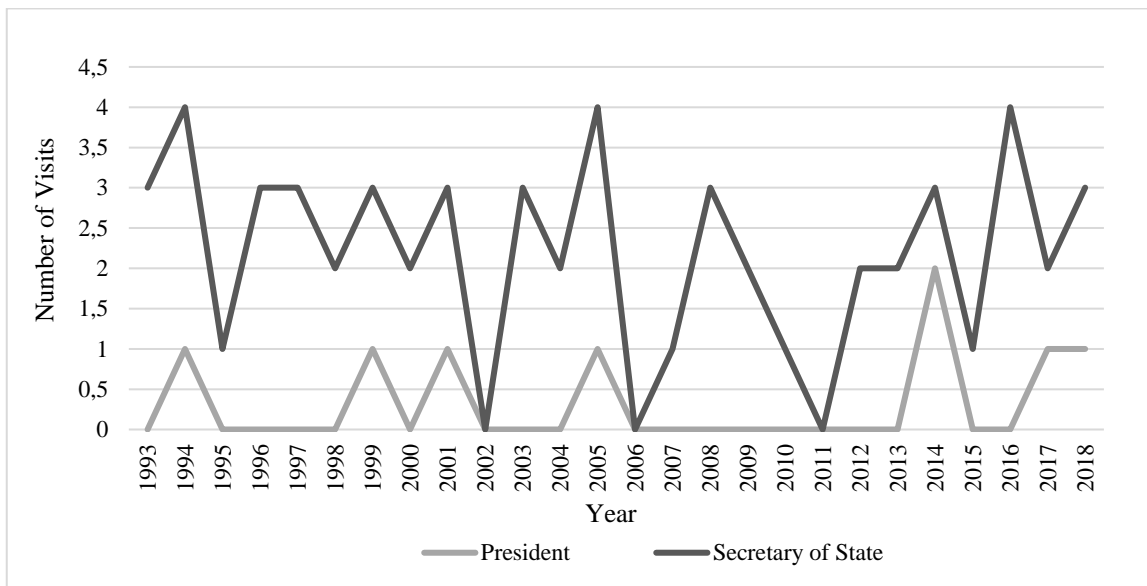
dialogues FMRF meets more consistently. During the period 2007-2020, the frequency of these meetings averaged around 0.8 per year for all sectors, except for the FMRF, which met twice as often as the others. The inconsistency shown by these figures puts in question the argument that sectoral, lower-level meetings could be balanced replacements for summits as some sectors see a higher frequency of meetings than others. Moreover, inherent political limitations of lower-level sectoral meetings -which, unlike summits, are not the final line of decision making- reinforce the argument that such meetings are not functionally equivalent to higher-level summits. As explained with historical examples, top-level political dialogue brings forward potential benefits that are obtained with greater difficulty at lower levels of dialogue. While lower-level sectoral meetings are useful for channeling dialogue on specific policy fields, and nurturing summits' agendas (e.g. in 2010 the Energy Council took place right before the EU-US Summit, the former informing the latter's agenda) (Braunstein & Renedo, 2020), they are a supplement to the summit system, but not a balanced nor functionally equivalent replacement.

4.2.3. US administration visits to Brussels

A third behavioral measure used to evaluate the claim that top-level EU-US political dialogue is declining (as demonstrated in the historical qualitative analysis) is US administration visits to Brussels (see Figure 2 and Figure 3), another reliable proxy for political engagement between the two actors because of the importance of Brussels as the headquarters of EU institutions and NATO. In line with previous research that uses visits by political leaders as measures of foreign policy preferences (Broz, Zhiwen, & Wang, 2020) public presence of US political leaders in Brussels is an indicator of US preferences regarding the EU and the relationship between the two actors. The data for the subsequent figures come from the US Office of the Historian's archives of Presidential and Secretary of State travel.

The data indicate (see Figure 2) that Secretaries of States traveled to Brussels more than their Presidents, as expected given their respective roles. However, beyond a visual representation of fluctuations and spikes in visits, the present format of the data did not reveal other substantially useful information until it was further aggregated.

Figure 2: Presidential and Secretary of State Visits to Brussels



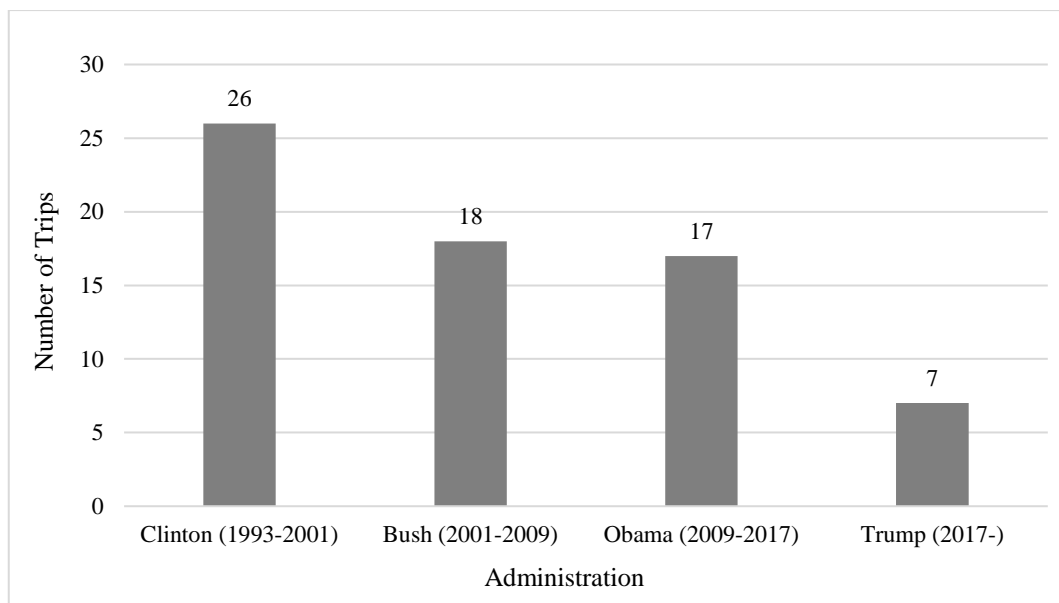
Source: Author's own elaboration from State Department Office of the Historian.

Separating the data by administration (each President's visits plus their respective Secretaries of State), a different picture emerged. This data (see Figure 3) shows that visits to Brussels have declined with each subsequent administration.⁶² Even taking into account that Trump's term in office lasted half the time of his predecessors, the decline in visits is quite visible. This indicates that the changes brought by the Lisbon Treaty did not correspond to an increase in US administration presence in Brussels, but rather a decrease -in spite of post-Lisbon Treaty summit arrangements, which, as explained, set

⁶² While **Figure 3** paints a clear picture of the decline in visits, it is important to note that the comparison of the administrations was done by contrasting the sheer number of visits (a count variable). When changing the method of displaying the data to percentages, i.e. in **Figure 7 (Annex)**, it altered the conclusions of the decline in the quality of engagement by administrations. The justification for the use of **Figure 3** is as follows: it reflects real world understanding of quality of engagement of administrations and it is not susceptible to outliers. First, looking at the qualitative analysis, it is obvious that from the Clinton administration to the Trump administration quality of engagement with the EU has declined. This analysis, in conjunction with the data presented above, strongly indicate why the first figure is a superior measure of quality of engagement of administrations. Second, in **Figure 7**, the number of Brussels visits by the administration (numerator) is divided by the number of total visits abroad by that administration (denominator). This is problematic as comparing basic averages to each other assumes that there are not substantial differences in the four calculations (outliers) causing it to make the averages incomparable. In this case, that assumption is not met. The Trump administration has almost 500 fewer visits abroad than the other administrations so, mathematically, any average calculated (numerator/denominator) would be made much larger than it should be. This makes **Figure 7** unusable for analysis.

conditions for an increase.⁶³ This is indicative of either a US deprioritization and/or a subsidizing in the relationship contacts.

Figure 3: Administration Trips to Brussels



Source: Author’s own elaboration from State Department Office of the Historian.

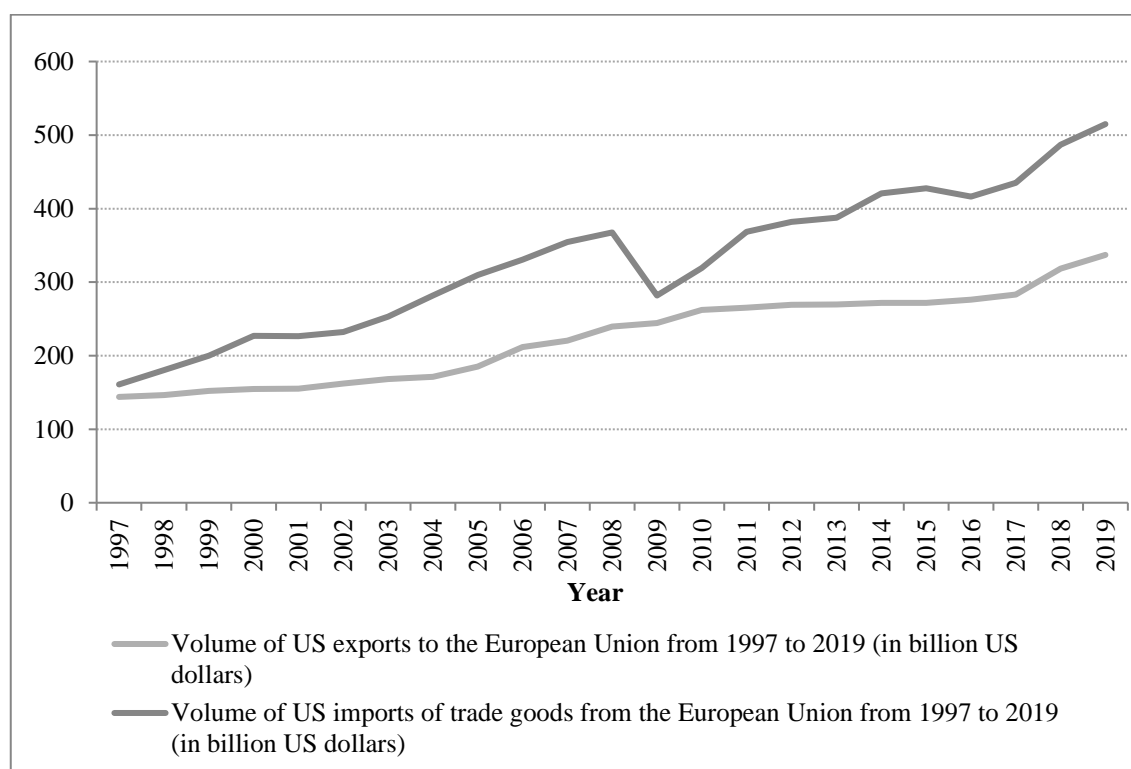
4.2.4. Economic relations

Last, an analysis was carried out of the EU-US economic relationship with two primary measures: trade volume (see Figure 4) and EU-US disputes in the WTO (see Figure 5).

These data (see Figure 4) show the EU-US trade relationship in terms of US imports from the EU and US exports to the EU in billions of US dollars. The data come from the US Census Bureau and Department of Commerce data set. This graph demonstrates that, since 1995, US exports to the EU have steadily increased, and US imports -with the exception of the recession in 2008- have also been steadily increasing. This means that, despite political disagreements, the EU-US trade relationship has remained positive and largely stable. However, as the trade relationship dipped in 2008 because of the economic and financial crisis, actors’ responses to the COVID-19 economic shock remain critical for supporting transatlantic trade flows and maintaining a stable economic relationship.

⁶³ Note: this decline is driven by Secretaries of State, as each President has visited Brussels twice per the data.

Figure 4: US Trade Relationship with the EU



Source: Author’s own elaboration from US Census Bureau and US Department of Commerce.

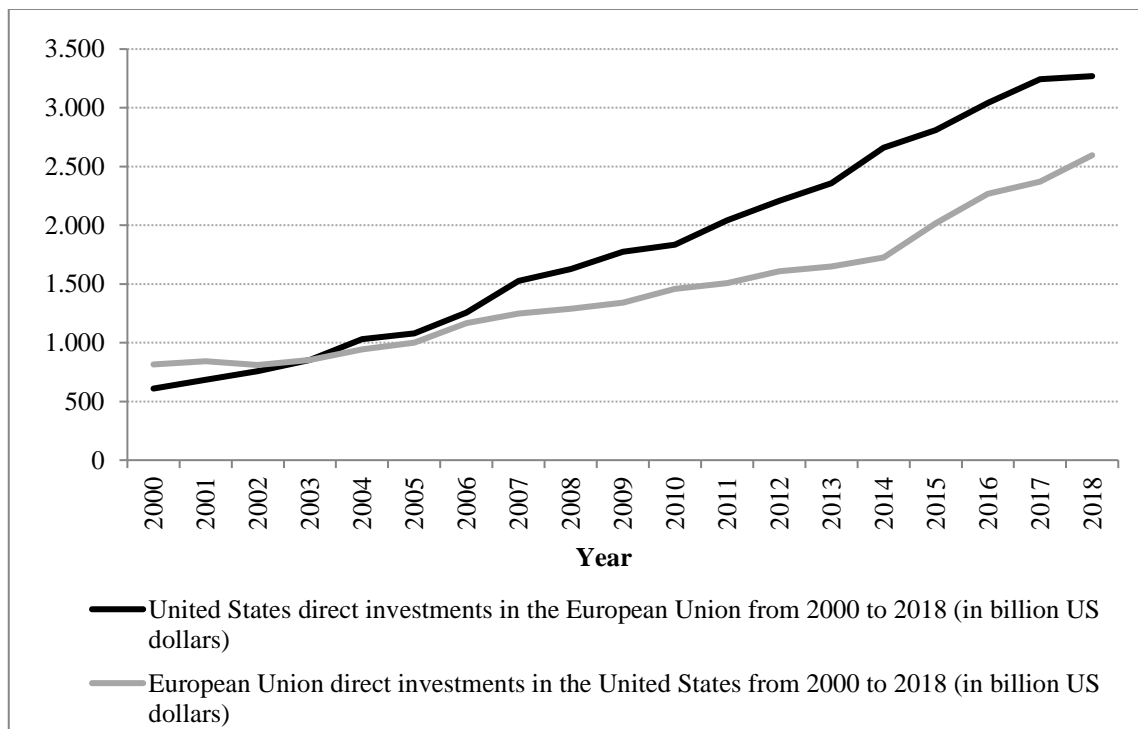
In terms of sheer imports and exports, the US is not the EU’s largest trading partner as that rank goes to China -the EU exported €210 billion to China and imported €395 billion from China in 2018- (Hamilton D., 2020, March 23); however, if data from the service sector and direct investment are factored in, the US becomes the largest trade partner of the EU. Studies (Hamilton & Quinlan, 2020) explain that, while it appears that China is Europe’s most important trade partner when looking at surface-level data (basic imports and export relations), widening the data scope to include the service sector shows that the US has been the EU’s largest partner for decades. Adding in the service sector numbers, EU service trade to the US was €469 billion compared with only €72.8 billion with China in 2017.⁶⁴

These data (see Figure 5) refer to Foreign Direct Investment (FDI). The data come from the US Bureau of Economic Analysis. Like the import data, FDI also follows a

⁶⁴ To get this number: 2017 EU exports of €236 billion in services to the US and €42.6 billion to China. For imports compare, €223 billion from the US and €30.2 billion from China.

steadily increasing trend. Additionally, the US was the main location for EU FDI and the US was the principal investor in the EU in terms of FDI in recent figures (Eurostat, 2020). This demonstrates not only a heavy trade relationship, but also high EU-US investment interconnectivity. In any case, these data on economic exchanges exclude the possibility that the observed decline of the transatlantic dialogue during these years is due to economic or trade factors.

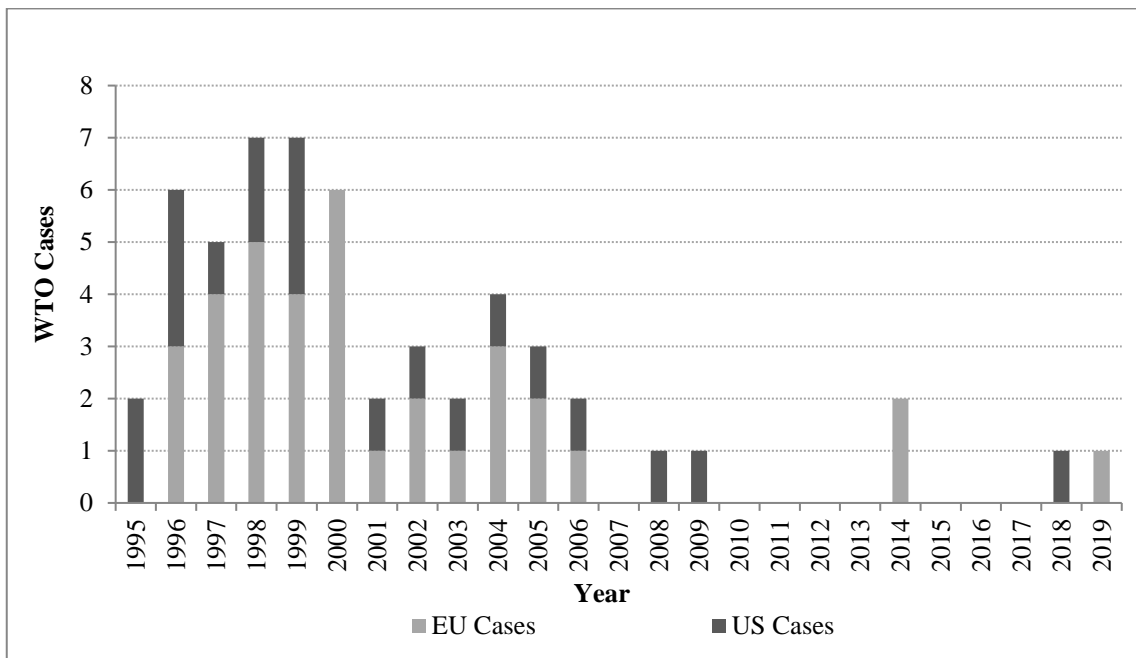
Figure 5: EU-US Foreign Direct Investments (FDI)



Source: Author’s own elaboration from US Census Bureau and US Department of Commerce.

This positive relationship in trade is also evidenced by the data gathered on WTO disputes. Using data from the dispute tracker from the WTO, EU-US disputes were graphed since 1995 (see Figure 6). This evidence shows a steep drop in EU-US trade disputes, averaging in this last decade to one a year.

Figure 6: US and EU WTO Cases Over Time



Source: Author’s own elaboration from WTO Dispute Tracker.

However, this number has increased as the last two years saw new WTO cases. The recent increase in cases can be connected to trade conflicts and retaliatory tariffs measures. Nonetheless, the overall decline in WTO cases between the US and the EU, in contrast to the strife between the two, could be a result of the trend away from international institutions as dispute settlement forums, or the disempowerment by the US of the WTO dispute settlement body -dynamics which reflect, in line with recent research, increasing prominence of “extralegal versions of sovereignty” in US foreign policy discourse (Paris, 2020).

5. FROM THE US PERSPECTIVE, WHY HAVE THE LISBON TREATY INSTITUTIONS BEEN INEFFECTIVE IN PROMOTING TRANSATLANTIC DIALOGUE?

As explained in the introduction, eight structured qualitative interviews were conducted with senior US government officials who participated in key episodes of transatlantic dialogue.⁶⁵ There was the same number of interviewees per administration, from a total of four different administrations: two Democrats (Clinton and Obama) and two Republicans (W. Bush and Trump). The interviewees: 1) were senior officials who worked in the National Security Council or the Department of State, 2) worked on Europe policy, and 3) had direct access to the US President. They agreed to share their unvarnished views, some of them allowing specific quotes, others on condition of anonymity.⁶⁶ The objective of these interviews was to obtain firsthand insights from the US political elite regarding fissures of inefficiency in the implementation of the Lisbon Treaty institutions for the purposes of transatlantic dialogue. The analysis contained herein is focused on the US perspective in order to address the existing shortfall in literature referred to previously.

The epistemic limitations of qualitative interviews include the tendency to overrepresent individual or intra-individual views, to the detriment of intersubjective and structural causalities.⁶⁷ However, this study was conducted in the sociological understanding, as mentioned in the introduction, that qualitative interviews are aimed not only at the collection of data on behavior or empirical tendencies, but also on the cultural frameworks of the interviewees, and on the perceptions that may characterize these frameworks at a certain time, despite their potentially biased or fragmentary nature (Lamont, 2012; Swidler, 2001). These frameworks are associated to “epistemic communities,” networks of professionals with shared sets of normative and principled beliefs, shared causal beliefs, shared notions of intersubjective validity, and a common policy enterprise (Haas, 1992). Views emerging from epistemic communities, such as the State Department and the National Security Council, are of significant value to comprehend dynamics, tendencies, and common sensitivities in foreign policy decision

⁶⁵ The author would like to thank Harvard Kennedy School (and, in particular, the Project on Europe and the Transatlantic Relationship in the Belfer Center for Science and International Affairs), for the support given for the conduction of the interviews, which took place in Washington, D.C. and Harvard Kennedy School, between 1 September 2019 and 31 August 2020.

⁶⁶ All gave full permission to the author to use their insights as background information.

⁶⁷ For example, long-term partisan loyalties have an impact on perceptions of specific political figures and events (Bartels, 2002). On the hermeneutics, phenomenology and validity of interviews, see Kvale (Kvale, 1996).

making. The interviews conducted for the study at hand were guided by this assumption and have been driven by the following aim: to contribute to a further understanding of the perception of the EU by US political elite. This is sought through an analysis, from a US perspective, of the effectiveness, within transatlantic dialogue, of the EU's post-Lisbon foreign policy institutions.

Three factors, endogenous to the EU and related to the deployment of the Lisbon Treaty institutions, surfaced as relevant from the interviews and were examined in the light of existing literature. For the purposes of this study, endogenous factors are circumstances which have been decided internally by the EU, within the margin of discretion afforded by the EU Treaties, and which affect the functioning, configuration, and contours of the Lisbon Treaty institutions. These factors are: 1) the political profiles of Lisbon Treaty institutions' officeholders; 2) the structure of EU-US summits; and 3) EU institutional and bureaucratic complexity. From perspective of frontline US diplomats, these factors have restricted the effectiveness of the Lisbon institutions for transatlantic dialogue. While the first factor refers to human agency and the association drawn by social psychology between leadership and cognitive profiles and skills, the second factor is related to dysfunctional intra-organizational praxis when setting up EU-US summits, and the third factor pertains to thoroughly documented inefficiencies in EU foreign policy processes stemming from suboptimal institutional design.

5.1. The political profiles of the Lisbon Treaty institutions' officeholders

The role of human agency in history and politics constitutes an enduring theme from classical to contemporary literature. Ancient Athens' Thucydides illustrated that political leaders are conditioned by forces beyond their control, but that individual characters also determine the actions taken, and, ultimately, the fate of policy (Nichols, 2017; Ober, 2005). The Roman Republic's M.T. Cicero stressed the importance of personal leadership, from the experience of his consulship, for political and social *concordia* - union or harmony.⁶⁸ Two millennia later, British historian Herbert Butterfield also emphasized the role of the individual in history:

⁶⁸ Strong statements on the relationship between individual leadership and *concordia* can be found, for example, in Rep. Book II.67 of Marcus Tullius Cicero, *De Re Publica: De Legibus* The Loeb Classical Library (Cicero, 1928). See also Zarecki, Jonathan. *Cicero's Ideal Statesman in Theory and Practice* (Zarecki, 2014).

The influences and ingredients which an age or an environment supply are churned over afresh inside any human personality, each man assimilating them, combining them, and reacting to them in his peculiar way. The result is that nobody is to be explained as the mere product of his age; but every personality is a fountain of action... capable of producing new things. (...) the individual matters in the whole story much more than he tends to imagine (...). He matters all the more in that history is a field in which big decisions can be carried by a narrow margin. (...) And the Providence which does not overlook the falling sparrow leaves something for the larger destiny of nations and civilizations for individual human beings to decide (Butterfield, 1955: 8).

Of course, politics is not a merely individualistic endeavor, as it is, in essence, human interaction. Hans Morgenthau viewed “the political as a force that resides in each individual human being and that is of necessity directed toward another human being,” and emphasized that politics can be explained by forces that “are always rooted in the individual” (quoted in Frei, 2001: 125-26).

Social psychology has studied for decades how leaders’ behavior in international negotiations is affected by their cognitive structures, training, experience, and intuitive semiotics.⁶⁹ Two-level game theory signals that international negotiators have a certain margin of autonomy (Putnam, 1988), and history affords empirical proof that on occasions there is a correlation between subjective elements of such negotiators -such as their personal preferences and characters- and the final result of a negotiation.⁷⁰ Similarly, it can be argued that leadership skills of certain individuals, along with their respective levels of personal authority or socially acknowledged wisdom -what in ancient Roman civilization was known as *auctoritas*-, may be critical determinants of success or failure in international negotiations (Young, 1991). Leadership may indeed be related to respect and trust, attributes that are usually won and earned, not given by birth or appointment (Tallberg, 2008). Furthermore, behaviorism and neuroscience have shown that significant international behaviour is driven by “non-reflexive” re-articulation of repertoires of actions (Austin, 2019).

Expertise -be it on content, process, or preference information- (Tallberg, 2008; Wall & Lynn, 2016) also influences leadership capacities, as the author comprehended heuristically throughout years of backstage European Council negotiations. To be credible, negotiation counterparts must perceive that one “knows his/her onions” on

⁶⁹ “Although semiotics is rarely part of their formal education, diplomats are by training and experience experts at weighing words and gestures with a view to their effect on potential receivers.” (Jönsson, 1990:6). About this, see also Kelman, Herbert C. *International Behavior; a Social-Psychological Analysis* (Kelman, 1955).

⁷⁰ For example, a reference to President Woodrow Wilson’s role and preferences as US chief negotiator in the Versailles Treaty can be found in “Double-Edged Diplomacy: International Bargaining and Domestic Politics, *Studies in International Political Economy*” (Evans, Jacobson, & Putnam, 1993).

substance, the institutional framework, and others' positions. For example, Spain's experience negotiating with countries of origin and of transit of irregular migration was broadly acknowledged as content expertise, and the Spanish Prime Minister has been frequently asked in the European Council to explain the details of such experience, the principles of which have inspired aspects of the EU's strategy to curb irregular migration (La Moncloa, 2016, October 21). Seniority, personal contacts, and past credentials matter too: Jean-Claude Juncker has openly recognized the importance of "personal experience, personal relations with leaders of other countries [and] the volume of confidence you have worked up" (Tallberg, 2008: 20). Of course, the case may also be made those individual attributes, however important they may be, are less determinant than structural factors pertaining to the state or political actor which the negotiator represents -such as the GDP or military force (Tallberg, 2008). In any case, it does seem evident that, in political processes in general and in international affairs in particular, individual people -and their personalities and individual attributes- can, and do, make a difference (Hermann & et al., 2001).

The effectiveness of EU foreign policy institutions does not escape this logic. While the ponderation of the extent to which the holders of institutions determine the effectiveness of the institutions is a slippery exercise frequently subject to debate and bias, an axiomatic approach to such ponderation -based on objective criteria, e.g. international prominence, contacts, and experience of the holders- regarding the EU's youngest foreign policy institutions may offer clues regarding possible inefficiencies in the deployment of the institutions with regard to transatlantic dialogue.

It has been thoroughly commented how, since the entry into force of the Lisbon Treaty, relatively low-profile political figures, far from being "rock stars" (Howorth, 2011; *The Economist*, 2009, November 28; House of Foreign Affairs, 2009, December 15), have been appointed as the holders of the newly created positions (President of the European Council and High Representative). Since the Lisbon Treaty, the Presidents of the European Council have been as follows: Herman Van Rompuy (the former Prime Minister of Belgium), Donald Tusk (the former Prime Minister of Poland) and Charles Michel (the former Prime Minister of Belgium). Donald Tusk is arguably the highest political profile in this genus of post-Lisbon Presidents of the European Council -several interviewees underlined his "forceful personality" and recalled that he "commanded respect"- . The post-Lisbon High Representatives have been Catherine Ashton (formerly

-and briefly- EU Trade Commissioner and an unknown parliamentarian from the United Kingdom); Federica Mogherini (formerly -and even more briefly- Minister of Foreign Affairs of Italy); and Josep Borrell (former Minister of Foreign Affairs of Spain and President of the European Parliament). Arguably, Josep Borrell can be considered the highest political profile in this genus of post-Lisbon High Representatives, as he had held in the past the presidency of an EU institution.

These figures belong to the exclusive clubs of former Heads of State or Government, or of former Ministers, or European Commissioners. However, their prior international prominence -with the arguable exceptions of Tusk and Borrell- cannot be compared with that of historical figures from the “glory days of European statesmanship”, in words of one interviewee referring to the nineteen-eighties and mid-nineties. During that period, members of US political elite associated European leadership to high-profile figures. These included European Commission President Jacques Delors (1985 to 1995); French President Francois Mitterrand (1981 to 1995) who held the rotating Presidency of the European Council in 1984 and 1989;⁷¹ German Chancellor Helmut Kohl (1982 to 1998) who held the Presidency of the European Council in 1983, 1988, and 1994;⁷² British Prime Minister Margaret Thatcher (1979 to 1990) who held the Presidency of the European Council in 1981 and 1986;⁷³ and Spanish Prime Minister Felipe Gonzalez (1982 to 1996) who held the Presidency of the European Council in 1989 and 1995.⁷⁴ Notably, these leaders coincided in time and space, raising the power profile of EU leadership. Scholarship has indeed called attention to the bargaining power of such figures, who commanded great respect and earned considerable trust (Tallberg, 2008). The purpose of this paper is not to try to explain why today there seems to be arguably nobody in recent history (with the partial exceptions of Angela Merkel or Emmanuel Macron) of the stature of these “glory days” leaders. Some have claimed that Europe is no exception to the decline in political leadership palpable among many postmodern democracies, although it has also been argued that such attitudes reflect “the golden glow of the past” (Nye, 2008:2), as social psychology identifies a bias to rate deceased leaders more positively than living ones (Allison, Eylon, and Hope, 2005). In any case, strong leadership, in the eyes of the US, was not, by any means, a constant feature of the pre-Lisbon Treaty period:

⁷¹ 1984 (first semester) and 1989 (second semester).

⁷² 1983 (first semester), 1988 (first semester), and 1994 (second semester).

⁷³ 1981 (second semester) and 1986 (second semester).

⁷⁴ 1989 (first semester) and 1995 (second semester).

Jacques Santer's Presidency of the Commission (1995-1999) was perceived as "weak" and "erratic" by the US, according to interviewees. But, in the "glory days" charismatic European interlocutors, both in the European Commission and the European Council, were not uncommon.

Furthermore, the international prominence of post-Lisbon Treaty EU institution leaders cannot be compared with that of rivalling potential appointees, who were, as commentators put it in the aftermath of the first Lisbon appointments, "serious players on the international stage, well-known and highly respected foreign policy heavyweights" (Howorth, 2011:306). A salient example of this is the long-presumed and never officialized candidature of Tony Blair, former Prime Minister of the United Kingdom, for President of the European Council. Blair's candidature never prospered because he was perceived as "too Atlanticist, too prone to political grandstanding, and too unpredictable. (...) What was required, it became fashionable to argue, was a 'safe pair of hands'" (Howorth, 2011:306). Indeed, many Europeans had not forgiven Blair for his close support to President W. Bush in the Iraq war. Herman Van Rompuy finally got the job, one interviewee, who was in office at the time, recalled that, when the Belgian was appointed, "I had never seen his face before". The author had the chance to witness firsthand such resistance to Blair in 2009, during the backstage negotiations within the EU institutions which led to Van Rompuy's appointment. When a high-ranking European Commission official, who was at the time an influential figure in the appointment process, was asked about Blair's chances to obtain the critical mass of votes of Member States required to become President of the European Council⁷⁵ the answer was: "Tony Blair... he would definitely run the show; but would he do the job?" This caustic remark can be interpreted as yet another sign that shows how EU Member States and institutions have avoided appointing, as President of the European Council, a high-profile figure that could be commonly associated to the idea of a full-fledged "President". Instead, they have supported more the idea of a "chairman" or even a "glorified secretary", that convenes meetings and prepares consensus, in the light of the relevant mandates given by the Heads of State or Government of the Member States. While this may seem logical and coherent from the perspective of the internal functions⁷⁶ of the President of European Council

⁷⁵ Article 15.5 of the Treaty of the EU establishes that the President of the European Council shall be elected by qualified majority.

⁷⁶ Article 15.6 lays out the internal functions of the President of the European Council, who (a) shall chair it and drive forward its work; (b) shall ensure the preparation and continuity of the work of the European Council in cooperation with the President of the Commission, and on the basis of the work of the General

recognized in the Treaty of the EU -some of which can be deemed of secretarial nature- (Howorth, 2014), it poses problems for the function of external representation of the EU that such Treaty also confers to the President of the European Council.⁷⁷ Owing to the phenomenon of ever-growing diplomacy made at that level of EU Heads of State or Government (Boissieu, 2015), this external function, should, in theory, be increasingly relevant. However, it can be strongly argued -in consideration of the data, interviews, and common sense- that this function of external representation has suffered a detriment as a result of job overload and low-profile appointments, with inferior capacity of interlocution and political weight.

A somewhat similar dynamic can be identified in the appointment process of the first post-Lisbon High Representative. Potential appointees included, among others, the then serving German foreign minister, and today, President, Frank-Walter Steinmeier; Jaap de Hoop Scheffer, former Secretary General of NATO; and Mary Robinson, former President of Ireland.⁷⁸ However, it was Lady Catherine Ashton, a relatively unknown figure both in the United Kingdom and abroad, who was finally appointed at the end of 2009. The reasons of such unexpected appointment have been well documented (Barber, 2010; *The Economist*, 2009, November 26) and are linked to a complex spiral of events in European and British politics: the rejection of Tony Blair, the acknowledgement nonetheless that the UK merited the post, the unavailability of David Miliband, the pressing timeframe, and the readiness, suggested by President Barroso, of his colleague Commissioner Lady Ashton. The appointment in 2014 of her successor, Federica Mogherini, bears certain resemblance. In spite of lacking experience in executive posts previous to her brief tenure as Italian Minister of Foreign Affairs, preparatory briefs of the extraordinary European Council meeting (European Council, 2014, August 30) that appointed her alluded to an atmosphere of probable inevitability of her appointment, owing to a variety of reasons. The then Italian Prime Minister, Matteo Renzi, whose European influence was at its heyday owing to his party's victory in the May elections to

Affairs Council; (c) shall endeavor to facilitate cohesion and consensus within the European Council; (d) shall present a report to the European Parliament after each of the meetings of the European Council.

⁷⁷ Article 15.6 of the Treaty of the European Union also states: "The President of the European Council shall, at his level and in that capacity, ensure the external representation of the Union on issues concerning its common foreign and security policy, without prejudice to the powers of the High Representative of the Union for Foreign Affairs and Security Policy."

⁷⁸ Other potential appointees were the former German foreign minister, Joschka Fischer; the then imminent Greek Prime Minister, George Papandreou; the French foreign minister, Bernard Kouchner; the Finnish European Commissioner, Olli Rehn, well-known and in office since 2004; and the former Italian Prime Minister and foreign minister, Massimo d'Alema (Howorth, 2011).

the European Parliament,⁷⁹ firmly stood behind her. The then-candidate to the European Commission, Jean Claude-Juncker, despite his initially lukewarm enthusiasm vis-à-vis the Italian candidate, needed Renzi's support in the European Parliament for the confirmation of his college of Commissioners and his legislative program -Juncker's Commission rested upon a "grand coalition" between the European Popular Party and the Party of European Socialists. Lastly, Renzi needed to neutralize the possibilities of another Italian figure, Enrico Letta, to become President of the European Council -Letta was former Prime Minister, member of the same Party as Renzi, and publicly known as his political archenemy.⁸⁰ The other two main candidates to the post of High Representative were Poland's Radosław Sikorski -then Minister of Foreign Affairs-,⁸¹ and Bulgaria's Kristalina Georgieva -then European Commissioner and today Managing Director of the International Monetary Fund.

There is a clear contrast between the capacity of interlocution of these post-Lisbon High Representatives, and Javier Solana, the pre-Lisbon High Representative. Interviewees confirmed that High Representative Solana had a direct line not only to the Department of State, but also to the White House -which had given "green light to his appointment as High Representative", as confirmed by one interviewee in office at the time. Although Javier Solana's successors have had frequent interlocution with the National Security Advisor, they have not matched High Representative Solana in this ability -attributed to Solana's "unique track record and personal deftness".⁸² Substantial qualitative arguments, obtained from interviews and explained further on, support this consideration. But so do historical records: in 2009, months before the entry into force of the Lisbon Treaty, High Representative Javier Solana deployed joint diplomatic actions and travelled with the US Vice President, Joseph Biden, and the Secretary of State, Hillary Clinton. Whereas joint trips between the Secretary of State and the High Representative are not an exclusive phenomenon of the pre-Lisbon period,⁸³ and Secretaries of State have continued to hold contacts with EU foreign Ministers in a joint format -for example,

⁷⁹ Renzi's Democratic Party became the largest party within the Party of European Socialists.

⁸⁰ This argument was understandably never used in public, but, as confirmed by internal sources of the European Council, Prime Minister Renzi used it in private with other European Heads of State of Government, who were sensitized with the issue.

⁸¹ Sikorski was perceived as too Atlanticist. Moreover, his options cut off as it became clear that Donald Tusk was to be elected President of the European Council.

⁸² In words of one interviewee.

⁸³ In October 2012, Hillary Clinton and Catherine Ashton travelled to Belgrade, Pristina, and Sarajevo (Lange, Zoran , & Florian , 2017, August; European Commission, 2012, October 2).

Secretary Pompeo held a videoconference with EU foreign ministers on 15 June 2020 (Barigazzi, 2020, June 16)-, diplomatic initiatives between the US Vice President and the High Representative have not been replicated by any of Javier Solana's successors. This indicates a downgrading in the capacity of interlocution of post-Lisbon High Representatives.

Literature has profusely analyzed the reasons which underlie in some of the post-Lisbon appointments, which range from *Realpolitik*⁸⁴ to flukes, and have been referred to as, “typically EUBuesque -in other words, suboptimal” (Howorth, 2011:305). It has also been considered that these appointments underscore the EU's tendency to allow “political horse-trading to triumph over merit” (Barber, 2010:56). Be that as it may, the appointments make evident that, among European Member States and institutions, there is not great appetite for high-profile figures that may prove to be difficult to control. This phenomenon is perhaps attributable to what has been considered a failure, “to translate the ambition of political rhetoric into administrative practice” (Spence, 2012:48) or even what the German press has defined as *Selbstverzweigung* -a determination to remain a dwarf, which at the time “shocked the US” (Graw, 2009, November 21). Such dynamic is related to but distinct from the balance of power that has historically characterized the EU institutional system, also in the field of external representation, and which has been constant throughout the successive institutional reforms of the EU. As the main legal architect of the Lisbon Treaty has explained:

Over the years, through successive modifications of the founding Treaties, the Member States have clearly demonstrated their will not to establish any single EU institution as politically too powerful. They have always imposed a balance between EU institutions. Therefore, it is not by chance or by mistake that, in the present Union, several figures emerge as ‘would-be’ rivals in the future, be it the President of the European Council, the President of the Commission or the High Representative (Piris, 2010:237).

A counterfactual analysis could be useful to explore possible relations between the profiles of some appointees and the effectiveness of the institutions for transatlantic dialogue. For example, would Tony Blair have been a more effective interlocutor for a US President than Herman Van Rompuy? Would Jaap de Hoop Scheffer, former NATO Secretary General, or Mary Robinson, former President of Ireland, have been more respected interlocutors, vis-à-vis the US Department of State, than Catherine Ashton? It

⁸⁴ From a *Realpolitik* point of view, states' primary objective is to pursue their own strategic interests; Blair's frustrated candidature underscored a dialectical tension in the European Union between 1) the convenience of appointing high political profiles which could carry out decisive representation of the European Union abroad, and 2) the detriment that this could entail for the foreign policy actions of other institutional figures and Member States.

seems tempting to intuitively surmise that they probably would have, but of course one could never say for sure. It is possible, after all, for high-profile figures to blunder, and for low-profile figures to excel, for whatever reasons. Diplomatic expertise, political gravitas, and attested capacity of international interlocution are valuable assets, but by no means guarantees for satisfactory performance. Nor does the absence of such qualities preclude the possibility of having personal virtuosity; or more metaphorically, what Spanish poet Federico García Lorca denominated *Duende*, a mysterious power which grants individual human beings the capacity to effectively inspire and seize emotions.⁸⁵ In any case, performance assessments should be founded on objective criteria -merits, results-, rather than on subjective criteria. Leadership effectiveness has indeed been judged in three dimensions: goals, means, and consequences (Nye, 2008). Structural factors, such as effective powers and limitations established by EU Treaties, must also be taken into consideration. Current and past EU competition Commissioners,⁸⁶ in spite of being relatively low-profile, have been powerful, respected, and even feared figures (Lyall, 2018, May 5), fundamentally as a consequence of the exceptionally powerful treaty provisions and apparatus of legal enforcement in the field of EU competition policy -although their personal traits and political experience have also mattered.⁸⁷ Less recently but very prominently, Commission President Jacques Delors has legendary status in the hall of fame of EU leadership, and many key achievements in EU integration, like the single market and the economic and monetary union, may be considered examples of “actor indispensability” -the outcome may not have been the same in his absence (Endo, 1999; Scully, 1995). At the beginning of his tenure, he was relatively known and respected, as he had been French Minister of Finance, but his prestige waxed remarkably because of the stature of his leadership: according to a former member of the French government, “Because he happened to be Jacques Delors, everybody listened to him [in

⁸⁵ The concept of *Duende* was developed by Garcia Lorca in a lecture he delivered in Buenos Aires in 1933, titled *Theory and Play of the Duende*. For an English translation of the lecture, see Kline, 2007. See also García Lorca, *In search of duende* (García Lorca & Maurer, 2010)

⁸⁶ Since 1995 the EU Commissioners of Competition have been: Margrethe Vestager (2014-current), Joaquin Almunia (2010-2014), Neelie Kroes (2004-2010), Mario Monti (1999-2004) and Karel Van Miert (1993-1999).

⁸⁷ See Wallace, Polack, and Young, *Policy Making in the European Union*, Chapter 6: “The Commission has expanded competition policy as one of its key EU competences. It has drawn on powerful treaty provisions, received support from the European Court of Justice and the Court of First Instance, and entrusted policy to DG COMP, one of the most effective Directorates-General in the Commission, directed by a series of able commissioners (...). Indeed, competition policy has been used to discipline governments as well as companies, so that all economic actors must understand it and treat it with respect.” (Wallace, Polack, & Young, 2010: 135).

the Council meetings]” (Endo, 1999:90).⁸⁸ Reality is a combination of structure and agency, and history affords myriad examples of seemingly unimposing yet ultimately successful leaders -and vice versa.⁸⁹ However, it does not seem reasonable to refute the objective baseline advantages for diplomacy that a high-profile political figure would have in terms of contacts, experience, and international prestige, which may, for instance, help master the valued art in diplomacy of being “inconspicuously conspicuous” (Weisbrode, 2014; Biow, 2008).

Interviewees coincided on their diagnosis of the nature, cause, and effect, on transatlantic dialogue, of this phenomenon of low-profile figures. Most considered the unwillingness -especially, but not only, among large Member States- to appoint strong, high-profile political figures as heads of EU institutions, as “structural” and “part of the EU system”. Clete R. Willems⁹⁰ underlined that “clearly, too much compromise lies beneath the appointments of the heads of EU institutions”, and the result has been low-profile figures which are “not as credible as political heavyweights” in the eyes of a US President. Such thinking resonates with Henry Kissinger’s reflection on the impact of bureaucratic structures on foreign policy: “Decision-making can grow so complex that the process of producing a bureaucratic consensus may overshadow the purpose of the effort” (Kissinger & Wellings, 1977:145). Most interviewees bemoaned that it is, “not impossible, but very unlikely”, for this dynamic to change in the short run, owing to a “structural reluctance” among Member States to a high concentration of power within the EU. Anthony Gardner⁹¹ pointed out that, with Brexit, the whole EU construct may

⁸⁸ Conversation with Elisabeth Guigou, former French Minister for European Affairs, Oxford, 6.6.1995. Quoted in Endo, *The Presidency of the European Commission under Jacques Delors*.

⁸⁹ See Guy Peters & Helms: “For example, some individuals who might not have been expected to be significant presidents or prime ministers become so as they learn the role and play it effectively. For example, Harry Truman ran for vice president in order to appease certain political forces. There were few, if any, expectations that he could become an effective, and in some ways significant, political leader (see Hamby 1995; Pomper 2004). As well as simply learning to play the role of leader, crises and other extraordinary circumstances might produce leaders from rather ordinary individuals. Wartime presidents and prime ministers may have been rather ordinary political leaders prior to that time, but when faced with the need, and the opportunity, they became more capable leaders. Winston Churchill, for example, was in many ways a failed politician prior to the Second World War, but his combination of oratory and diligence made him perfect for the challenges that arose during that war (Addison 2005). Crises may also reveal fundamental weaknesses in otherwise successful leaders. For example, the several British prime ministers who preceded to Churchill seemed adequate, if not exciting, prior to the escalation of tensions leading up to the war. Once the crisis was manifest, those leaders were soon proven inadequate” (Guy Peters & Helms, 2012:26).

⁹⁰ Clete R. Willems was US Sherpa in the G20 and Deputy Director of the National Economic Council in the Trump administration.

⁹¹ Anthony Gardner was US Ambassador to the EU from in the Obama Administration, and served as Director for European Affairs in the National Security Council at the White House between 1994 and 1995.

become more unstable, and an accumulation of institutional power in a large Member State -like Germany or France- will probably be opposed by the other potentially, rivalling, large Member State -inversely, France or Germany.

Karen Donfried⁹² referred to a dialectical tension between this internal reluctance of Member States to appoint high-profile figures, and the external benefits that such high-profile figures would afford in terms of international representation. This dialectical tension is “very difficult to solve, except perhaps concerning issues on which there is a common European interest”. In general, however, it remains evident that such common interest does not exist for the time being –“we’re still not there”-, as illustrated, among many other examples, by the divergent rhetoric on a common European defense: while France upholds the concept of “strategic autonomy” from the US, Germany calls for “strategic patience” and Poland -the closest geographically of the three to Russia- defends a “strategic embrace” of the US.

At the same time, the interviewees agreed that the political profiles of the heads of EU institutions make a difference in diplomatic interlocution between the EU and the US. Most considered it a key factor; “the quality of the person is absolutely essential”, stressed Nicholas Burns.⁹³ Another interviewee, in line with the majority, underlined that, “if the EU wants to be taken seriously, it will have to appoint serious people”. When interviewees were asked whether the appointment of a high-profile President of the European Council, “like a Chancellor Merkel or a President Macron”, would be seen by the US administration as a more respectable interlocutor, they gave unequivocally positive answers (one interviewee stated that “a Merkel or Macron would give the EU instantaneously more weight”), although many stressed the improbability of such scenario owing to the aforementioned reasons. Although one official expressed skepticism on the practical utility, for foreign policy purposes, of the institutional

⁹² Dr. Karen Donfried is currently Assistant Secretary of State for European and Eurasian Affairs. She was President of the German Marshall Fund (GMF) of the US from 2014 to 2021. Previously, Dr. Donfried was the Special Assistant to the US President and Senior Director for European Affairs on the National Security Council at the White House.

⁹³ Nicholas Burns is currently US Ambassador to the People’s Republic of China. He was Under Secretary of State for Political Affairs from 2005 to 2008. He was US Ambassador to NATO (2001-2005), Ambassador to Greece (1997-2001) and State Department Spokesman (1995-1997). He worked for five years (1990–1995) on the National Security Council at the White House where he was Senior Director for Russia, Ukraine and Eurasia Affairs and Special Assistant to President Clinton and Director for Soviet Affairs in the Administration of President George H.W. Bush. Prior to his appointment as US Ambassador to the People’s Republic of China, Nicholas Burns was the Roy and Barbara Goodman Family Professor of the Practice of Diplomacy and International Relations at the Harvard Kennedy School.

innovation of a permanent President of the European Council -“we always thought that job wouldn’t work because of Member States’ historical disinclination to pool sovereignty within intergovernmental institutions”-, the official admitted that, should a high-profile figure be appointed, “things could be different”. Of course, candid acknowledgement of such disinclination among Member States to give up power to the EU leads to the well-established recognition that EU foreign policy limitations are institutional, and by no means only political. Madeleine Albright and Condoleezza Rice were faculty members at Georgetown and Stanford, respectively, with solid experience as senior government officials, but dubitably “rock stars”. Once appointed as Secretaries of State, however, they 1) wielded effective institutional power, and 2) had the support of their Presidents. The EU foreign policy framework relatively lacks both factors, in comparable terms. But it could also be reasoned that prestige, expertise, and gravitas of an EU institution holder could build up the latter; and could compensate, to a certain extent, the lack of the former -as shown by the case of High Representative Javier Solana, who was a more effective interlocutor with US administration and had less powers and resources than his successors. Only one official considered this factor, “neither negligible, nor primary” and pointed towards a possible “flip side” of high-profile leaders of EU institutions: eventual “baggage” from their past political lives, and “grudges” a US President may hold against them -this view is coherent with recent research which indicates how different US Presidents with similar contexts may respond differently to unexpected events owing to the variables of hindsight bias and policy engagement (Cohen & Rapport, 2020).

A common element the interviewees highlighted as “essential” for transatlantic dialogue, and which is associated to the political profile of an institution holder, is the “ability to create strategic unity in the various parts of the European enterprise”. For the US, an institution or actor is seen as “a better or a worse investment”, depending on its capacity to bring together a common EU position. For example, former members of the National Security Council confirmed that during the Ukraine crisis in 2014, President Obama’s key European interlocutor for the management of such crisis was Chancellor Angela Merkel. The main reason -apart from her adept engagement with Putin owing to numerous factors, not least her fluency in Russian- was that “she could deliver the EU and guarantee that every Member State would support sanctions against Russia”. This proved essential, as sanctions have been an area of high strategic value for transatlantic

dialogue (Gardner, 2020). Similarly, in the view of Victoria Nuland,⁹⁴ former Assistant Secretary of State for European and Eurasian Affairs, High Representative Solana's "special track record enabled him to bring together a unified European position in an efficient way". When crises arose and the US required the EU's intervention, Solana was able to effectively tell the US "What the EU could bring to the fight" -be it be it political and economic support, development funds, etc. Solana was able "to run around [the EU] and do all of this"; "he was a one-stop shop" for the US. He was also an "American explainer to Europe", elucidating the rationale behind US foreign policy positions and actions. One interviewee pointed out that Catherine Ashton could also bring together a common position on certain issues, like Kosovo and Iran. She too could be a "one-stop shop... but at a lower level": for example, in the P5+1+EU on Iran, she successfully represented medium and small Member States of the EU. However, most interviewees pointed out that the difference between what Solana could do and Ashton could do was more significant than the mentioned similarities, as Solana had not only higher capacity of interlocution and representation, but also greater power to negotiate effectively within the EU and outside the EU.

5.2. The structure of EU-US Summits

In the pre-Lisbon period, EU-US Summits included as participants, on the European side, the totality of the Heads of State or Government of the Member States, along with the President of the European Commission, the ministers for foreign affairs, and, since its creation in 1999, the High Representative. There were, however, significant differences with the post-Lisbon context. There was a fewer, albeit growing number of Member States at the time -15 in 1995, 25 in 2004, and 27 in 2007-, which made relatively more manageable summits with Heads of State or Governments. Also, a different formal framework was in place: summits took place in the US or in the Member State holding the six-month rotating Presidency of the Council; on the EU side, they were organized and chaired by that Member State. This enabled high-level representation of the EU when such Presidency was exercised by large Member States -for example, when the Presidency of the European Council was held by Francois Mitterand, Helmut Kohl, or

⁹⁴ Victoria Nuland is currently Under Secretary for Political Affairs in the US Department of State. She served as Assistant Secretary of State for European and Eurasian Affairs from 2013 to 2017. Previously, she was State Department Spokesperson, US Ambassador to NATO, Special Envoy and chief negotiator on the Treaty on Conventional Arms Control in Europe, and Deputy National Security Advisor.

Margaret Thatcher. However, it was a double-edged sword, and the reverse logic kicked in when the presidency was held by small Member States, like Luxembourg or Belgium -playfully referred to as a “minnows” or “small fries” in the informal diplomatic jargon of several interviewees.

After the entry into force of the Lisbon Treaty at the end of 2009, the functioning of the summit system changed significantly. In the post-Lisbon context, summits take place in principle in Brussels, between the US President and the heads of EU institutions (President of the Commission, President of the European Council, and High Representative), without Member States.⁹⁵ The rotating, six-month Presidency of the Council’s remaining function is to chair ministerial meetings dedicated to internal policies,⁹⁶ having clearly lost external preeminence: it does not chair summits nor European Council meetings -chaired by the permanent President of that institution-, nor the Foreign Affairs Council -chaired by the revamped High Representative. Consequently, “the US stopped investing in the six-month Presidency of the Council”, according to one interviewee from the State Department.

As explained, EU-US Summits became more irregular in the post-Lisbon period. In 2010, shortly after the entry to force of the Lisbon Treaty, the EU-US Summit which had been supposed to be held in May was cancelled at the initiative of the US administration. The reasons why such Summit was cancelled are not mysterious. As one interviewee related, “President Obama wasn’t a fan of EU-US Summits”. The uncertainty ensuing from Lisbon has also been invoked as a cause of the cancellation: “Lisbon was becoming confusing. (...) Barack Obama cancelled the Summit partially on the grounds that it remained unclear in Washington who really represented the EU” (Howorth, 2014:53). The 2010 EU-US Summit was reconvened in November that year, and the following summit took place in Brussels on March 26th, 2014. The absence of summits from 2014 to 2021 led to a seven-year breakdown of a system of top-level political consultations that

⁹⁵ There have been some exceptions to this principle: for example, the meeting between the members of the European Council and the Turkish Prime Minister, a *de facto* EU-Turkey Summit, which took place in Brussels on March 7th, 2016.

⁹⁶ It continues chairing the following configurations of the Council: Agriculture and Fisheries Council; Competitiveness Council; Economic and Financial Affairs Council; Education, Youth, Culture and Sport Council; Employment, Social Policy, Health and Consumer Affairs Council; Environment Council; General Affairs Council; Justice and Home Affairs Council; and Transport, Telecommunications and Energy Council.

had been ongoing since 1995, with few exceptions.⁹⁷ As the 2014 summit was the final one before such breakdown, particular attention will be given to it.

President Obama's malaise during the 2014 summit became well known, *ex post facto*, in the European diplomatic establishment, and was confirmed by several interviewees who had direct contact with the President at that time. One of the interviewees referred to the summit as, "awful" and reported that the President, after the summit, expressly asked this person to refrain from engaging him in further events of this nature. This negative impression was reflected in the majority of opinions of interviewees but, however, was not unanimous. One interviewee considered that, "it wasn't a bad summit, although it's true that the President wasn't elated", and that, "very important issues were on the agenda, such as Ukraine". Where there was unanimity among the interviewees was on President Obama's unenthusiastic attendance. One interviewee stated that, "President Obama felt he had to kiss the EU ring... but deep down he didn't want to go". Another interviewee similarly admitted that the President was reluctant to attend the summit, but ended up going, "because of the value he placed in the EU". Another indicated that, "the President was definitely not thrilled by the idea".

Most interviewees confirmed that one of the underlying reasons of such lack of enthusiasm on the US side is that the participating figures, on behalf of the EU, in the 2014 summit were perceived as relatively unfamiliar by the US President. The European participants in the 2014 summit were: the President of the European Council, Hermann Van Rompuy; the President of the European Commission, Jose Manuel Durão Barroso; and the High Representative, Catherine Ashton. According to one interviewee, present in the summit, this led to the "usual bafflement", of the US President when, "he was put in a room with all of these people", representing different institutions, the rationality of which, "is not always self-evident in the US". President Obama's "bafflement" was not due solely to the institutional set-up of the summit and the "poly-presidency" system, but also to the low political profiles of the participating EU figures.

Two other issues regarding this summit which were identified by most interviewees as problematic for the US were the "long duration" of the summit, and its perceived "lack of political deliverables". With regard to the former, most interviewees regretted that the

⁹⁷ As explained in the data section, there are four exceptions: 1999, the year of US President Bill Clinton's Senate impeachment trial; and 2011, 2012, and 2013, a three-year standstill after the first post-Lisbon summit in 2010.

“summit went on for ninety minutes” and was “ultimately too time-consuming, time being the most precious commodity of a US President”. One interviewee referred to a “nightmarish planning process” in which the EU “insisted on an even longer duration”. Another interviewee lamented “the European tendency to speak too much and too long”. Regarding the perceived lack of political deliverables, several interviewees underlined that a US President tends to favor events in which “specific high-level actionable items” can be agreed upon, and “easily sold to US press”. In this line of reasoning, Nicholas Burns indicated that, in general, EU-US summit agendas have been “too formulaic and process-orientated”, when they should be more “substance and action-orientated”. Another interviewee considered regretfully that “the 2014 Summit had no substantial agenda”. The US frustration with the agenda of the Summit -or supposed lack thereof-, was explained by another interviewee pointing towards two questions that hover in the US political mindset when deciding whether the President should engage in certain diplomatic events: “what’s really the point of all this?”, and “what are we going to get out of this?” One former member of the National Security Council stated that “for the President, a summit with no clear political deliverables is, in principle, a waste of time”. For most interviewees, it was clear that the 2014 summit did not sufficiently address these concerns. Such consideration certainly contrasts with the Joint Statement of the summit, a powerful and detailed declaration of common objectives and values, difficult to imagine in relatively recent political scenarios.⁹⁸ It also contrasts with public reports on the exchanges held within the summit, according to which important specific dossiers were addressed in the fields of economy, trade, energy, climate, data protection, and foreign policy -not least, coordinated EU-US response to the Ukrainian crisis, a largely unsung success of the relationship (Gardner, 2020). Despite this relevant political substance, however, there was a negative prevailing impression among interviewees regarding the usefulness of the summit. And one could presuppose, considering subsequent

⁹⁸ The Joint Statement underscored common values and referred in a detailed way to EU-US cooperation in a number of issues, namely: Ukraine, economic growth and job creation, G20, Transatlantic Trade and Investment Partnership, World Trade Organization, climate change, trade liberalization in environmental goods, energy, research, innovation, emerging technologies, space domain, visa-free travel, data protection, privacy, free speech in the digital era, fight against terrorism, internet, Eastern Partnership, Georgia, Republic of Moldova, Southern Neighborhood, Egypt, Tunisia, Libya, Iran nuclear program, Middle East, Syria, Afghanistan, Asia-Pacific, Myanmar/Burma, ASEAN, East China Sea, South China Sea, North Korea, UN post-2015 development agenda, EU-US Development Dialogue, humanitarian aid, EU-NATO cooperation, crisis response management, non-proliferation, disarmament and arms control (White House, 2014, March 26).

developments -no summits from 2014 to 2021- that, on the US side, such negative impression was shared at the highest political level.

Most of the interviewees argued that the interest of US Presidents in dialogue with the EU cannot be dissociated from interlocution with his European counterparts, the Heads of State or Government of the Member States. The main argument of interviewees was that, having immediate executive powers and bases of perceived electoral legitimacy, the Heads of State or Government are “conceptually closer”, than Presidents of EU institutions, to the US President’s idea of a political leader. Meetings with only the heads of EU institutions are a powerful deterrent for a US President. In the candid words of one of the interviewees:

I was never a fan of meetings between the President and the Presidents of EU institutions alone. These meetings were a tedious jumble, a real pain the a—. We held them out of courtesy, but they did not make a difference, and always seemed to us like a waste of time, a ridiculous formality which didn’t yield anything. We would ask ourselves: why do we have to deal with all of these extra people? We should stick to bilateral diplomacy and normal multilateral diplomacy. Quint meetings⁹⁹ were far more useful [than meetings with the Presidents of EU institutions]. The Heads of State or Government are the people that matter most, the key players if you want something done.

At the same time, interviewees seemed to agree that a replication of NATO Summit formats, with interventions both legion and lengthy, would foreseeably also be frustrating for the US President, “who can feel ganged up on in these meetings”. This impression coincides with developments at G-20 Summits.¹⁰⁰ Also, a majority of interviewees posed a “too many people at the table” critique, considering that large, plenary formats can also be dissuasive - “we don’t need Malta or Slovakia at the table”, in words of one interviewee. Thus, simply going back to the pre-Lisbon format, with the Heads of State or Government of all the Member States of the EU, would present numerous problems, such as length and choice of interventions – “when you discriminate who can speak and who can’t at summits, hell breaks loose”, one interviewee indicated. This interviewee considered that “EU-US Summits, in the post-Lisbon configuration, are worth keeping” in spite of the fact that they haven’t taken place since 2014 and the US Presidents’ “quasi-structural malaise” in them. Their existential justification lies in the fact that they bring

⁹⁹ The Quint is an informal group that comprises the US and the “Big Four” of Western Europe (France, Germany, Italy and the United Kingdom). It has traditionally operated as a *directoire* within entities such as NATO, G7 and G20 (Gegout, 2002).

¹⁰⁰ The 2017 Hamburg Summit -the first G20 Summit for Presidents Trump and Macron- was the stage of tense negotiations, between the US and a group of countries led by France, on the language of the Leaders’ Declaration. The negotiations were at the levels of sherpas and Heads of State or Government. Among the most contentious issues, were climate change, Chinese steel overcapacity, trade, and the role of multilateral institutions.

together the US President with three crucial figures of the EU institutional system: the President of the European Commission -institution which embodies exclusive EU powers in key policy fields, such as trade and competition-, the President of the European Council -institution which groups together the Heads of State or Government-, and the High Representative -which embodies the CFSP. In any case, US Presidents' malaise in EU-US Summits existed before Lisbon, albeit significantly less acutely: one interviewee offered as an example the "disaster" of the 2001 Gothenburg EU-US Summit, in which over 30 people took the floor, and turned out to be a "very negative experience" for President George W. Bush, who, after an exhausting debate over dinner, declared with mordant chagrin: "this summit has changed my life". This negative impression in the US contrasts with EU reports of the 2001 summit, which described the summit as positive and cordial -in spite of the divisions in significant issues such as the Kyoto Protocol and the Middle East Peace Process- and welcomed President Bush's declared intention to correct false media portrayals of him as an isolationist and not pro-European.

5.3. EU Institutional and bureaucratic complexity

A third factor identified by interviewees as problematic for transatlantic dialogue is a general, oft-repeated one of structural nature, which pertains to the EU's general political framework and clearly predates the Lisbon Treaty: the institutional and bureaucratic complexity of the EU. As this issue is well-known and has been thoroughly documented in literature, the following comments bear the sole purpose of bringing forward testimonies and nuance from the perspective of US foreign policy elite. The words of a former Secretary of State to the author set, in this sense, an unsurprising starting point:

the EU is a difficult entity to understand. Its working methods, its limitations, its decision-making processes can be at times confounding for American policymakers. My advice to the EU is, be fully aware of this difficulty, and make it easier to understand for us... or, at least, don't make it so hard.¹⁰¹

From a US perspective, the complexity of the EU's political framework has been traditionally epitomized in the famous -and seemingly apocryphal-¹⁰² quote attributed to

¹⁰¹ This encounter took place in September 2019. The source asked to be identified only as a former Secretary of State.

¹⁰² According to Reginald Dale of the Center for Strategic and International Studies, Kissinger never made the famous remark. Peter Rodman, who knew Kissinger well, supported this Thesis (Rachman, 2009, July 22).

Kissinger, “Who do I call if I want to call Europe?” It is evident that this complexity remains unresolved after the successive institutional reforms of the EU, the most recent one being the Lisbon Treaty. According to one commentator, the treaty delivered “bureaucratic confusion rather than continental confidence — there now are three different presidents (two permanent and one rotating) squabbling over organizational primacy” (Bandow, 2010, July 13). Indeed, it has been widely acknowledged in European scholarship that the Treaty exacerbated the problem of who speaks for Europe (Smith & Steffenson, 2017). One of the interviewees referred to the EU as an “intricate, hydra-headed structure, very difficult for the US to relate to”. Another interviewee referred to the confusion, which persists after the Lisbon Treaty, as to “who’s really in charge in the EU”, in line with commentators who have rhetorically asked “How many Presidents does it take to run the EU?” (Howorth, 2014:53). This interviewee underlined that, amid such confusion, US administrations have conferred ever-growing importance to the Presidents and Vice-Presidents of the European Commission, “key partners” for the US owing to their capacity to contribute to the mentioned “strategic unity in the European chain of command”. The interviewee offered the example of former President Juncker’s and Vice-President Sefcovic’s actions to reduce the EU’s energy dependency on Russia. For this interviewee, the European Commission has the “power to make the different parts of the machinery move” and can offer alternative resources to those of Member States: “when Chancellor Merkel told us: we have no money; we would then reply: fine, but we know the Commission does”.

Conventional wisdom notes that the long progress in the EU towards federalist-styled paths and institutional coherence has paradoxically increased internal complexity, which accounts for shortcomings in its international performance shortly after the entry into force of the treaty (Teló & Ponjaert, 2013; Marks & et al., 1996). The year 2011 was qualified as “annus terribilis” for the EU’s post-Lisbon foreign policy system, as the combined effects of the economic and Libyan crisis revealed internal dysfunctionalities, divisions, and weaknesses in the EU’s response to such crises.¹⁰³ Additionally, the treaty

¹⁰³ The internal divisions regarding Palestine’s application to UNESCO permanent membership (supported by France, rejected by Germany, with the abstention of the United Kingdom and Italy) were aggravated by lack of Franco-German unity in the Libyan crisis (Germany abstained, along with China, Brazil, and Russia, and did not participate in the intervention). The crisis raised questions regarding the Lisbon Treaty’s capacity to foster coherence among Member States and the EU’s international profile. The economic crisis also affected the EU’s international clout, as the eurozone passed from being depicted as an example of regional stability to the epicenter of the crisis (Teló & Ponjaert, 2013).

introduced new decision-making procedures which contributed to episodes of transatlantic tension: for example, the extension made by the treaty of the European Parliament's powers with regard to international treaties also became a contentious issue with the US, when the EU, at the behest of the European Parliament, refused to give consent to the so-called SWIFT agreement on banking data transfers on February 2010 (European Parliament, 2010, February 11). Although a sigh of relief in the US administration came when the European Parliament finally gave its consent to a new version of the agreement in July, it remained clear that the increased complexity of the post-Lisbon decision making process could leave the door ajar for undesired surprises.

The complexity factor is a horizontal one, which permeates different aspects of political dialogue between the EU and the US. For example, admitting that the US President's reluctance to participate in EU Summits has roots in a variety of causes -some of which have been referred to, like format, duration, perceived lack of deliverables, or low political profiles of the participants-, the relative complexity of the summit system, as it reflects that of the EU institutional framework, may also act as a deterrent on a US President. As explained earlier, a high official close to President Obama put it clearly: in 2014 President Obama experienced "bafflement" when he was "put in a room" with the Presidents of EU institutions. Of course, the absence of European Heads of State or Government -closer to the idea a US President may intuitively have of his formal European counterparts-, along with the low political profiles of the participating institutional figures, did not assuage such "bafflement". Nevertheless, the complexity of the whole construct did seem to have an impact on the President's psychology during the summit.

The complexity issue is also related to institutional processes conducive to appointments in the EU. Several interviewees considered that the low-profile appointments in the EU are products of complex balancing exercises that seek consensus between different countries. While this is generally true, appointment processes in the EU also have an underlying democratic rationale, which may not be *prima facie* evident from a US perspective. Comparative politics may come in handy for the elucidation of such rationale. An example is the election procedure of the President of the European Commission, modified over time. Since the Lisbon Treaty, the President

of the Commission is elected by the European Parliament¹⁰⁴ on the basis of a proposal made by the European Council by qualified majority, taking into account the results of the elections to the European Parliament.¹⁰⁵ This election procedure presents, broadly speaking, a common feature of parliamentary systems, absent in presidential systems: the election of the executive by the parliament. Even if it has been considered that the US and the EU are different species of the same genus of democratic model, “compound democracies”,¹⁰⁶ and despite the fact that the US federal system was an inspiration to the fathers of European integration (like Jean Monnet) (Smith & Steffenson, 2017), it remains clear that their institutional layouts are quite different.

The complexity of EU policy making was also raised by interviewees. An official who served in the National Security Council of the Trump administration referred, through simplified example, to the President’s “frustration” with the EU’s “unfathomable” policy-making processes:

Trump would be mad at the EU, for example because of its protectionist agricultural policy. He would tell President Macron: ‘If you don’t lower taxes on our products, we’ll increase taxes on European cars’. President Macron would reply that the issue is Germany’s problem, not France’s; and, on top of that, trade is an exclusive power of the Commission. Then President Trump would speak to President Juncker on the issue, and Juncker would say ‘sorry, I can’t get the French nor the Germans to do this’.

This led to a “constant and exasperating blame game”. Another interviewee stated that, “the EU is all about process, and in the US, there is low tolerance for that”. While it is irrefutable that the distribution of powers in the EU reflects the complexity of an unequalled supranational system of multilevel governance, scholarship versed in EU-US comparative politics has admitted that “the price of the preservation of internal complexity is external ineffectiveness” (Fabbrini, 2005:188). At the same time, however, certain EU policy making dynamics are obvious to the US because of their similarities with federal dynamics -for example, the allocation of common EU funding for the management of external borders of the EU. In a lecture given by the author at Harvard Law School, which addressed the negotiation of financial support from the European Commission for the management of the border between Spain and Morocco, a student

¹⁰⁴ The election of the President of the European Commission by the European Parliament became a parliamentary practice in 1983 as a result of the Stuttgart Declaration and was constitutionalized by its introduction into the 1992 Maastricht Treaty (Mangas, 1993).

¹⁰⁵ Article 17.7 of the Treaty of the European Union.

¹⁰⁶ Compound Democracies are those in which states agree to pool sovereignty within a larger integrated supra-state or supranational framework (Fabbrini, 2007).

from the US drew a parallel with federal funding for border control between Texas and Mexico.

An interviewee from the Trump administration signaled another source of “frustration” for the US, related to the institutional complexity factor: the divorce between economic policy (to a significant degree, in the hands of EU institutions, for example in the fields of trade and competition) and national security-foreign policy (in the hands of the Member States). This generates a conceptual dichotomy between two strategic policy domains which are closely linked from the perspective of the US, as well as a dysfunctional bifurcation in diplomatic interlocation: the same US officials would “deal separately with EU trade people, from the Commission, and EU foreign policy people, fundamentally from the Member States”. Another interviewee from the National Security Council referred to this division as “diplomatic schizophrenia”. One interviewee noted that the appointment of Ursula Von der Leyen, former German Minister of Defense, as President of the European Commission, initially raised mild expectations that a linkage may be possible in the EU at some point. There was not, however, unanimity on this point among interviewees. A former senior official from a past administration criticized the Trump administration’s determination to merge foreign policy with economy and attributed it to a desire to leverage gains from one to the other. According to this interviewee, such merging has not been always the case, as in other administrations both policy fields were kept, in principle, distinct. Somewhat paradoxically, these concerns come at a time when academic voices have put forward, among the many existing proposals for a differentiated Europe,¹⁰⁷ a “decoupling” of the EU into two organizations: an economic community based on the single market, and a smaller, more integrated political unity comprising the eurozone members (Fabbrini, 2019). Whether such hypothetical decoupling would deepen or resolve the aforementioned US frustration is a matter today of sheer speculation, but would seemingly depend, in principle, on the extent to which foreign and economic policies became more intertwined or dissociated.

Another issue flagged by certain interviewees is the potential downside, for transatlantic dialogue, of the High Representative’s administrative structure and powers

¹⁰⁷ See, for example, special issue of *Comparative European Politics*, Vol.17/2, 2019. (Comparative European Politics, 2019)

increased by the Lisbon Treaty.¹⁰⁸ As Commission Vice Presidents, post-Lisbon High Representatives have seen the scope of their responsibilities significantly broadened,¹⁰⁹ and coordinate ample administrative structures, which extend to 27 Commissioners with their corresponding departments and services, in all matters affecting foreign policy. They also steer the EEAS, with its central services in Brussels and over 140 Delegations around the world. Prior to the Lisbon Treaty, the High Representative was not supported by such structures and had a significantly narrower scope of political powers. While some interviewees considered that these enlarged means and powers constitute a positive step forward in the development of EU diplomatic capabilities, others identified potential risks: this administrative machinery may potentially “end up weighing down the High Representative”. This could diminish the autonomy of the High Representative, who, in the pre-Lisbon Treaty era, was “relatively unfettered from administrative structures”, and “freer” to pursue his own agenda. In this sense, High Representative Solana recognized that he preferred to have “forgiveness than permission. If you ask permission, you never do anything” (Financial Times, 2003, July 12).

Susan Rice¹¹⁰ underlined the active role of the High Representative as an interlocutor of the Secretary of State and indicated that High Representatives Ashton and Mogherini were “effective and respected”. Similarly, Nicholas Burns confirmed that the institutional figure of the High Representative “is taken seriously”. Certain strands of literature have indicated, however, that the post-Lisbon High Representative does not have the time nor the profile to act properly in the role as Commission Vice President (Telò and Ponjaert, 2016). Others have considered that the “triple-hatting” as Commission Vice President, chair of the Council, and head of the EEAS places the High Representative in a “vulnerable and even impossible position” (Hill, Smith, & Vanhoonacke, 2017:89) subject to opposing pressures from different institutions. While such considerations are subject to debate, and some interviewees viewed the linkage to the Commission as a

¹⁰⁸ As explained, since the entry into force of the Lisbon Treaty, the High Representative is simultaneously Vice President of the European Commission, chairs the Foreign Affairs Council of the Union, and is supported by the newly created European External Action Service.

¹⁰⁹ The post-Lisbon High Representative is responsible not only for coordination of foreign and defense policy -areas of fundamentally intergovernmental nature on which the pre-Lisbon High Representative was focused-, but also -as Vice President of the European Commission- for the external dimension of EU policies.

¹¹⁰ Susan E. Rice is currently the Domestic Policy Advisor in White House. She previously served as President Obama’s US Permanent Representative to the United Nations and National Security Advisor from 2009-2017. Previously, she served as US Assistant Secretary of State for African Affairs, Special Assistant to the President and Senior Director for African Affairs, and Director for International Organizations and Peacekeeping in the National Security Council at the White House from 1993-2001.

significant, albeit largely insufficient, progress towards coherence of the EU's external action portfolios, it is clear that enlarged administrative structures entail management challenges -as Kissinger knowingly wrote, "when the administrative machinery grows very elaborate, the various levels of the decision making process are separated by chasms which are obscured from the outside world by the complexity of the apparatus" (Kissinger & Wellings, 1977:147).

In a similar vein, several interviewees noted that clashes between the US administration and the European Commission on sensitive issues such as trade, taxation, or competition could potentially affect the relations with the post-Lisbon High Representative, being Commission Vice President. An example offered of such clashes is the EU "tax haven blacklist", proposed by the European Commission and adopted by the Council in December 2017.¹¹¹ This "blacklist" included American allies, such as United Arab Emirates and South Korea, and US territories in the Pacific, such as Guam (Toplensky, 2017, December 5). Interviewees confirmed that this initiative caused significant tensions. One interviewee underlined that such tensions over sectoral dossiers have, in the best of cases, "a chilling effect" on overall political dialogue. A different interviewee considered that, should the High Representative wind up mediating, on behalf of the Commission, in thorny sectoral negotiations, their political capital could be diminished if the final result of the negotiation is perceived in the US as unfavorable. On the other hand, another interviewee considered that the enlarged power of the post-Lisbon High Representative should be viewed as a "net positive", as it enables them to leverage in the Commission's dossiers. The interviewee pointed out that High Representative Solana's independence was "a plus as well as a minus" because his foreign policy approach was "parallel, but not comprehensive with the external dimension of the Commission's policies".

In any case, it is noteworthy that internal sources from the EEAS have underlined to the author that, in the past European Commission, the High Representative, in spite of being Vice-President of the Commission, "did not really decide on trade, fiscal, and competition issues, especially when the specific dossiers at hand had the potential of marring relations with the US". The loci of power, for example in the field of trade, were

¹¹¹ The blacklist was modified in 2019 (Guarascio, 2019, October 10).

the President of the Commission, along with his Chief of Staff;¹¹² the Vice-President and Commissioner for Jobs, Growth, Investment and Competitiveness;¹¹³ and the Commissioner for Trade.¹¹⁴ One of these internal European sources even stated that “when we got into a fight with a third country, the High Representative could even be accused on certain occasions, in Brussels, of defending diplomatically the natives [that third country]”. An example given of this was the negotiation of Comprehensive Economic and Trade Agreement (CETA), the EU-Canada agreement, which was all but hijacked by the regional Belgian parliament of Wallonia in 2016. Wallonia's socialist Minister-President Paul Magnette, driven to the left as Belgium's Marxist Workers Party of Belgium (PTB) party was making inroads into the core constituency of the socialist party, made of the CETA agreement the scapegoat of his anti-globalization campaign (Cerulus, 2016, October 21). Magnette kept the EU and Canada on tenterhooks as, in representation of 3.5 million people, Wallonia effectively blocked an agreement which would affect 500 million Europeans and 35 million Canadians. It took great efforts - including socialist affinities between High Representative Mogherini and the Walloon leaders- to save the day and unblock the situation, which was causing “distress” in Ottawa.

On another note, an interviewee from the Trump administration considered detrimental for transatlantic dialogue “the link between the EU’s technocratic structure and rising populism in Europe”. The interviewee stressed that EU technocracy worsens its effect as it raises issues of democratic accountability: “EU leadership unsuccessfully battles populism from within, technocratically. Have EU institutions grasped public sensitivity? Do Europeans feel represented by EU institutions? Which institution do people go to and who represents them? Does a Finn feel represented by a Spaniard in the Commission, and vice versa? It does not seem to us that EU institutions have learned how to deal with and respond to the cries of the people. For us, that weakens the credibility of EU institutions”. While such critique evokes the verses from *Les Misérables* sung by protestors against the TTIP in the College of Europe in 2015: “Do you hear the people sing? / Singing a song of angry men?” (Gardner, 2020:105), it is hardly new and solely applicable to the EU, as shown by widespread populism and cultural backlash from

¹¹² President Jean-Claude Juncker, from Luxemburg, and his Chief of Staff, Martin Selmayr, from Germany, at the time considered one of the most powerful agents in the European Commission.

¹¹³ Jyrki Katainen, former Prime Minister of Finland.

¹¹⁴ Cecilia Malmström, from Sweden.

administrative inertia and path dependence-induced bureaucratic interests (Norris & Inglehart, 2019). However, scholarship has warned that post-Brexit “sovereignism”, nurtured in the EU by “the holy alliance between nationalism and populism” (Fabbrini, 2019:65), must not be underestimated, requires more than business as usual, and affects diplomatic relations. When contesting “Love Europe, hate the EU” sentiments, post-Brexit EU needs to convincingly justify the value of institutionalized cooperation, both *ad intra* and *ad extra*, in addition to the cultural symbolism of supranationalism (Glencross, 2020). Admitting as incontestable that the force of administrative inertia and path-dependence may tend to reinforce bureaucratic interests, “sovereignism can be defeated only by a bold vision of Europe’s future, not by the defense of existing procedures” (Fabbrini, 2019:33).

6. CONCLUSIONS

“Be slow in choosing a friend, slower in changing” (Franklin, 1953).

Following a qualitative-quantitative sequential mixed methods research design, this PhD Thesis begins with a historical qualitative analysis of the transatlantic relationship, from the Clinton administration to the Trump administration. This qualitative historical analysis shows a deterioration in top-level political dialogue throughout the pre-Lisbon Treaty timeframe, which accelerated after the entry into force of the Lisbon Treaty. This is verified and expanded upon by the subsequent quantitative analysis, which exploits data referring to three behavioral measures: EU-US Summits, sectoral meetings, and US administration visits to Brussels. Additionally, findings confirm that: sectoral, lower-level meetings proliferated after the Lisbon Treaty but are not functionally equivalent to political dialogue through EU-US summits; in spite of the Lisbon Treaty, the presence of US administration in Brussels has declined. On the other hand, economic aspects of the transatlantic partnership have remained stable or even favorable, according to data on EU-US trade, FDI and WTO disputes, suggesting that economic and trade factors are not a valid explanation for the decline of the transatlantic dialogue.

The findings are subsequently triangulated with the ones collected from eight structured qualitative interviews with senior US government officials from four different administrations. The results of the triangulation indicate that, with regard to transatlantic dialogue, the Lisbon Treaty has not only underperformed; what is more, the implementation of its foreign policy institutions has also been counterproductive. This conclusion is consistent with what has been considered an “inverse relationship between institution-building and policy effectiveness” (Münchau, 2021, April 10). From the perspective of US foreign policy elite, three endogenous factors have inhibited the effectiveness of the post-Lisbon Treaty EU diplomatic framework for dialogue with US administration: political profiles of institutions holders, structure of EU-US Summits, and exacerbated EU institutional complexity. I ultimately conclude that the decline in EU-US political relations throughout the past decade has been *in spite of*, and also *because of* the Lisbon Treaty.

The analytical implications resulting from this PhD Thesis research provide touchstones for major theoretical frameworks used to explain European integration. From the perspective of historical institutionalism, the Lisbon Treaty institutions are still, in

broad terms, relatively recent: they took their first steps a decade ago, have not been driven by true international heavyweights, and continue today to gain momentum. In 2010, senior US Government officials referred to them as evolutionary, not revolutionary (Gardner & Eizenstat, 2010). Catherine Ashton stated in 2011: “we are at the beginning, not the end” (C. Ashton, 2011, June 14). Although over a decade has passed since those words, it can be argued that more time is needed for institutions to reach their full potential. Furthermore, following Heracle’s *πάντα ῥεῖ* -everything flows-, one could consider that the world in which the Lisbon Treaty was conceived -2002/2003, during the Convention on the Future of Europe, pervaded by debates on the 2003 Iraq invasion- no longer exists. Making allowance for “increasing returns”, inertia, timing and sequencing, and path-dependence, European integration is a process that indeed unfolds progressively over time (Pierson, 2000; Pierson, 1996). Institutions may be “pillars of civilization” -in words of Swiss philosopher Henri-Frédéric Amiel (Brinkley & Hackett, 1991)-, but their capacity to mould diplomatic conduct is limited by well-known EU structural constraints: system of distribution of powers, unequal levels of integration and voting methods in different policy fields,¹¹⁵ and steadfast intergovernmental inertia. These inbuilt limitations explain the historical contrast between the efficiency of, on one hand, exclusive and internal market policies, such as trade and agriculture; and, on the other hand, foreign policy actions, chiefly in the hands of Member States (Hill, Smith, & Vanhoonacke, 2017; Wallace, Polack, & Young, 2010). However, while the EU has thereby been considered “an astrategic actor” (Cottey, 2020), research findings provide reasons to believe that EU foreign policy instruments can be made more effective without changes in EU primary law, as changes in international society entail institutional evolution as well as shifts in leadership psychology.

From a liberal intergovernmentalism viewpoint, such structural limitations -while not in themselves barriers for cooperation between Member States in high politics-, underscore, as indicated in section II, the critical role of national preference in the EU’s evolution and the deployment of its institutions (Moravcsik, 2018; Howorth, 2014; Menon, 2011; Naurin & Rasmussen, 2011; Moravcsik, 1998). They also shed light on the shortcomings of the still developing institutions, the evolution of which may be explained

¹¹⁵ Voting methods in the Council range from qualified majority to unanimity. Qualified majority is considered the standard voting method; however, unanimity is still predominant for decisions adopted within the Common Foreign and Security Policy.

according to the three stages of European integration identified by liberal intergovernmentalism: domestic formation of state or government preferences, intergovernmental constellation of preferences and power which determine substantial integration outcomes, and the creation of EU-level institutions with their corresponding boundaries established by EU law and political checks both domestic and interinstitutional (Moravcsik, 1993; Moravcsik, 1998; Moravcsik, 1999; Kleine & Pollack, 2018; Schimmelfennig, 2018). These structural limitations give grounds for questioning whether institutional autonomy may be in reality significantly lower than posited by neofunctionalists with regard to supranational actors (Caporaso & Kim, 2016).

It has been argued that the EU's historical mission is to deliver Europe from Realpolitik, not be the vehicle for it (Toje, 2008); but nation-driven tactical games continue impinging on EU institution's actions, without prejudice to significant advances by Lisbon Treaty institutions -e.g., High Representative's role in the Joint Comprehensive Plan of Action (JCPOA) negotiation between Iran and the so-called P5+1+EU,¹¹⁶ as well as its effective roles as interlocutor with the US Secretary of State, as confirmed by Susan Rice and Nicholas Burns; EEAS activity throughout the world; the President of the European Council's coordination role in key foreign policy portfolios, such as Russia's annexation of Crimea, 2020 Belarus elections, and participation in G7 Summits. These achievements show that Lisbon Treaty institutions can and do deliver significant results for EU foreign policy. However, for the EU to compete effectively in global diplomacy, it needs to "get real" and truly empower the institutions it created. In line with applications of interactionist role theory and ontological security literature to EU engagement with third-party countries (Klose, 2020), this PhD Thesis concludes that *the way* in which post-Lisbon EU foreign policy institutions were implemented significantly modified the preexisting setting of EU-US bilateral consultations, establishing new frameworks and roles which have underperformed and affected negatively US diplomatic behaviour, reducing Washington's appetite for regular top-level EU-US political dialogue and leading to an unprecedented seven-year halt in the EU-US Summit system.

Admitting, from the perspectives of both historical institutionalism and liberal intergovernmentalism, that the tendency to appoint low-profile political figures reflects the structural nature and limitations of EU polity and may be quite difficult to surpass in

¹¹⁶ China, France, Russia, the United Kingdom, the US and Germany.

the short and medium term, it seems clear, in the light of the findings, that this tendency has curtailed the effectiveness of the Lisbon institutions on transatlantic dialogue. And, from a broader perspective, it seems equally clear that such tendency entails costs in terms of the EU's capacity of international interlocution and representation, the effectiveness of CFSP and CSDP, as well as the integration of its foreign policy. Being undeniable that, in Europe, foreign policy is primarily in the hands of Member States, and EU institutions have limited powers, it is also true that powerful personal leadership by EU institution holders may supplement and boost the effectiveness of such limited powers. The case of Javier Solana shows there is not necessarily a strict correlation between legal powers and political leadership -in a similar way to how in ancient Rome a distinction was drawn between *auctoritas*, wisdom socially acknowledged, and *potestas*, power legally conferred (Rich, 2012). It goes without saying that, both qualities not being mutually exclusive, they do not necessarily concur, the latter not entailing the former -and viceversa. History and literature offer other examples of how legal limitations within EU institutions may be overcome through political leadership based on *auctoritas*:

Despite the weakness of the Commission presidency before the 1990s, three incumbents have managed to transcend the limitations of the office. Hallstein, Jenkins, and Delors all made major contributions to the development of the European Communities. All three had intellectual firepower and an ability to command respect in the Council... (Kassim, 2012: 10).

In sum, it is true that EU foreign policy institutions lack full powers and that, frequently, the office defines the holder. But it is also true, following an old Jesuitic adage, that, on occasions, the holder that defines the office and elevates it, overcoming structural limitations through personal qualities.¹¹⁷

A starting point for addressing the low profiles inhibiting factor is for European capitals to not only acknowledge that strengthening the interlocution capacity of EU foreign policy institutions is in their interest, but also to allow political leeway for such strengthening. Rhetoric must give way to action, or at least permissive consensus. Inversely, national governments and public opinions must be aware that relatively

¹¹⁷ "Let your personal qualities surpass those of your office, let it not be the other way about. How-ever high the post, the person should be higher. An extensive capacity expands and dilates more and more as his office becomes higher. On the other hand, the narrow-minded will easily lose heart and come to grief with diminished responsibilities and reputation. The great Augustus thought more of being a great man than a great prince. Here a lofty mind finds fit place, and well-grounded confidence finds its opportunity" aphorism ccxcii (Gracián, 1925). The finest edition is arguably Gracián y Morales, Baltasar, and Miguel Romera-Navarro *Oráculo Manual y Arte De Prudencia* (Gracián & Romera-Navarro, 1954).

weakening or not optimizing such capacity of interlocution entails a strategic cost not only for the EU as such, but also for European capitals. The cost is higher when the institution has no explicit executive powers other than external representation -e.g. President of the European Council-, and such powers of representation, in absence of formal pooling of sovereignty by Member States, may rely more on *auctoritas* than on *potestas*-. The cost will depend also on other factors, such as skillful management of the role's duties, and is not a sure outcome -as explained, history affords numerous examples of improbable leaders that excelled. But diplomacy involves an inherent function of representation, and it is not plausible to dissociate representation capacity from socially acknowledged wisdom, reputation, and contacts (or lack thereof). Higher-level profiles that meet those characteristics bring to the table *strategic benefits* in the form of enhanced representation and capacity of interlocution in international forums, which lower-level profiles may take time to build up. Arguably, these strategic benefits outweigh *tactical benefits* of appointing low profile figures, which may be easier to control internally, but which have significantly less geopolitical weight, and thus may prove easier to control *also externally*, by non-European actors -Kissinger warned that "Increased control over the domestic environment is purchased at the price of loss of flexibility in international affairs" (Kissinger, 1966:144). Following the reasoning of liberal intergovernmentalism – "regimes do not supplant states; they strengthen them" (Moravcsik, 2018:1654)-, EU representatives should not be a mere formal spokesperson of aggregate Member States, and should give a strong, qualified voice both to the EU and its members. Interviewees agreed that this would make more feasible joint high-level diplomatic initiatives -like High Representative Solana's trip to the Balkans, along with Vice President Biden-, which contribute to policy coordination, and have a powerful impact in terms of public diplomacy.

The findings call attention to the strategic convenience of fostering initiatives that raise awareness on this issue within European institutions. In a similar way to how the so-called "Copenhagen Criteria" laid out the general standards EU candidate countries must fulfill,¹¹⁸ the appointment of the leaders of EU foreign policy institutions should also be

¹¹⁸ The Copenhagen Criteria were established by the Copenhagen European Council in 1993 and strengthened by the Madrid European Council in 1995. The criteria are: political (stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities), economic (a functioning market economy and the ability to cope with competitive pressure and market forces within the EU), and EU *acquis* (ability to take on the obligations of membership, including the

carried out according to certain basic criteria. In the relevant EU decision-making processes, serious consideration should be given to criteria of diplomatic expertise, political trajectory, and attested capacity of international interlocution of the candidates to lead EU foreign policy institutions. The “quota logic” (the balancing of appointments considering geographic origin, gender, and political affiliation, which characterizes EU institutional appointment processes), is not an obstacle for frank assessments of the strategic profiles of such candidates. Taking into consideration empirical data and historical experience, both from the pre-Lisbon and post-Lisbon period, the relevant debates in EU institutions should make a forthright evaluation of the suitability of the candidates. In sum, one could recall and apply to the EU what has been prescribed to the EEAS in its early days:

It must shake off bureaucracy, turf wars, self-interest and national interest (...) Until the European Union’s diplomats and European national diplomats ‘sing from the same hymn sheet,’ diplomatic effectiveness will be a hard call. The alternative will be more of what the Lisbon Treaty purported to change: inadequate coordination between EU policy sectors; inadequate coordination between EU Member States’ foreign policies and the ambitions of the EU institutions; inability to define the concrete aims of strategic partnerships or of key policies (...)— in sum, precisely the opposite of what the Lisbon Treaty intended (Spence, 2012:61).

The seven-year impasse in the EU-US Summit system is a diplomatic anomaly and merits reflection. Interviewees stressed the importance of adequately calibrating the substance of summits, as well as the attachment of political deliverables to the agenda, and focusing on issues where the US President’s time could be leveraged. Issues of scope and overreach also were raised. Nicholas Burns suggested limiting summit agendas to issues on which the EU has effective powers, and not forcing foreign policy issues at the level of Heads of State or Government but deferring them to ministerial levels (High Representative/Secretary of State). Similarly, Anthony Gardner considered focus should be on 1) geographic areas in which the EU can deliver added value, such as its neighborhood; and 2) strategic policy fields for transatlantic cooperation, such as trade, data, digital, sanctions, military, law enforcement, climate change, and humanitarian aid. Another interviewee recommended that summit agendas focus on the economic dimension of the partnership.

Most interviewees also considered that a change in format is necessary, and that it is naïve for the EU to dissociate Heads of State or Government from the summit system.

capacity to effectively implement the rules, standards and policies that make up the body of EU law, and adherence to the aims of political, economic and monetary union).

The interviewees were consulted on the feasibility of alternative, hybrid, and potentially more operational formats, that could include as participants both the Presidents of EU institutions and the Heads of State or Government. Most of them considered that, if their choreography were carefully calibrated to avoid long series of interventions, such hybrid formats, “could be an option”. For example, a possibility that was pitched to the interviewees, and that was deemed “interesting,” is a hypothetical European Council held in transatlantic format. This format would enable the President to participate in what is considered the pinnacle of political power in the EU and, “the new center of political gravity in European Union policy-making” (Puetter, 2014:3). On the European side, both Presidents of institutions and Heads of State or Government would be present. To keep the meeting agile, European interventions could be limited to the Presidents of the institutions,¹¹⁹ and the Member State who holds the rotating Presidency of the Council, who would intervene on behalf of the rest of Member States. On the US side, the President could attend the meeting with whoever he saw fit, e.g. members of his government and possibly external figures, such as the Secretary General of NATO, who in recent years has participated in certain sessions¹²⁰ of European Council meetings. And, of course, in the margins of such European Council, bilateral meetings and side events could take place, as has been customary in the history of diplomatic conferences.¹²¹ Interviewees underlined that it is in these bilateral meetings, held in the margins of the plenary sessions of summits, where “the really interesting things usually happen”.

Interviewees from the Trump administration offered as possible references the 2018 NATO Summit in Brussels, and the 2019 NATO Leaders’ Meeting in London, where several bilateral meetings took place, in the margin of the plenary session, between President Trump and European leaders. One interviewee pointed towards the EU-China Summit, announced for the German Presidency of the Council in 2020 -second semester-, and which initially envisaged joining Presidents of EU institutions and Heads of State or Government, with Chinese leadership: “if this works, perhaps we could do something

¹¹⁹ The President of the European Council and the President of the European Commission are both members of the European Council, as laid out in article 15 of the Treaty of the European Union. The President of the European Parliament is not, but it is customary for the members of the European Council to meet with him immediately before their meetings. The High Representative is not a member the European Council, but “shall take part in its work” (Article 15) and frequently participates in its meetings.

¹²⁰ Namely, in sessions on EU-NATO cooperation.

¹²¹ Charles-Joseph de Ligne, 7th Prince of Ligne, famously said, in reference to the numerous events held in the margins of the 1815 Vienna Congress, “*le Congres ne marche pas, il danse*” -the Congress does not move forward, it dances (Kreissler, 1973).

similar”. A “European Council in transatlantic format” or, for the sake of brevity, “Transatlantic Council”, could enable the US President to “kiss the EU ring”, as expressed by one of the interviewees, meet bilaterally with the European Presidents and Prime Ministers of his choice, and thus “kill several birds with one stone”. Such hybrid formats are but one possibility out of the kaleidoscope of options afforded by the ample boundaries of EU law. Needless to say, being legally feasible does not make something politically opportune, and diverse circumstances of political nature would need to be adequately gauged.

However, a “Transatlantic Council” would not assuage, at all, the “too many people at the table” critique, even if the interventions were limited and carefully calibrated. Several interviewees, from different administrations, emphasized that meetings with all the EU Member States are “very off-putting” for a US President, and should be “broken up in smaller groups”. One option, that could address this need to “get away from big meetings”, would be to organize European participation in summits in groups of rotating countries, structured according to different criteria -e.g. political and economic weight, geographic area, existing mechanisms of cooperation, population and geostrategic affinities. The objective would be a pragmatic one: to reduce the total number of European participants in the summits, while enabling the participation or formal representation of all Member States, in a format that could be attractive -or at least less dissuasive- for a US President. A squaring of the circle? Not necessarily, as shown by relatively recent developments: an internal source of the European External Action Service confirmed to the author that, in a 90-minute video conference on 16 June 2020 between Secretary Pompeo and the EU Ministers of Foreign Affairs, along with the High Representative, certain European interventions were organized according to geographical groupings or countries sharing common interests.¹²² Applying the same logic, new formats could be designed and implemented also for meetings at the top political level, to enable the US President to meet with his counterparts from the countries he is most familiar with, as well as representatives of other countries and EU institutions. European countries could be organized into groups determined by geographical and economic criteria, building upon, where appropriate, internal coordination mechanisms (e.g. Nordic Cooperation,

¹²² For example, Lithuania’s Linas Linkevicius spoke on behalf of all the Baltic countries and Poland (Herszenhorn & Barigazzi, 2020, June 15).

Baltic Assembly, Visegrad Group, Benelux and Group of Southern EU Countries). For example:

Group 1: Germany, France, Italy and Spain. These four countries would be present concurrently, as they are the principal EU economies, EU G4 (Gobierno de España, 2017, March 6; France 24, 2017, August 28) and the US's main interlocutors within the EU, as confirmed by the interviewees.

Group 2: Scandinavian and Baltic countries (Denmark, Sweden, Finland, Lithuania, Latvia and Estonia). These countries would rotate, and one would represent the rest; internal mechanisms could facilitate coordination (e.g. Nordic Cooperation and Baltic Assembly).¹²³

Group 3: Austria and Visegrad countries (Poland, Czech Republic, Hungary and Slovakia). These countries would rotate, and one would represent the rest; internal mechanisms could facilitate coordination (e.g. Visegrad Group and its close relations with Austria).

Group 3: Ireland and Benelux (Belgium, Netherlands and Luxemburg). These countries would rotate, and one would represent the rest; internal mechanisms could facilitate coordination (e.g. Benelux and its close relations with Ireland).¹²⁴

Group 4: Portugal, Greece, Malta, Cyprus and Slovenia. These countries would rotate, and one would represent the rest; internal mechanisms could facilitate coordination (e.g. Group of Southern EU Countries, also known as EU Med).¹²⁵

Group 5: Croatia, Romania and Bulgaria + EU candidate countries from the Western Balkans after accession (Serbia, Montenegro, Albania and North Macedonia). These countries would rotate and one would represent the rest; internal mechanisms could facilitate coordination (e.g. Common Regional Market, Central European Free Trade Agreement, Open Balkans).

¹²³ Nordic Cooperation is considered the world's oldest regional system of cooperation. It involves Denmark, Finland, Iceland, Norway, Sweden, the Faroe Islands, Greenland and Åland. Its main organisms are the Nordic Council of Ministers, and the Nordic Council for inter-parliamentary cooperation (Nordic Co-operation, 2019).

¹²⁴ Benelux was founded as a customs union in 1944. A series of agreements led to the Benelux Economic Union, established in 1958. In 2008, the cooperation was renewed under the name of The Benelux Union, with common institutions (Committee of Ministers, Council, Secretariat-General, Interparliamentary Consultative Council, and Court of Justice).

¹²⁵ France, Italy, and Spain also form part of the Group of Southern European Countries, which holds summits at the level of Heads of State or Government.

Under this scheme, summits would be between the US President and his delegation, and 9 European Heads of State or Government + the Presidents of the European Commission and European Council + the EU High Representative. In total, 12 European participants, instead of 30. All EU Member States would be represented, as well as the key EU institutions. An additional advantage of this system is that it would promote necessary internal coordination within the EU.

Additionally, institutionalism in EU-US summitry does not preclude flexibility when designing transatlantic diplomatic initiatives with third-party countries. The convenience of promoting joint EU-US informal high-level meetings, with countries that may present strategic interests for both actors, should also be assessed. Historical cases such as the Madrid Peace Conference of 1991-although hardly a success of EU foreign policy, since it underlined the absence of European input into the Middle East peace process-¹²⁶ do indicate that the organization of summits with potentially far-reaching consequences is, to a large extent, a matter of political will, diplomatic skill, and personal chemistry of the relevant promoters, underscoring yet again the importance of human agency. The role of the High Representative can be crucial to this end and will require previously establishing a personal rapport (forged through visits and constant telephone contact) with Washington, but also with the principal capitals of the EU and the rest of the world (as was the practice of High Representative Solana). It is to be expected that, should the High Representative's autonomy increase, so too will the misgivings of the major European capitals, and therefore it is crucial to maintain an ongoing relationship with them to inform them and obtain their feedback (as High Representative Solana did).

Reflections on summit formats are a mere addition to the much-needed brainstorming on possible diplomatic measures that could be carried out to avoid repeating the recent impasse in the EU-Summit system. For example, some measures that were suggested in

¹²⁶ The Conference, hosted by Spain and co-chaired by President Bush and Soviet President Mikhail Gorbachev, was attended by Israeli, Egyptian, Syrian, and Lebanese delegations, as well as a joint Jordanian-Palestinian delegation. For the first time, all of the parties to the Arab-Israeli conflict had gathered to hold direct negotiations -a historically unprecedented event. While the US continued to catalyze the diplomatic process in the 1990s, the Madrid Conference officially made the conflict's resolution and management a multilateral undertaking, thereafter engaging advocacy and financial support from individual European states, the EU, Canada, Japan, Saudi Arabia, and others. The Conference's long-term impact, however, was more limited than hoped. The ensuing Washington talks between Israeli, Syrian, Jordanian, and Palestinian representatives became, by 1993, deadlocked, and were overridden by secret Israeli-Palestinian and Israeli-Jordanian negotiations. Such negotiations generated the Israeli-Palestinian Declaration of Principles (the so-called "Oslo Accord") of September 1993, and the Israeli-Jordanian peace treaty of October 1994 (Rodriguez, 2011).

2019 to this end: convening a EU-US Summit that would announce a new special relationship, holding a White House state dinner for the Presidents of the European Commission and the European Council, organizing a speech of the President of the European Commission before a joint session of Congress, making Brussels the US President's first stop in Europe, and/or giving an address in the European Parliament (Bergmann, 2019, October 31).

Regarding the inhibiting complexity factor, the EU is indeed a sui generis political creature, inchoate and frequently misconceived in elite US policy circles. Madeleine Albright stated with exasperation that "to understand the EU, you have to be a genius or French" (Cottrell, 1999, October 21). Interviewees stressed that, in absence of simplifying institutional reform, smart and effective communication is essential. An effort must be made to intelligibly explain EU institutionalism, procedures, working methods, and limits derived from the unique constitutional nature that often curls up its foreign policy. This will be no easy feat -as historical institutionalists have reckoned, "the path to European integration has embedded Member States in a dense institutional environment that cannot be understood in the language of interstate bargaining" (Pierson, 1996:158-159). Moreover, the strategic nature of transatlantic dialogue, and its contribution to US security and prosperity, are not necessarily self-evident, should not be taken for granted, and must be thoroughly explained and convincingly justified. The tendency in European capitals to assume that the health of the transatlantic relationship is determined by the effort that a given US President invests in it, must be balanced with the view, in Washington, that the value of the transatlantic relationship reflects how relevant it is to US strategic interests (Niblett, 2013).

As for the linkage between the High Representative and the European Commission, no conclusive evidence was found of a correlation between the capacity of interlocution of High Representative and increased post-Lisbon Treaty administrative structures. Certain interviewees considered that "double-hatting" may have positive effects for transatlantic dialogue, but others signaled spillover risks associated with clashes between administrations -e.g. tax haven blacklist proposed by the European Commission. While the possibility of the High Representative's political capital being undermined by mediation in sectoral portfolios constitutes an area for further research, the administrative linkage between the High Representative and the Commission does not entail a *de jure* obligation of the High Representative to assume functions of technical mediation. It is a

question of political choice, personal style and/or strategic approach to functions laid out in the Treaties with ample margin of interpretative discretion.

The absence of epiphenomenal causality between EU-US political and economic relations in recent history should not lead to dismiss as irrelevant the demonstrated decline in political dialogue. Interstate relations do not just include economic portfolios. If this were the case, the US and China would be close friends, notwithstanding frictions that intense economic links entail as cross-border movements of goods and information commonly result in legal disputes (Efrat & Newman, 2016). Relations are also sustained by common values and cooperation on important non-economic issues, such as Justice and Home Affairs, climate, education, culture and many more, as indicated in the figure reflecting sectoral meetings. These issues -some of which have high relevance for national security-, are nurtured through political dialogue which, at the highest level, bring forward potential benefits that are obtained with greater difficulty at lower levels (as explained, top-level dialogue may unlock political breakthroughs obstructed at lower levels; adopt farther-reaching decisions; foster top-level interpersonal trust and relationships, especially important for crisis management dynamics; and give momentum to the development of inter-administrative networks for institutionalized dialogue).

The US has historically been the “significant other” of the European integration project in the international scenario (Hill, Smith, & Vanhoonacke, 2017). The decline in EU-US top-level political dialogue, confirmed by both qualitative and quantitative analyses, will have far-reaching consequences, as it entails a shift in power balances and security paradigms that have been at the basis of international order since the end of World War II. In an age in which great powers are increasingly preoccupied with political and economic relations with the many emerging global players, this preoccupation seems to be leading to a dangerous combination of greater mutual indifference and competitive rifts across the Atlantic (Niblett, 2013). One of the interviewees, from the Trump administration, considered that the EU should aim at establishing itself “as a platform for joint action, for addressing common challenges such as China, as opposed to a theater of competition”. The risk of becoming a theater of competition instead of a platform for joint action has been a constant US fear since the end of the Cold War. This great power competition, inherent to the international system, must not inhibit the capacity of the two actors to cooperate when addressing global crises, like the ones that have scarred the past decade -economic and financial, immigration and refugees, and COVID-19.

These crises have disclosed in broad daylight structural limits of the EU as a political actor. The limited legal powers of the EU -in economic policy, immigration and asylum, and public health- have impeded comprehensive and swift responses to implacable challenges that offer no grace period nor clemency for belated decision-making. In the face of crisis, the EU is trapped, owing to its limited powers -precisely in the policy fields where powers are more necessary. Furthermore, these limited powers have been frequently bogged down by divisions and skirmishes among Member States -as patently highlighted in the initial phase of the COVID-19 crisis, but also in the euro crisis and the immigration and refugee crises. This bogging down has been possible, among other reasons, because the scope of these limited powers has been historically moulded in the light of the concept of “downward exclusionary subsidiarity” -adopted in the 1992 Birmingham European Council and codified later in the Maastricht and subsequent Treaties-, which restricts European action when national or subnational action is deemed more efficient.¹²⁷ It is this "downward exclusionary subsidiarity" what gives sense to the principle of subsidiarity enshrined in today's EU law -this principle can be defined by the adage, “it is necessary not to act, when it is not necessary to act”.¹²⁸ An “upward exclusionary subsidiarity” -which would restrict national action when European action is considered more efficient-, was rejected in the negotiation of the Maastricht Treaty, and would have enabled more comprehensive EU responses to recent crises. The author fully agrees with an eminent scholar who was pointed out that the politics of upward subsidiarity are as necessary as they are daunting.¹²⁹ It seems clear, withal, that the EU

¹²⁷ An episode which contributed to the crystallization of this concept of subsidiarity is the negotiation in the late 1980s of the program COMETT 2, a vocational training and cooperation program for technology from 1990-1994 in the framework of the then European Community. When the relevant Vicepresident of the Commission, the Spaniard Manuel Marin, proposed an increase in funding for the program, several countries (Germany, France, Netherlands, Denmark, and the United Kingdom) opposed the proposal, which had been made in accordance with article 128 of the Treaty of the European Community, requiring unanimity. In a bold move, Vicepresident Marin switched to a different legal basis, article 235, which required only simple majority. The Greek Presidency of the Council of 1988 accepted his legal basis -as did the Court of Justice when Germany filed a complaint. However, the seed of discord had been sowed, and Germany -pressured by its Länder, and intent on redrafting article 128 to dilute Community competence and stop the competence spill-over process from vocational training to education- pushed forward the creation of “complimentary” or “supplementary” powers in the field of education, vocational training and science. “Downward exclusionary subsidiarity” became the norm, excluding European action when national or subnational action is deemed more efficient -except, of course, in the EU's exclusive policies, such as trade or the customs union. (Gori, 2001)

¹²⁸ The legal definition can be found in article 15.3 of the Treaty of the European Union: Under the principle of subsidiarity, in areas which do not fall within its exclusive competence, the Union shall act only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States, either at central level or at regional and local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level.

¹²⁹ Jolyon Howorth, in email correspondence with the author.

has not been able to overcome its original founding alliance, the European Economic Community; the rest of the policy fields are, by and large, still in the hands of the Member States. For example, in accordance with EU Law, throughout the initial stages of the COVID-19 crisis, the EU's action *supplemented* the actions of Member States, the main decision-making agents in the crisis. Moreover, the EU's action and limited legal powers, were not *supplemented* politically, by strong transnational leadership within EU institutions.

Strong, Europe-wide leadership would have compensated, to a certain degree, the absence of broader legal powers in the EU, would have surely given more clout to the EU's response, and would have pushed forward more determined action in the management of the crisis. Strong leadership in the EU would have probably facilitated transatlantic dialogue on COVID-19, the lack of which has been manifest and rightly criticized (Gardner, 2020). It seems an irony of history that the 1995 NTA called for the implementation of an effective global early warning system and response network for new and re-emerging communicable diseases, and to increase training and professional exchanges in this area. Distinguished voices have considered that soon will come the time to “dust off the NTA and breathe life into its recommendations”, for example to foster joint research, exchanges of medical experts, sharing of data sets, joint investment in manufacturing facilities for critical equipment, the creation of a joint playbook on responses to future outbreaks, and an agreement to eliminate tariff and non-tariff barriers to transatlantic trade in goods useful for combating pandemics (Gardner, 2020, April 21).

At any rate, paraphrasing Kissinger's apocryphal quote, who does the US call to coordinate actions in the face of the next pandemic? The Commission? This option may not seem entirely satisfactory, as the EU per se has limited powers in public health. Certain Member States? This option would also be unconvincing, as Member States do not have the power nor the legal mandate to coordinate measures among the rest of their peers. The President of the European Council? The coordinating role -or lack thereof- of this institution during the COVID-19 crisis has been criticized, and the leadership of its President has not impressed Washington, according to the interviewees. A possibility raised by one interviewee is to promote in Europe the creation of special envoys, high representatives, or ambassadors-at-large, to act as references or focal points for specific crises. For such exercise to work, the interviewees considered that the high representatives would need to be high-profile, respected figures, who could effectively

coordinate *ad intra* -creating strategic unity within EU institutions and Member States-, as well as *ad extra* -acting as effective interlocutors of authorities of third-party countries. The current European Emergency Response Coordinator is Janez Lenarčič, the Slovenian Commissioner, an experienced diplomat albeit relatively unknown outside technocratic circles. The case of Solana demonstrates that heavyweight coordinators are not at all pipe dreams. More recently, and in a completely different context, the appointment of Michel Barnier as “Mr. Brexit”, and his effective role as chief negotiator on behalf of the EU, similarly proves that, when the EU is really committed to an endeavor and gets its act together, it can deliver. Does the EU need more Barniers or Solanas? The question is far from rhetorical, and its importance goes beyond transatlantic dialogue: if the US has trouble grasping the rationale and functioning of the EU as an international actor, it could well be presumed that other great powers, such as China or Japan, may have similar issues. The EU faces a credibility test not only before the US, but also before the rest of the world.

Interviewees agreed that revisiting transatlantic dialogue and focusing on the holistic effectiveness of post-Lisbon EU foreign policy institutions specifically for transatlantic dialogue, is timely and momentous. As highlighted at the onset with regard to transatlantic coordination within the G20, enhanced EU-US coordination may increase the diplomatic weight of both actors’ actions. Scholarship underlines that such coordination is in the interest of both actors, and would increase the resonance of the transatlantic voice, more than fragmented initiatives by US-European coalitions of the willing (Niblett, 2013). This logic applies also to top tier cooperation, owing to singular benefits of summit diplomacy, which outweigh its drawbacks. By contrast, a well-known counterargument -the pragmatic shrewdness of which is out of the question- is that when the US deals with European Member States individually, it has the possibility of consulting and influencing at many levels, well before a decision is taken; in contrast, in dealing with the EU as such, the US is excluded from the decision making process and interacts only after the event (Kissinger, 2002). A recent example of such reasoning could be the US sanctions against Nordstream 2, a pipeline supported by Germany but not by Poland and other Eastern European countries. This could lead to what may be considered strengthened differentiated transatlantic dialogue, determined by a subset of EU Member States that decide to cooperate more closely with the US in certain policy areas (Leuffen, 2013). Be that as it may, the interviewees agreed that European collective action on issues of

common transatlantic interest, effectively harnessed through the EU, is ultimately in the interest of the US, without prejudice to bilateral diplomatic actions by EU Member States with the US in those cases where a common European interest may be today unachievable. A convergence is thus needed, as has been called for in the past (Chopin, 2011), between three poles: Washington, Brussels and European capitals.

It is believed that Brexit will complicate EU-US political dialogue, as the UK has been historically one of Europe's main strategic links to the US. Admitting this link as an incontestable fact, it is also true that, generally, the UK has not facilitated dialogue between EU institutions and US administration. London has traditionally reserved this undertaking for itself, alluding to its "special relationship" with the US to justify its preeminence in leading transatlantic dialogue. In particular, this approach permeated the works on foreign policy of the Council of the EU and was known among European diplomats as the "hands-off philosophy in transatlantic dialogue". In post-Brexit Europe, the EU will have to make virtue of necessity, and -in what might be considered a diplomatic coming of age-, will have to take the reins of its dialogue with the US an opportunity beckons for the EU to further develop its institutions and diplomatic capabilities (Renedo, 2021).

Swiss philosopher Henri-Frédéric Amiel (1821-1881), whose ideas influenced the thinking of Jean Monnet, considered the following:

Each man's experience starts again from the beginning. Only institutions grow wiser: they accumulate collective experience; and, owing to this experience and this wisdom, men subject to the same rules will not see their own nature changing, but their behavior gradually transformed. (...) It is institutions that govern relationships between people. They are the real pillars of civilization. (Brinkley & Hackett, 1991:21).

Under this logic, more fluid and constant dialogue, institutional and political, between the EU and its strategic partners, could be fostered by the further development of the Lisbon Treaty institutions, as they become more efficient and dynamic. This PhD Thesis argues that, with regard to EU-US political relations, a higher degree of effectiveness in the deployment of the Lisbon Treaty institutions is possible through the reforms outlined in this section. The analysis carried out herein is by no means intended as a conclusive diagnosis, but as a step toward a more advanced understanding of certain factors which may restrict the effectiveness of the institutions in promoting transatlantic dialogue. Among the factors identified, arguably the most salient one is strong personal leadership in EU institutions, the lack thereof has contributed clearly to Brussel's underperformance

in its foreign policy and interaction with regard to Washington. In the opinion of the author, strong leadership could 1) attenuate the negative effect on transatlantic dialogue of the other identified factors -dysfunctionalities in summit formats and complexity of the whole EU construct-, and 2) drive forward the political decisions necessary to effectively address such factors.

The EU needs, perhaps more than ever, strong institutions and leadership -defined as the ability to help people frame and achieve their goals (Nye, 2020, May 7). The dilemma underlying in the appointments of European institution holders resonates with the classic Weberian distinction between “leaders”, who move the wheel of history, and “administrators”, who move the wheel of bureaucratic machinery (Weber, 2004).¹³⁰ In a time of uncertainty and rising critique, does the EU need compelling leaders, effective administrators, or both? Are “transactional leaders” -who steer through situations with business as usual- compatible with “transformational leaders -who try to reshape the situations in which they find themselves? (Nye, 2020, May 7; MacGregor, 2010; Bass, 1985). In the opinion of the author, they are perfectly compatible, in similar logic to that of the biblical proverb *Caesar caesari, deo dei* -that which is God's, to God; that which is Caesar's, to Caesar. In any case, the transformational style of leadership has been considered crucial for developmental states (Manning, 2001). Such logic may well apply to the EU, a project integration in development since the 1950s, with high economic weight albeit significant political dysfunctions. Moreover, in line with recent applications of democratic theory to explain the EU legitimacy crisis, the predominance of transactional administrators at the helm of EU diplomatic institutions raises questions on the quality of three identified components of EU legitimacy in the fields of CFSP and CSDP: “Output” legitimacy, related to policy effectiveness and performance; “input” legitimacy, referred to political representation and responsiveness; and “throughput” legitimacy, associated to the quality of the governance processes (Schmidt, 2020).

In sum, admitting the validity of the argument that the tendency to appoint low-profile figures is today quasi-structural and difficult to overcome because of Realpolitik, it is not written in stone that this must remain unchanged in the future. As stated previously, the historical mission of the EU is to deliver Europe from Realpolitik (Toje, 2008), facilitating the achievement of absolute gains. It is also true, of course, that the EU has to

¹³⁰ For a similar distinction from the perspective of US politics, see Skowronek, Stephen. *The Politics Presidents Make: Leadership from John Adams to George Bush*. (Skowronek, 1993)

deal effectively with the world as it is, not as it wishes it to be (Borrell, 2020, February 8). It is increasingly clear that, if the EU wants to compete effectively in the world of the 21st century, it needs to truly empower the institutions it has created. If and when Member States -their governments, their parliaments, their public opinions- realize that it is in their own interest to do so, they may make the great leap forward.

The EU has historically been forged through crises, the cathartic effects of which can heuristically promote such realization among societies. Scholarship, institutions, and far-looking diplomacy should endeavor to accelerate this process, with patience but with unwavering determination, smart pedagogics, and strategic communication¹³¹ (Cederman, 2001), undeterred by the prophets of the unachievable. Nelson Mandela emphasized that, “it always seems impossible, until it is done” (Zimmer, 2016:5). History has, after all, a way of surprising mankind and shaking off assumptions that had been taken for Parmenidean immutable realities. And one must not forget that changes in international society, like the ones unleashed by COVID-19, may entail institutional evolution, as well as changes in leadership psychology (Middelhaar, 2019). As Stanley Hoffmann indicated five decades ago, “international institutions, in their political processes and in their functions, reflect and to some extent magnify or modify the dominant features of the international system” (Hoffmann, 1970:790). Guided, in education and profession, by a Heraclitan view of world politics, the author hopes, as a firm believer in the strategic benefits of European integration, that someday, in the not-too-distant future, the necessary political decisions will be made to allow EU foreign policy institutions to reach their potential. Hope is not a strategy, but without it, Europe - as we know it- would not exist.

¹³¹ Education and media have been considered key identity-conferring mechanisms.

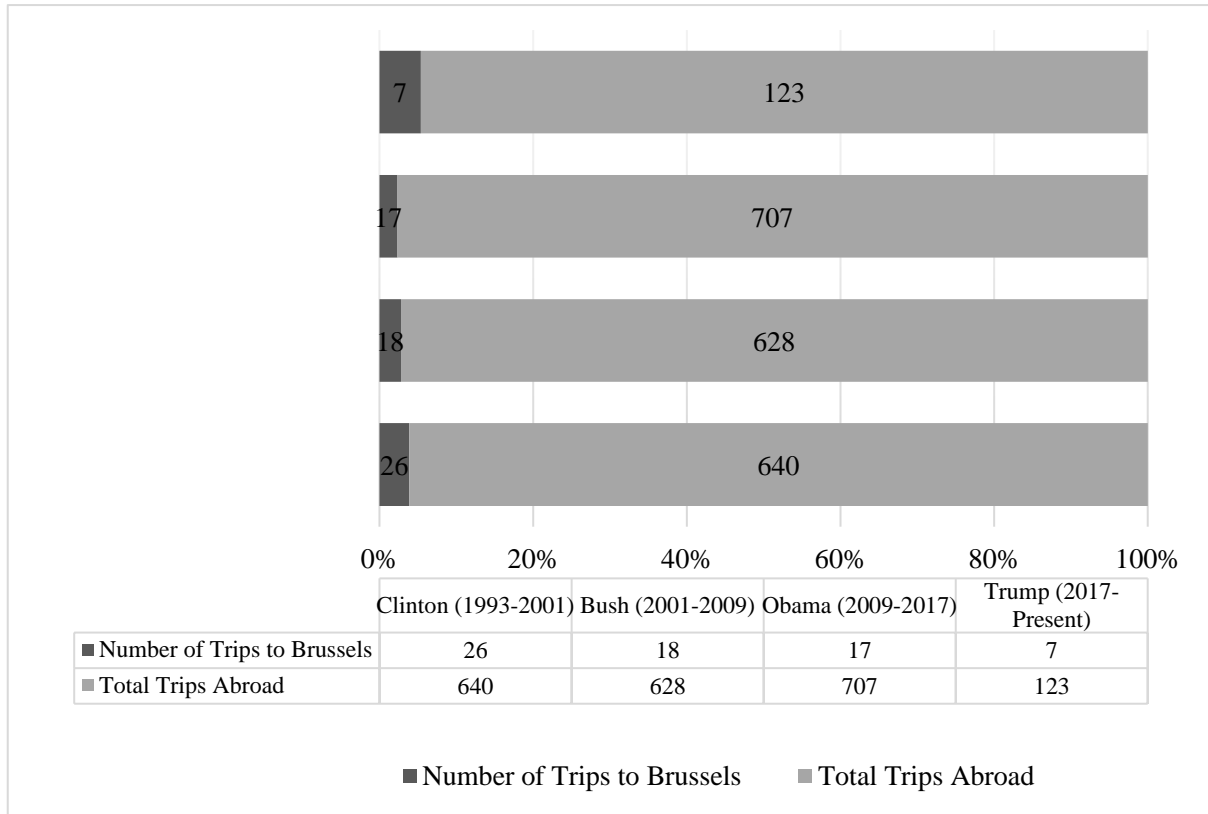
7. DATA LIMITATIONS AND SUGGESTIONS FOR FURTHER RESEARCH.

Significant data limitations affected the ability to collect information on transatlantic dialogue. Specifically, the EU does not keep a public, historical record of visits of leaders of EU institutions (Commission, European Council, and High Representative) to the US. This limited the data to official travel records of the US Presidential Archive, Department of State Office of the Historian, as well as press statements and communiqués. While this data was systematic, it was incomplete since it mainly includes meetings with Heads of State or Government and does not usually include EU institution leaders. With that constraint in mind, the data still yield important conclusions. Further studies should attempt to quantify meetings between the US President and EU institution leaders. I acknowledge that this would be no easy feat as my own attempts to quantify this exact relationship stumbled upon many issues without known present-day solutions. It is my hope that future advances in algorithms to aggregate data and better recording practices by administrations may yield successful quantification in the future. Another endeavor further research could pursue -and which is not the purpose of this PhD Thesis- is causal analysis of the structure, fluctuations, and spikes in the data findings represented in the graphs. Additionally, those interested in US political dialogue with EU Member States - which is not the focus of this PhD Thesis either-¹³² can refer to the Annex, that contains aggregated data on visits by US administrations to EU Member States.

¹³² The article analyzes dialogue between the US and the EU *as such*.

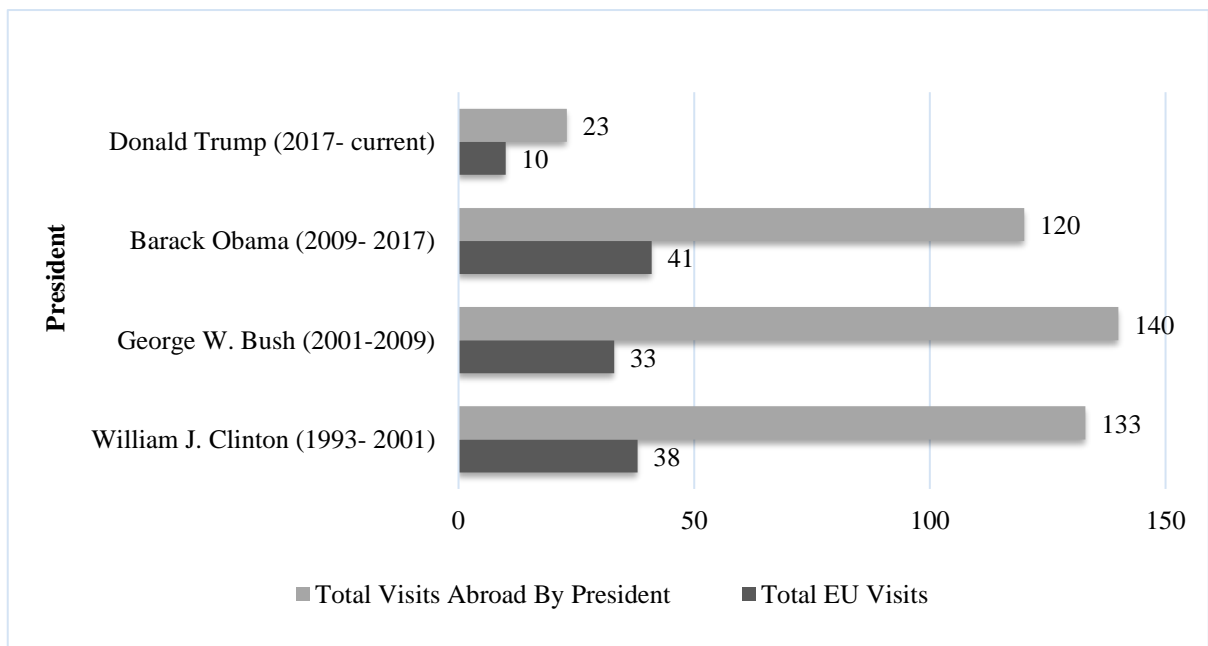
8. ANNEX

Figure 7: Visits to Brussels as a Percentage of Visits Abroad by Administration



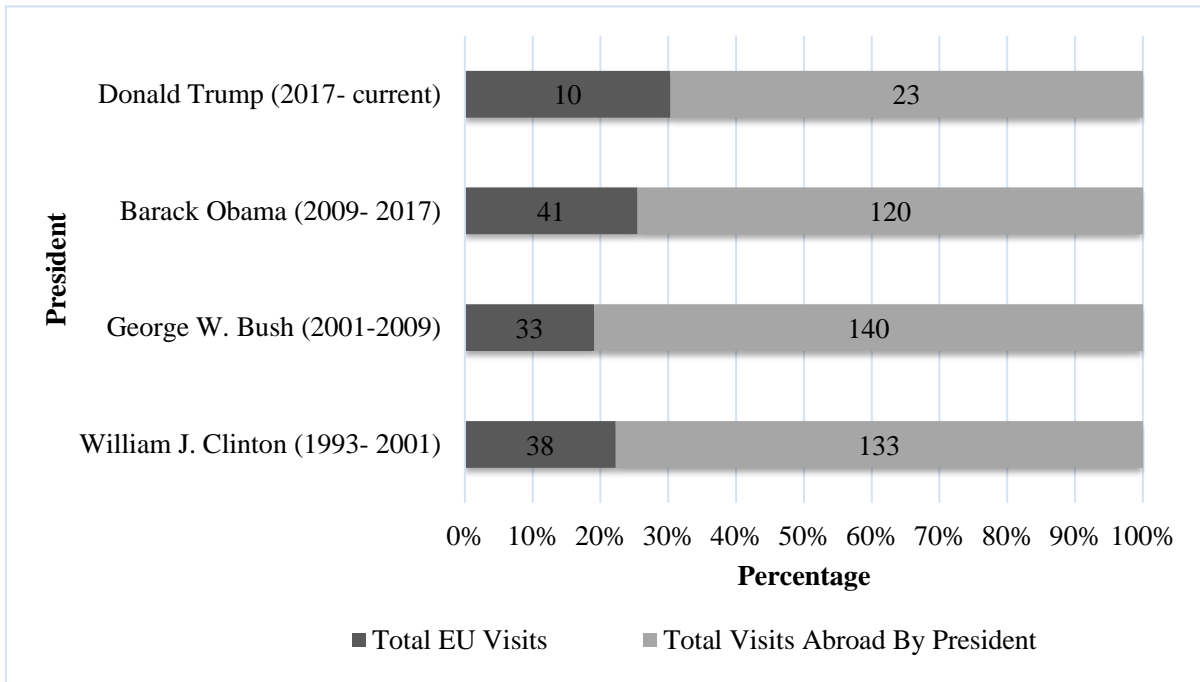
Source: Author's own elaboration from State Department Office of The Historian.

Figure 8: Official Presidential Visits to the EU Member States



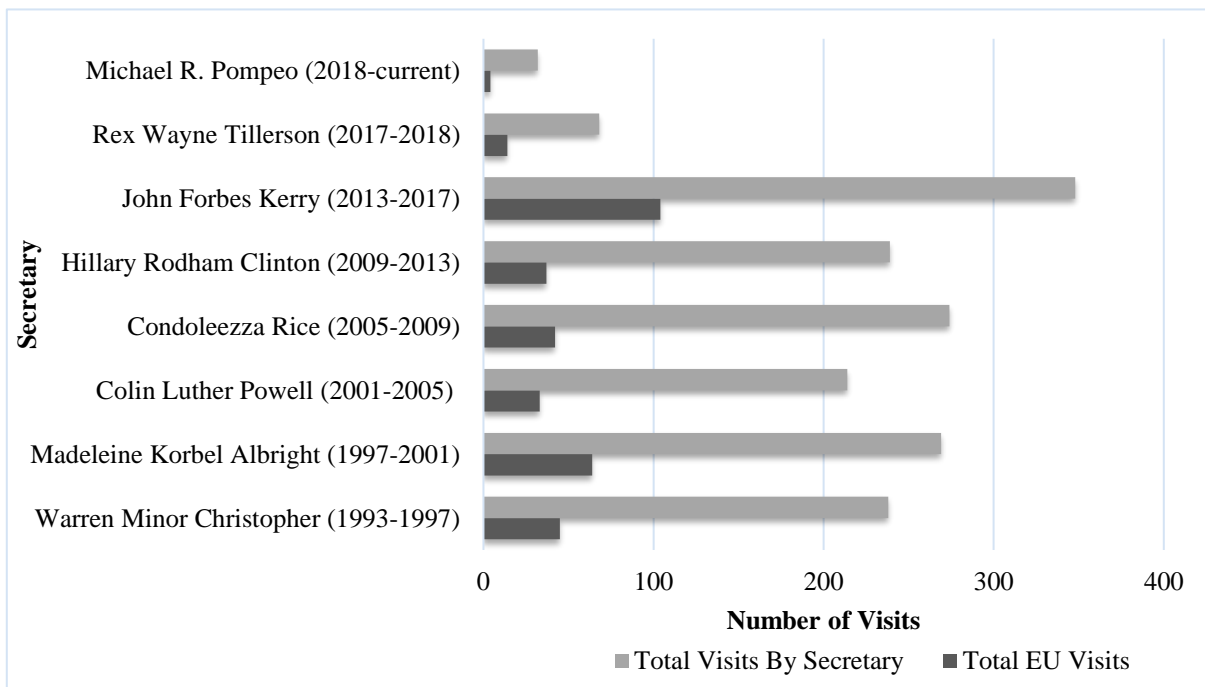
Source: Author's own elaboration from State Department Office of The Historian.

Figure 9: Presidential Visits to EU Member States as percentage of total travel abroad



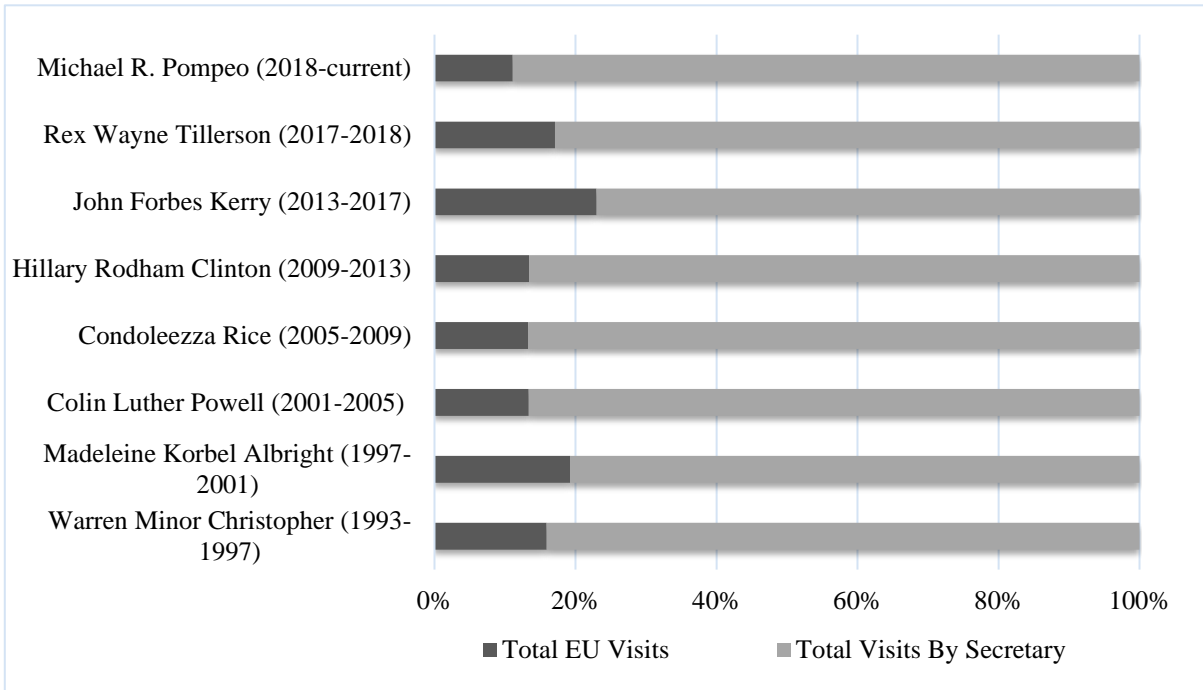
Source: Author’s own elaboration from State Department Office of The Historian.

Figure 10: US Secretary of State Official Visits to the EU



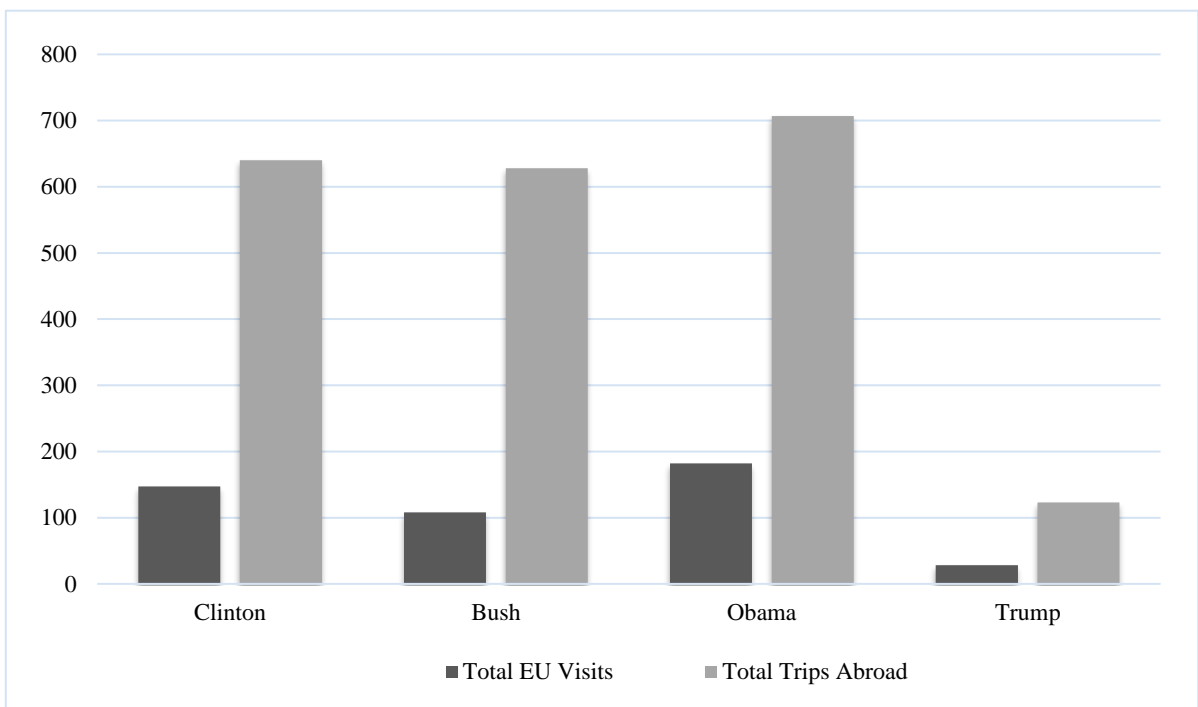
Source: Author’s own elaboration from State Department Office of The Historian.

Figure 11: US Secretary of State Visits to EU versus total trips abroad



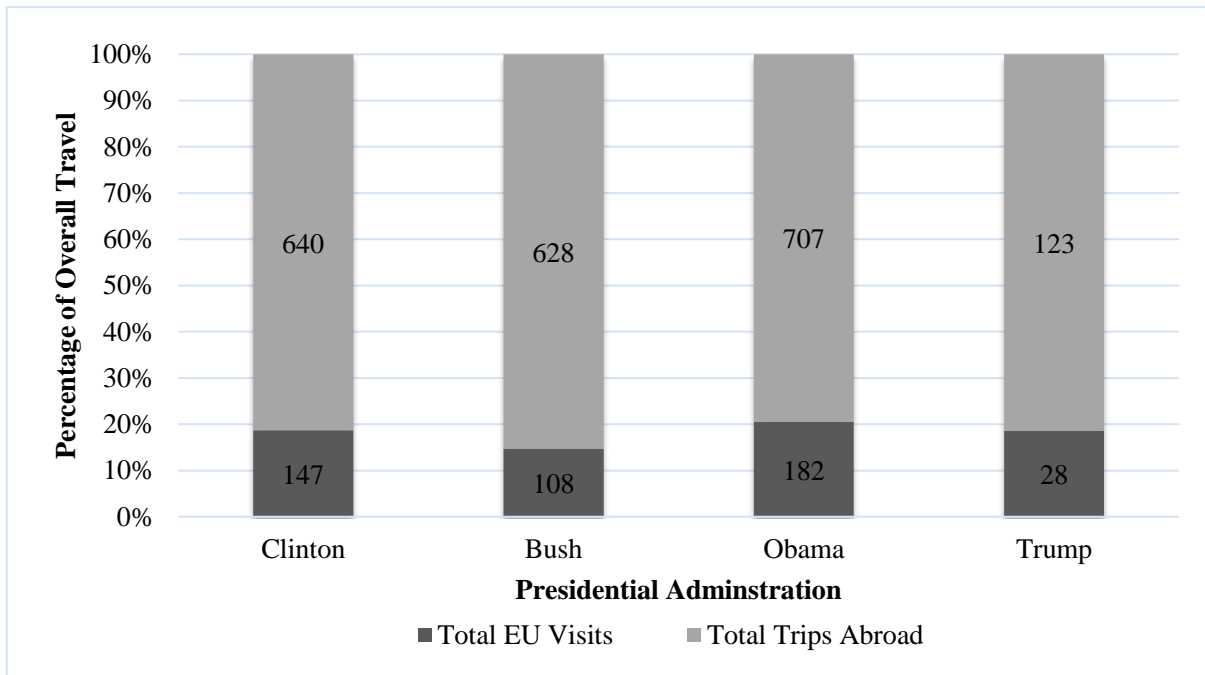
Source: Author’s own elaboration from State Department Office of The Historian.

Figure 12: Administration Visits to EU Member States



Source: Author’s own elaboration from State Department Office of The Historian.

Figure 13: Administration Visits to EU Member States as a percentage of overall travel abroad



Source: Author's own elaboration from State Department Office of The Historian.

9. RESUMEN Y CONCLUSIONES EN ESPAÑOL

RESUMEN

El desarrollo de estructuras institucionales no conlleva necesariamente una mayor efectividad en la interlocución diplomática. Tanto factores exógenos como endógenos pueden impedir interacciones fluidas entre actores internacionales, a pesar de aparatos diplomáticos reforzados. Un análisis del declive en el diálogo político entre Estados Unidos (EEUU) y la Unión Europea (UE), a lo largo de la última década, apoya empíricamente esta consideración. A pesar de que la UE cuenta con la panoplia más extensa de instituciones de política exterior de su historia, no se ha evitado un declive en las relaciones políticas transatlánticas. Es más, el declive se ha acelerado desde la creación de tales instituciones por el Tratado de Lisboa. Trece años después de la entrada en vigor del Tratado y la implementación de sus instituciones de política exterior, sin precedentes en la integración europea, una evaluación de su efectividad para el diálogo transatlántico es oportuna y necesaria. ¿Qué ha significado el Tratado de Lisboa para el diálogo político entre la UE y EEUU? ¿Por qué el Tratado de Lisboa ha sido ineficaz para fortalecer las relaciones políticas entre la UE y EEUU y evitar crecientes desavenencias transatlánticas a lo largo de las diferentes crisis de la última década, como la COVID-19? Con el objetivo de abordar dichas cuestiones, esta tesis doctoral 1) analizará la relevancia del Tratado de Lisboa para el diálogo transatlántico, 2) trazará una relación entre el declive del diálogo político de alto nivel UE-EEUU y la implementación de las instituciones de política exterior creadas por el Tratado de Lisboa, y 3) analizará los factores que han inhibido la eficacia del aparato diplomático de la UE para prevenir tal declive, cuyas consecuencias son claves para la dimensión de seguridad de la relación transatlántica: este complejo contexto de declive marcará, en definitiva, el desarrollo de la OTAN y de la Política Común de Seguridad y Defensa (PCSD) de la UE en los próximos años y décadas.

PALABRAS CLAVE: Diplomacia, Relaciones Transatlánticas, Tratado de Lisboa, Seguridad, Defensa.

INTRODUCCIÓN

El Tratado de Lisboa entró en vigor el 1 de diciembre de 2009. Con objeto de impulsar el papel de la UE como actor global y reforzar su capacidad de interlocución con socios estratégicos en el escenario internacional, el Tratado introdujo las siguientes innovaciones jurídico-institucionales: un Presidente permanente del Consejo Europeo, un reforzado Alto Representante de la Unión para Asuntos Exteriores y Política de Seguridad, un Servicio Europeo de Acción Exterior (SEAE) y la atribución expresa a la UE de subjetividad jurídica internacional propia. Estas innovaciones no han resuelto la complejidad del marco institucional de política exterior de la UE, considerado policéntrico y multinivel (Grzeszczak & Karolewsk, 2012; Wallace, Polack & Young, 2010), pero constituyen hitos institucionales y piezas claves del aparato diplomático de la UE más extenso hasta la fecha (Koops & Tercovich, 2020; Aggestam & Hedling, 2020; Hill, Smith & Vanhoonacke, 2017; Spence & Batorá, 2015; Howorth, 2014; Teló & Ponjaert, 2013; Balfour & Raik, 2013; Howorth, 2011).

Sin embargo, el desarrollo de estructuras institucionales no conlleva necesariamente una mayor efectividad en la interlocución diplomática. Tanto factores exógenos como endógenos pueden impedir interacciones fluidas entre actores internacionales, a pesar de aparatos diplomáticos reforzados. En el caso de las relaciones transatlánticas, se viene aceptando que dicho declive se debe fundamentalmente a factores exógenos, algunos de naturaleza estructural, analizados exhaustivamente por la literatura: el fin de la guerra fría y del “cemento cohesivo” del bloque transatlántico (Chopin, 2011; Shapiro & Witney, 2009, November 2; Goldberg, 2009, November 10); el viraje hacia el Indo-Pacífico de la diplomacia estadounidense (Small, 2019, April 3; Pompeo, 2018; Nye, 1997; Jain, 2018; Sendagorta, 2019); el impacto colectivo en la relación de las múltiples crisis en la década de 2010 y los planteamientos diferenciados por parte de la UE y EEUU para afrontar dichas crisis (Riddervold & Newsome, 2018), e.g. económica y financiera, migratoria y de refugiados, invasión rusa de Georgia y anexión de Ucrania (Kaiser, 2019, January 23), Brexit, aumento de las corrientes populistas y nacionalistas (Norris & Inglehart, 2019; Fabbrini, 2019); y la hostilidad hacia la UE y el multilateralismo por parte de la administración Trump, entre otros (Smith, 2018).

En este contexto marcado por múltiples factores de declive, es preciso analizar el rendimiento específico para el diálogo transatlántico de las instituciones de política

exterior establecidas por el Tratado de Lisboa hace trece años, a fin de identificar posibles factores endógenos de ineficiencia que hayan podido contribuir asimismo al declive. Dicho análisis no ha sido brindado por la literatura y resulta oportuno dado el carácter estratégico de la asociación transatlántica: la UE y EEUU representan a más de 778 millones de ciudadanos¹³³, el 50% del consumo personal global, un tercio del PIB global (en términos de poder adquisitivo), 5,6 billones de dólares en ventas comerciales por año, el 75% del contenido digital producido globalmente y los flujos de datos de mayor volumen y velocidad del mundo¹³⁴. Sus valores comunes —democracia liberal, derechos humanos y Estado de derecho— se consideran cimientos de la civilización occidental, y la cooperación a través de la OTAN -la mayoría de cuyos miembros también son miembros de la UE- es la piedra angular del sistema transatlántico de seguridad (Sloan, 2016).

Además, un análisis específico de la relación entre el Tratado de Lisboa y el diálogo transatlántico cobra especial relevancia a la luz del declive acelerado en el diálogo de alto nivel UE-EEUU registrado precisamente desde la entrada en vigor del Tratado (Renedo, forthcoming 2022). Por todo ello, trece años después de la entrada en vigor del Tratado de Lisboa y la implementación de sus instituciones de política exterior, sin parangón en el proceso de integración europea, una evaluación de su efectividad para el diálogo transatlántico es oportuna y necesaria.

OBJETO DE INVESTIGACIÓN, METODOLOGÍA Y REVISIÓN DE LITERATURA

Esta tesis doctoral abordará dos preguntas de investigación claves:

- 1) ¿Qué ha supuesto el Tratado de Lisboa para el diálogo político de alto nivel UE-EEUU?
- 2) Desde la perspectiva de EEUU, ¿por qué las instituciones del Tratado de Lisboa han sido ineficaces para promover el diálogo político de alto nivel entre la UE y los EEUU?

¹³³ Después del Brexit, la UE tiene 447 millones de habitantes (European Union [EU], 2021, January 1) y la población de EEUU el 1 de enero de 2021 fue de 331,696,751 (US Census Bureau, 2021).

¹³⁴ Los flujos de datos transatlánticos ocupan el primer lugar en el mundo; son un 50% mayores que los flujos de datos entre EEUU y Asia en términos absolutos y cuatro veces mayores en términos per cápita (Hamilton & Quinlan, 2020; Gardner, 2020).

El diálogo entre actores internacionales es un fenómeno que no es directamente observable y cuya conceptualización presenta parámetros relativamente abstractos, tradicionalmente asociados a interacciones políticas dentro del sistema internacional¹³⁵. Esta tesis doctoral se basará en la siguiente definición operativa de diálogo político transatlántico: interacciones directas entre representantes políticos de alto nivel de la UE como tal y EEUU (*i.e.* Presidentes de instituciones de la UE, Presidente de EEUU, Alto Representante de la UE para Asuntos Exteriores y Política de Seguridad, Secretario de Estado de EEUU, y representantes de alto nivel de los departamentos ejecutivos federales de EEUU y de la Comisión Europea o sus representantes).

Si bien la literatura sobre el diálogo transatlántico es extensa y cubre diversos sectores, esta tesis doctoral analizará, específicamente, la relación entre las instituciones del Tratado de Lisboa y el diálogo transatlántico en el sentido definido anteriormente. Para dicho propósito, la literatura existente presenta tres limitaciones: fragmentación, metodología y perspectiva.

La primera limitación -fragmentación- se da en el campo de estudio porque las instituciones del Tratado de Lisboa han sido estudiadas de forma individual y aislada. Ello ha provocado que la literatura se divida por lo general en tres áreas de enfoque: la literatura sobre el Servicio Europeo de Acción Exterior (Blockmans & Wessel, 2021; Jørgensen & et al, 2020; Jost-Henrik, 2018; Balfour, Carta & Raik, 2016; Spence & Batorá, 2015; Balfour & Raik, 2013; Balfour, Alyson & Kenna, 2012); el desempeño de Altos Representantes específicos (Koops & Tercovich, 2020; Aggestam & Hedling, 2020; Calcara, 2020; Bassiri & Kienzle, 2020; Amadio, 2020; Bremberg, 2020; Howorth, 2011; Müller-Brandeck & Rüger, 2011); y el desempeño de Presidentes específicos del Consejo Europeo (esta área comprende la menor cantidad de literatura) (Hagemann, 2020; Beach & Smeets, 2020; Tömmel, 2017; Fabbrini & Puetter, 2016; Puetter, 2012). Esta

¹³⁵ Como indica la Escuela Inglesa de Teoría de las Relaciones Internacionales, los actores internacionales están “obligados a manejar las consecuencias del hecho de que disfrutaban de su independencia no de manera absoluta y aislada, sino en un marco de interdependencia” (Watson, 1982: 1, traducción del autor); por lo tanto, deben mirar hacia afuera y comunicarse con sus compañeros. Esta dinámica *ad extra* se ha considerado históricamente funcional -por ejemplo, la escuela francesa de objetivismo sociológico y la teoría del *dédoublement fonctionnel* de George Scelle, que postulaba que los Estados deben llevar a cabo funciones tanto internas como externas (Scelle, 2006); pero también ontológico, ya que los actores se dan cuenta de que la existencia de otros actores, y sus distintos intereses y propósitos, inciden en los propios: “El cuerpo político”, escribió Rousseau, “se ve obligado a mirar fuera de sí mismo para conocerse a sí mismo” (citado en Watson, 1982: 1, traducción del autor). Por tanto, el diálogo es considerado “la sustancia de la diplomacia” (Watson, 1982: 1, traducción del autor).

fragmentación en la literatura es perjudicial porque limita la capacidad de adoptar un enfoque holístico a la hora de evaluar el impacto de las instituciones del Tratado de Lisboa, concebidas para trabajar conjuntamente. Por lo tanto, al estudiar el impacto de las instituciones de forma aislada se limita críticamente la perspectiva más amplia de cómo interactúan entre sí, colectivamente, y qué impacto tienen en su conjunto sobre el diálogo transatlántico.

La metodología de investigación utilizada es el segundo límite en el campo. Actualmente, la literatura académica sobre el rendimiento de las instituciones de política exterior del Tratado de Lisboa presenta una mayoría abrumadora de estudios cualitativos puros en lugar de estudios basados en metodologías mixtas de investigación (MMI)¹³⁶. Si bien se podría argumentar que muchos de los temas en diplomacia y relaciones internacionales han recibido históricamente tratamiento cualitativo, la falta de MMI en el campo es un detrimento. Por ejemplo, la inclusión de las MMI en el campo de la violencia social y el conflicto mejoró la comprensión de las estructuras, los agentes y los procesos, brindó la oportunidad de influir en un público académico y político más amplio, y mejoró la comprensión de los factores causales, las consecuencias y posibles remedios para la violencia y el conflicto (Thaler, 2017). Al igual que en el campo de la violencia social y los conflictos, las MMI abren significativas oportunidades en el campo del diálogo transatlántico, ya que sirven para verificar, reforzar y fortalecer puntos de vista existentes en la literatura, además de agregar niveles de complejidad y nuevos matices.

El tercer déficit principal en la literatura sobre diálogo transatlántico es, en general, la perspectiva analítica. Actualmente, existe una sobrerrepresentación de la perspectiva europea en la materia¹³⁷. La mayor parte de la literatura en el campo está escrita por el lado europeo de la alianza o analiza los problemas desde una perspectiva europea. El

¹³⁶ MMI es el tipo de investigación en la que un investigador o equipo de investigadores combina elementos de enfoques de investigación cualitativos y cuantitativos (por ejemplo, uso de puntos de vista cualitativos y cuantitativos, recopilación de datos, análisis, técnicas de inferencia) con el propósito de lograr más amplitud y profundidad de comprensión y corroboración (Burke, Onwuegbuzie & Turner, 2007).

¹³⁷ A pesar de la importante investigación realizada sobre diálogo transatlántico por *think-tanks* estadounidenses (por ejemplo, GMFUS, Brookings, Carnegie, CSIS), se reconoce que existe un déficit relativo en la literatura académica estadounidense sobre la materia, ya que otros campos han recibido más atención y recursos (e.g., Oriente Medio e Indo-Pacífico). En este sentido, una búsqueda booleana de “transatlántica” y “perspectiva estadounidense” arrojó 2.620 resultados, mientras que una búsqueda de “transatlántica” y “perspectiva europea” arrojó 7.780. Una posible explicación de este diferencial de interés es que la complejidad del sistema institucional de la UE desincentiva a las personas que no pertenecen al sistema de la UE a navegar por su complejidad. La idea de la UE como una burocracia compleja y su incidencia en la psicología política estadounidense se abordará en mayor detalle en esta tesis doctoral.

elemento estadounidense de la ecuación transatlántica está infrarrepresentado, lo que genera análisis insuficientes y oportunidades perdidas. La incorporación de un número mayor de perspectivas estadounidenses sobre la eficacia de las instituciones de política exterior de la UE para el diálogo transatlántico podría aportar ideas nuevas y frescas a la base de la literatura.

Esta tesis doctoral aborda la limitación de la fragmentación en la literatura mediante un análisis del impacto colectivo de las instituciones del Tratado de Lisboa en el diálogo transatlántico de alto nivel. Aborda la limitación metodológica por medio de un diseño de métodos mixtos de investigación secuenciales, cualitativos y cuantitativos, en virtud del cual un análisis cualitativo histórico es corroborado y ampliado por un análisis cuantitativo de datos. Los hallazgos resultantes se triangulan posteriormente con los recopilados a partir de ocho entrevistas cualitativas pautadas con altos cargos del Gobierno de EEUU. Los datos se utilizan de tres maneras: 1) para refinar el enfoque de la investigación dentro de los períodos de análisis, y seleccionar índices fiables para medir la intensidad del diálogo político UE-EEUU, 2) para seleccionar a los entrevistados y calibrar las preguntas de la entrevista, y 3) para triangular y ayudar a ilustrar e interpretar los hallazgos.

El límite en la literatura relativo a la perspectiva se aborda incorporando hallazgos empíricos recopilados sistemáticamente de ocho entrevistas cualitativas pautadas con altos cargos del Gobierno de EEUU que participaron en episodios claves de diálogo transatlántico. Las entrevistas se realizaron entre el 1 de septiembre de 2019 y el 31 de agosto de 2020. Hubo el mismo número de entrevistados por administración, de un total de cuatro administraciones: dos demócratas (Clinton y Obama) y dos republicanas (W. Bush y Trump). Los entrevistados: 1) eran altos cargos del Consejo de Seguridad Nacional o del Departamento de Estado, comunidades epistémicas (Haas, 1992) relevantes en EEUU para comprender las dinámicas y sensibilidades en los procedimientos de adopción de decisiones en materia de política exterior, 2) eran competentes en política europea, y 3) tenían acceso directo al Presidente de EEUU. Partiendo del supuesto de que los estudios centrados en la praxis diplomática pueden ayudar a inferir móviles de política exterior (Schmitt, 2020), las percepciones de ocho altos cargos estadounidenses de unidades de importancia clave de cuatro administraciones diferentes revelan un entendimiento común sobre factores que, desde su perspectiva, han

restringido la eficacia del marco diplomático de la UE para el diálogo transatlántico. La información primaria producida es un indicador fiable de creencias causales compartidas y nociones de validez intersubjetiva en la élite diplomática de EEUU en relación con las instituciones de política exterior de la UE, dado que las entrevistas cualitativas recopilan datos no solo sobre el comportamiento o las tendencias empíricas, sino también sobre "representaciones, sistemas de clasificación, establecimiento de límites, identidad, realidades imaginadas e ideales culturales"¹³⁸ (Lamont & Swidler, 2014: 160).

PRINCIPALES HALLAZGOS EMPÍRICOS Y CONTRIBUCIONES TEÓRICAS

Con objeto de abordar la primera pregunta de investigación clave de esta tesis doctoral (¿Qué ha significado el Tratado de Lisboa para el diálogo político de alto nivel entre la UE y EEUU?), se efectúa un análisis cualitativo histórico del diálogo transatlántico en los periodos previos y posteriores a la entrada en vigor del Tratado de Lisboa, seguido de un análisis cuantitativo correspondiente basado en datos sistematizados que se refieren tres medidas conductuales (cumbres UE-EEUU, reuniones sectoriales y visitas de la administración estadounidense a Bruselas), así como datos sobre relaciones comerciales entre la UE y EEUU, inversión extranjera directa y disputas en el marco de la Organización Mundial de Comercio. El análisis cualitativo histórico, que indica un declive progresivo en el diálogo político de alto nivel entre la UE y EEUU durante el período anterior al Tratado de Lisboa, así como un declive acelerado en el período posterior al Tratado de Lisboa, es corroborado y ampliado mediante el análisis cuantitativo. A los efectos de este estudio, el período de análisis anterior al Tratado de Lisboa comienza con la administración Clinton, durante la cual se adoptó la Nueva Agenda Transatlántica de 1995. El plazo posterior al Tratado de Lisboa comienza el 1 de diciembre de 2009, con la entrada en vigor del Tratado, y finaliza con la administración Trump inclusive.

Los resultados de los análisis cruzados cualitativo y cuantitativo muestran que el Tratado de Lisboa ha sido ineficaz para promover el diálogo político de alto nivel entre la UE y EEUU y que, tras su entrada en vigor, se produjo un deterioro acelerado en dicho diálogo, que desembocó en un impasse de siete años en el funcionamiento del sistema de Cumbres UE-EEUU que había funcionado prácticamente sin interrupciones desde

¹³⁸ Traducción del autor.

1995¹³⁹. Los hallazgos muestran, asimismo, una proliferación, desde la entrada en vigor del Tratado, de diálogos sectoriales de nivel político inferior. A lo largo de los períodos de análisis, la relación económica positiva se mantuvo constante, sugiriendo que los factores económicos y comerciales no son una explicación válida para el declive en el diálogo transatlántico, y que las relaciones políticas y económicas UE-EEUU en la historia reciente presentan una ausencia de causalidad epifenomenal. Además, se sopesan los posibles costes del acelerado declive registrado en el diálogo transatlántico de alto nivel, sobre la base de los precedentes históricos y la literatura, y se concluye que el diálogo sectorial de nivel inferior no es funcionalmente equivalente al diálogo de alto nivel mediante cumbres de Jefes de Estado o de Gobierno, en atención a los siguientes fundamentos: 1) las cumbres sitúan la acción diplomática en manos de las máximas autoridades ejecutivas, abriendo la posibilidad de desbloquear acuerdos políticos y coyunturas críticas que pueden verse obstaculizados en los niveles inferiores de gobierno; 2) las decisiones adoptadas en las cumbres pueden tener consecuencias de gran alcance, que potencialmente trascienden los efectos de las decisiones políticas de nivel inferior, y pueden marcar decisivamente el curso de la historia; 3) las reuniones al máximo nivel político pueden fomentar la confianza y las relaciones interpersonales, un factor clave para mejorar las relaciones interestatales y las dinámica de gestión de crisis; 4) las cumbres abarcan un complejo abanico de componentes que incluyen no solo la cumbre en sí, sino las actividades circundantes (relativas a su preparación, implementación y seguimiento) que contribuyen al establecimiento de contactos intensos entre administraciones a diferentes niveles, *v. gr.* Embajadas, *sherpas*, oficinas de los Jefes de Estado o de Gobierno, Ministerios y Agencias.

Con objeto de abordar la segunda pregunta de investigación clave (Desde la perspectiva de EEUU, ¿por qué las instituciones del Tratado de Lisboa han sido ineficaces para promover el diálogo político de alto nivel entre la UE y los EEUU?), se analizan, a la luz de la literatura, los hallazgos empíricos recolectados sistemáticamente de ocho entrevistas cualitativas pautadas con altos cargos del Gobierno de EEUU que participaron en episodios claves de diálogo transatlántico. Los resultados de dicho análisis se triangulan con los del análisis cualitativo histórico y cuantitativo de datos. Los resultados

¹³⁹ Como se explica en el análisis cuantitativo de datos, desde 1995 hasta la entrada en vigor del Tratado de Lisboa a finales de 2009, sólo hubo un año sin Cumbre UE-EEUU: 1999, año del juicio político del Presidente Bill Clinton en el Senado. Si bien en 2010 hubo una Cumbre, en 2011, 2012 y 2013 no hubo ninguna. En 2014 se celebró una Cumbre, seguida de un impasse de siete años hasta 2021.

de la triangulación de los tres niveles de análisis indican que, en lo que respecta al diálogo transatlántico, el Tratado de Lisboa no solo ha tenido un rendimiento subóptimo; lo que es más, el despliegue de sus instituciones de política exterior ha sido contraproducente para el diálogo transatlántico como consecuencia de tres factores inhibidores, endógenos de la UE y relacionados con la implementación de las instituciones del Tratado de Lisboa, que fueron identificados a la luz de las entrevistas y analizados con arreglo a la literatura existente. A los efectos de este estudio, se entienden por factores endógenos circunstancias que han sido decididas internamente por la UE, dentro del margen de discrecionalidad otorgado por el Derecho primario y secundario de la UE, y que afectan el funcionamiento, la configuración y los contornos de las instituciones del Tratado de Lisboa. Los factores inhibidores endógenos identificados son: 1) los perfiles políticos de los titulares de las instituciones de política exterior de la UE; 2) la estructura de las cumbres UE-EEUU; y 3) la complejidad institucional y burocrática de la UE. Desde la perspectiva de la élite diplomática estadounidense, dichos factores han inhibido la eficacia para el diálogo transatlántico de las instituciones de política exterior creadas por el Tratado Lisboa. El primer factor se refiere a la relevancia de la acción humana individual (*human agency*) en procesos históricos y la asociación trazada por la psicología social entre liderazgo y perfiles y habilidades cognitivas; el segundo factor está relacionado con una praxis intraorganizacional disfuncional a la hora de estructurar cumbres UE-EUU; y el tercer factor está asociado a ineficiencias en los procedimientos decisorios en materia de política exterior de la UE derivadas de un diseño institucional subóptimo.

Finalmente, los hallazgos empíricos proporcionan piedras de toque para los principales marcos teóricos utilizados para explicar la integración europea, a saber: el institucionalismo histórico¹⁴⁰ y el intergubernamentalismo liberal.¹⁴¹

¹⁴⁰ A partir de un análisis de cómo las instituciones estructuran la interacción entre los Estados y los mercados y también entre los actores del mercado (Steinmo et al., 1992), el institucionalismo histórico se centra en el concepto de temporalidad, y postula que el tiempo y la secuencia moldean profundamente los procesos políticos, contribuyendo a: la imprevisibilidad y la variedad de resultados; la no ergodicidad o los posibles efectos duraderos de eventos fortuitos; las ineficiencias con respecto a alternativas anteriores; y la inflexibilidad en los procesos de toma de decisiones debido a la dependencia de la senda (*path dependence*) y la inercia (Fioretos, 2011). El desarrollo institucional está determinado con frecuencia por largos períodos de estabilidad institucional dependientes de la senda que se interrumpen ocasionalmente por “breves fases de flujo institucional, denominadas coyunturas críticas, durante las cuales es posible un cambio dramático” (Capoccia, G., & Kelemen, R. 2007: 341, traducción del autor).

¹⁴¹ El intergubernamentalismo liberal se basa en el intergubernamentalismo realista (Hoffmann, 1966), y parte de la centralidad de los gobiernos y sus intereses en las interacciones de poder en el marco de la

Desde la perspectiva del institucionalismo histórico, cabe recalcar que las instituciones del Tratado de Lisboa son de creación relativamente reciente: dieron sus primeros pasos hace trece años, no han sido impulsadas por verdaderos pesos pesados internacionales y continúan ganando impulso. Catherine Ashton declaró en 2011: “estamos al principio, no al final”¹⁴² (C. Ashton, 2011, June 14). Aunque ha transcurrido poco más de una década desde esas palabras, se puede argumentar que se necesita más tiempo para que las instituciones alcancen su verdadero potencial -o, al menos, lo que podría considerarse “tumultuosos años de adolescencia”¹⁴³ (Blockmans & Wessel, 2021: 5)-. La política exterior de la UE post-Lisboa sigue siendo, a fecha de hoy, un “trabajo en curso”¹⁴⁴ (Missiroli, 2010). Además, siguiendo la máxima de Heráclito πάντα ῥεῖ -todo fluye-, se podría considerar que el mundo en el que se concibió el Tratado de Lisboa -reflejado en la Convención sobre el Futuro de Europa de 2002/2003 y los debates sobre la invasión de Irak de 2003- ya no existe. Teniendo en cuenta las inercias y secuencias propias de los procesos políticos, así como la dependencia de la senda (*path dependence*), la integración europea es un proceso que se desarrolla progresivamente en el tiempo (Pierson, 2000; Pierson, 1996) y que ha sido caracterizado por la no ergodicidad, la imprevisibilidad y las ineficiencias (Fioretos, 2011).

Las instituciones pueden ser "pilares de la civilización", en palabras del filósofo suizo Henri-Frédéric Amiel, cuyo pensamiento inspiró a Jean Monnet (Brinkley & Hackett, 1991), pero su capacidad para moldear la conducta diplomática está afectada por conocidas limitaciones estructurales de la UE: los poderes limitados de las instituciones de la UE en política exterior, los niveles desiguales de integración y los procedimientos decisorios diferenciados según los campos políticos, y las rígidas inercias intergubernamentales. Estas limitaciones inherentes explican el contraste histórico entre la eficiencia de, por un lado, las competencias exclusivas y las políticas del mercado interior, como el comercio y la agricultura; y, por otro lado, las acciones de política

integración europea. Además, basándose en la teoría liberal de la formación de preferencias, se centra en la formación de "preferencias nacionales" asociadas a los resultados de los procesos políticos domésticos que reflejan los intereses de los grupos sociales arbitrados por instituciones políticas nacionales (Moravcsik, 1993: 481). El intergubernamentalismo liberal también integra una perspectiva teórica neoliberal funcional de las instituciones internacionales (Keohane, 1984): las instituciones de la UE son medios 1) para facilitar la cooperación intergubernamental en un sistema internacional interdependiente, y 2) para fortalecer el compromiso del régimen con políticas y normas integradas a nivel supranacional (Riddervold, Trondal & Newsome, 2020).

¹⁴² Traducción del autor.

¹⁴³ Traducción del autor.

¹⁴⁴ Traducción del autor.

exterior, principalmente en manos de los Estados miembros (Hill, Smith & Vanhoonacke, 2017; Wallace, Polack & Young, 2010).

Desde el punto de vista del intergubernamentalismo liberal, las limitaciones estructurales que históricamente han afectado a las instituciones de la Política Exterior y de Seguridad Común (PESC) -y que evidentemente no constituyen en sí mismas barreras para la cooperación entre los Estados miembros en alta política-, subrayan el papel fundamental de la preferencia nacional en el desarrollo institucional de la UE (Moravcsik, 2018). Además, arrojan luz sobre ciertas deficiencias de las instituciones diplomáticas aún en desarrollo, cuya creación e implementación pueden explicarse con arreglo a las tres etapas de la integración europea identificadas por el intergubernamentalismo liberal: formación interna de preferencias estatales, constelación intergubernamental de preferencias y poder que conduce a la integración, y el establecimiento de instituciones a nivel de la UE con sus correspondientes límites jurídico-políticos (Moravcsik, 1993).

Las deficiencias permiten cuestionar la autonomía institucional atribuida a los actores supranacionales por los neofuncionalistas (Caporaso & Kim, 2016), y subrayan que las tensiones dialécticas intergubernamentales-supranacionales continúan incidiendo sustancialmente en la acción exterior de la UE, sin perjuicio de los avances diplomáticos significativos logrados con arreglo al marco institucional post-Lisboa: *v. gr.* el papel del Alto Representante de la UE en la negociación del acuerdo nuclear con Irán conocido por sus siglas en inglés JCPOA¹⁴⁵ y su papel de interlocutor efectivo con el Secretario de Estado de EEUU, confirmado por los entrevistados -en particular, Susan Rice¹⁴⁶ y Nicholas Burns¹⁴⁷-; la actividad del SEAE en todo el mundo y su función coordinadora de la actividad de las Embajadas de los Estados miembros de la UE; y la participación

¹⁴⁵ *Joint Comprehensive Plan of Action.*

¹⁴⁶ Susan E. Rice es actualmente Consejera de Política Nacional en la Casa Blanca. Fue Representante Permanente de EEUU ante las Naciones Unidas y Consejera de Seguridad Nacional de 2009 a 2017. Anteriormente, fue Subsecretaria de Estado para Asuntos Africanos, Asistente Especial del Presidente y Directora Principal de Asuntos Africanos, y Directora de Organizaciones Internacionales y Mantenimiento de la Paz en el Consejo de Seguridad Nacional de la Casa Blanca de 1993 a 2001.

¹⁴⁷ Nicholas Burns es actualmente Embajador de EEUU en la República Popular China. Fue Subsecretario de Estado para Asuntos Políticos de 2005 a 2008, Embajador de EEUU en la OTAN (2001-2005), Embajador en Grecia (1997-2001) y portavoz del Departamento de Estado (1995-1997). Trabajó durante cinco años (1990-1995) en el Consejo de Seguridad Nacional en la Casa Blanca, donde fue Director Principal para Asuntos de Rusia, Ucrania y Eurasia, Asistente Especial del Presidente Clinton y Director de Asuntos Soviéticos del Presidente George HW Bush. Hasta su nombramiento como Embajador en China a finales de 2021 fue *Roy and Barbara Goodman Family Professor of the Practice of Diplomacy and International Relations* en *Harvard Kennedy School.*

activa del Presidente del Consejo Europeo en asuntos clave de política exterior, como la anexión de Crimea por parte de Rusia, las elecciones de 2020 en Bielorrusia y las cumbres del G7. Estos logros muestran que las instituciones del Tratado de Lisboa pueden producir resultados significativos para la acción exterior de la UE, y de hecho lo hacen.

Asimismo, en consonancia con aplicaciones recientes a la interacción de la UE con terceros países de la teoría de roles interaccionistas y la literatura sobre seguridad ontológica (Klose, 2020), esta tesis doctoral sostiene que *el modo* en que se implementaron las instituciones de política exterior del Tratado de Lisboa alteró significativamente la situación preexistente y el contexto de las consultas bilaterales entre la UE y EEUU, estableciendo nuevos marcos y roles que, a fin de cuentas, han tenido un rendimiento inferior para los fines del diálogo político de alto nivel UE-EE UU. En línea con la literatura sobre la crisis de legitimidad de la UE, los hallazgos permiten cuestionar, a su vez, la calidad de la legitimidad del desempeño, la representación y el proceso de gobernanza de la PESC (Schmidt, 2020); y proporciona información primaria que puede ayudar a futuras investigaciones sobre la implementación subóptima de las instituciones de política exterior de la UE.

Por tanto, el análisis contenido en esta tesis doctoral sobre la relación entre el Tratado de Lisboa y el diálogo transatlántico no favorece un enfoque doctrinal o un marco teórico concreto sobre el funcionamiento de las relaciones e instituciones internacionales. El objeto formal de estudio -entendido como la perspectiva desde la cual se analiza el objeto material de investigación (Obi-Okogbuo, 2015)- es ecléctico en el sentido de que se enfoca en múltiples capas de la realidad causal, sin necesariamente dar preeminencia a una sobre la otra: la importancia potencial se atribuye en términos similares a elementos sistémicos (*v. gr.* cambios geopolíticos y equilibrios de poder global), elementos interestatales (*v. gr.* niveles asimétricos de influencia de los Estados miembros de la UE) y elementos interindividuales (*v. gr.* habilidades cognitivas y perfiles de los titulares de instituciones de la UE).

CONCLUSIONES

Siguiendo un diseño de métodos mixtos de investigación secuenciales cualitativos-cuantitativos, esta tesis doctoral comienza con un análisis cualitativo histórico de la relación transatlántica, cuyo período de análisis abarca desde la administración Clinton

hasta la administración Trump. Este análisis histórico cualitativo muestra un deterioro en el diálogo político de alto nivel a lo largo del período anterior al Tratado de Lisboa, que se aceleró después de la entrada en vigor del Tratado. Esto se verifica y amplía mediante el análisis cuantitativo posterior, basado en datos sistematizados que se refieren a tres indicadores conductuales: Cumbres UE-EEUU, reuniones sectoriales y visitas de la administración estadounidense a Bruselas. Además, los hallazgos confirman que: las reuniones sectoriales de nivel inferior proliferaron después del Tratado de Lisboa, pero no son funcionalmente equivalentes al diálogo político a través de las Cumbres UE-EEUU; tras el Tratado de Lisboa, la presencia de la administración estadounidense en Bruselas ha disminuido, a pesar de las esperanzas razonables de que hubiera podido aumentar, ya que en principio las Cumbres UE-EEUU post-Lisboa se celebran sólo en Bruselas¹⁴⁸. Por otro lado, los aspectos económicos de la asociación transatlántica se han mantenido estables o incluso favorables, según datos sobre el comercio UE-EEUU, la inversión extranjera directa y las disputas en la OMC; ello sugiere que los factores económicos y comerciales no son una explicación válida para el declive del diálogo transatlántico.

Posteriormente, los hallazgos se triangulan con los recopilados a partir de ocho entrevistas cualitativas pautadas con altos cargos del Gobierno de EEUU de cuatro administraciones diferentes. Los resultados de la triangulación indican que, en lo que respecta al diálogo transatlántico, el Tratado de Lisboa no solo ha tenido un rendimiento inferior; lo que es más, la implementación de sus instituciones de política exterior ha sido contraproducente. Desde la perspectiva de la élite de la política exterior estadounidense, tres factores endógenos han inhibido la eficacia del marco diplomático de la UE posterior al Tratado de Lisboa para la interlocución con la administración estadounidense: los perfiles políticos de los titulares de las instituciones de política exterior de la UE, la estructura de las Cumbres UE-EEUU y la complejidad institucional y burocrática de la UE. Finalmente, se llega a la conclusión de que el declive en las relaciones políticas entre EEUU y la UE durante la última década se ha producido *a pesar* del Tratado de Lisboa y también *a causa* de él. Esta conclusión es consistente con lo que se ha considerado una “relación inversa entre el desarrollo institucional y la efectividad de las políticas” (Münchau, 2021, April 10).

¹⁴⁸ Antes del Tratado de Lisboa, tenían lugar en EEUU o en el Estado miembro de la UE que ejercía la Presidencia rotatoria del Consejo.

En cuanto al primer factor inhibidor endógeno (perfiles políticos de los titulares de las instituciones): admitiendo que la tendencia a nombrar figuras políticas de bajo perfil refleja la naturaleza estructural y las limitaciones políticas la UE y que es difícilmente superable en el corto y medio plazo, se concluye, a la luz de las entrevistas y también desde las perspectivas tanto del institucionalismo histórico como del intergubernamentalismo liberal, que esta tendencia ha reducido de manera significativa la eficacia de las instituciones del Tratado de Lisboa para el diálogo transatlántico. Y, desde una perspectiva más amplia, se indica que tal tendencia conlleva costes en términos de la capacidad de la UE de interlocución y representación internacionales, la eficacia de la PESC y la PCSD, así como la integración de su política exterior. Siendo innegable que, en Europa, la política exterior está fundamentalmente en manos de los Estados miembros, y las instituciones de la UE tienen poderes limitados, también es cierto que un liderazgo personal poderoso por parte de los titulares de las instituciones de la UE puede suplir dichos poderes limitados. La calidad del liderazgo y el prestigio internacional de los titulares de las instituciones, así como su “capacidad para crear unidad estratégica”¹⁴⁹ entre los Estados miembros, fueron considerados por los entrevistados como elementos clave para la efectividad de las instituciones en el diálogo transatlántico. Clete R. Willems¹⁵⁰ consideró que los perfiles bajos no son interlocutores tan respetados para un Presidente de EEUU como lo sería “un peso pesado internacional”. El caso de Javier Solana -suscitado por varios entrevistados como referencia positiva, y en particular por Victoria Nuland¹⁵¹- muestra que no existe necesariamente una correlación estricta entre competencias jurídicas y liderazgo político, de manera similar a como en la antigua Roma se trazaba una distinción entre *auctoritas*, sabiduría socialmente reconocida, y *potestas*, poder jurídicamente conferido (Rich, 2012). Huelga decir que, si bien ambas cualidades no son mutuamente excluyentes, no deben ir necesariamente de la mano. La historia y la literatura ofrecen numerosos ejemplos de cómo las limitaciones jurídicas de las instituciones de la UE pueden superarse mediante un liderazgo político basado en la *auctoritas*¹⁵². Si bien es evidente que las instituciones de política exterior de la UE carecen

¹⁴⁹ Expresión literal usada por un entrevistado.

¹⁵⁰ Clete R. Willems fue Sherpa de EEUU en el G20 y Director Adjunto del Consejo Económico Nacional en la Administración de Trump entre 2017 y 2019.

¹⁵¹ Victoria Nuland es actualmente Subsecretaria para Asuntos Políticos en el Departamento de Estado de EEUU. Fue portavoz del Departamento de Estado de 2011 a 2013. Entre 2013 y 2017 fue Secretaria de Estado adjunta para Asuntos de Europa y Eurasia. De 2005 a 2008 fue Representante Permanente de EEUU en la OTAN.

¹⁵² “A pesar de la debilidad de la presidencia de la Comisión antes de la década de 1990, tres titulares han logrado trascender las limitaciones de la oficina. Hallstein, Jenkins y Delors hicieron contribuciones

de plenos poderes y que, por regla general, el cargo y sus limitaciones inherentes definen el desempeño del titular; no es menos cierto, siguiendo una vieja máxima jesuítica, que, en ocasiones, el titular, junto con sus habilidades particulares, definen el cargo y permiten trascender sus limitaciones inherentes, elevándolo¹⁵³.

Un punto de partida para abordar el factor inhibitor de los perfiles bajos es que las capitales europeas no solo reconozcan que el fortalecimiento de la capacidad de interlocución de las instituciones de política exterior de la UE les conviene, sino que también favorezcan de manera efectiva un margen político para tal fortalecimiento. La retórica debe dar paso a la acción, o al menos a un consenso permisivo. Asimismo, los gobiernos nacionales y la opinión pública deben ser conscientes de que debilitar relativamente o no optimizar dicha capacidad de interlocución conlleva un coste estratégico no solo para la UE como tal, sino también para los Estados miembros. El coste es mayor cuando la institución no tiene poderes ejecutivos explícitos más allá de la representación externa (v. gr. Presidente del Consejo Europeo) y tales poderes de representación, en ausencia de una atribución soberana o mandato específico por parte de los Estados miembros, pueden depender más de la *auctoritas* que de la *potestas*. El coste dependerá también de otros factores, como la gestión eficaz de los quehaceres propios del cargo y no es un resultado seguro; como se explicó, la historia brinda numerosos ejemplos de líderes improbables que, al fin y a la postre, sobresalieron. Pero la diplomacia implica una función inherente de representación, y no es factible disociar dicha capacidad de representación de la sabiduría socialmente atribuida, la reputación y los contactos (o la falta de ellos). Los perfiles políticos altos que cumplen con esas características aportan a la mesa negociadora beneficios estratégicos en forma de mayor representación y capacidad de interlocución en foros internacionales; los perfiles más bajos pueden tardar tiempo en desarrollar dichos beneficios. Una entrevistada -Karen Donfried¹⁵⁴- se refirió a la “tensión dialéctica” entre las reticencias internas de los Estados a nombrar perfiles

importantes al desarrollo de las Comunidades Europeas. Los tres tenían poderío intelectual y la capacidad de inspirar respeto en el Consejo ...” (Kassim, 2012: 10).

¹⁵³ Véase Gracián & Romera-Navarro, 1954, aforismo 124: “Hácese dependencia de la eminencia, de modo que se note que el cargo le hubo menester a él, y no él al cargo; honran unos los puestos, a otros honran.” En línea similar, véase aforismo 292: “Venza el natural las obligaciones del empleo, y no al contrario. Por grande que sea el puesto, ha de mostrar que es mayor la persona. Un caudal con ensanches vase dilatando y ostentando más con los empleos (...). Preciábase el grande Augusto de ser mayor hombre que príncipe.”

¹⁵⁴ Karen Donfried es actualmente Secretaria de Estado Adjunta para Asuntos Europeos y Euroasiáticos. Fue Presidenta del German Marshall Fund (GMF) de EEUU desde 2014 hasta 2021. Entre 2011 y 2014, fue Consejera para Europa en el Consejo Nacional de Inteligencia y, posteriormente, Directora Principal de Asuntos Europeos en el Consejo de Seguridad Nacional en la Casa Blanca.

altos y los beneficios estratégicos que dichos perfiles podrían aportar. Podría considerarse que estos beneficios estratégicos superan los beneficios tácticos asociados a la designación de perfiles bajos -que, por otro lado, pueden ser más fáciles de controlar internamente, pero al tener un peso geopolítico significativamente menor, pueden resultar más fáciles de controlar también externamente, por parte de actores no europeos; advirtió Kissinger que “un mayor control sobre el entorno doméstico se adquiere al precio de la pérdida de flexibilidad en los asuntos internacionales” (Kissinger, 1966: 144)-.

Siguiendo el razonamiento del intergubernamentalismo liberal -“los regímenes no suplantán a los Estados; los fortalecen” (Moravcsik, 2018: 1654)-, los representantes de la UE no deberían ser un mero portavoz formal de los Estados miembros agregados, y deberían dar una voz fuerte y cualificada tanto a la UE como a sus miembros. Los entrevistados coincidieron en que esto haría más factible la realización de iniciativas diplomáticas conjuntas de alto nivel -como el viaje conjunto en 2009 del Alto Representante Javier Solana a los Balcanes, junto con el Vicepresidente Biden-, que contribuyen a la coordinación de políticas y tienen un fuerte impacto en términos de diplomacia pública. Los hallazgos llaman la atención también sobre la conveniencia estratégica de impulsar iniciativas que sensibilicen sobre esta cuestión a las instituciones de la UE y los Estados miembros. De manera similar a como los denominados “Criterios de Copenhague” establecieron los estándares generales que deben cumplir los países candidatos a la UE, la designación de los titulares de las instituciones de política exterior de la UE también debe llevarse a cabo de acuerdo con ciertos criterios básicos. En los correspondientes procesos de toma de decisiones de la UE, se deben tener en seria consideración criterios de experiencia diplomática, trayectoria política y capacidad comprobada de interlocución internacional de los candidatos para dirigir las instituciones de política exterior de la UE. La “lógica de cuotas” (el equilibrio geográfico, de género y de afiliación política que se viene requiriendo en los procedimientos institucionales de nombramientos de altos cargos de la UE), no es óbice para una valoración franca de la idoneidad estratégica de los perfiles de dichos candidatos.

Respecto al factor endógeno de inhibición relativo a la estructura de las Cumbres UE-EEUU, el impasse de siete años en la celebración de dichas cumbres indicado en el análisis cuantitativo es una anomalía diplomática que merita reflexión. Los entrevistados enfatizaron la importancia de calibrar adecuadamente el contenido de las cumbres, y de

vincular su agenda a resultados claros o “*deliverables*” políticos. También se plantearon cuestiones de alcance y extemporaneidad política. Por ejemplo, Nicholas Burns sugirió limitar las agendas de las cumbres a temas sobre los que la UE tiene poderes efectivos, y no forzar las cuestiones de política exterior a nivel de Jefes de Estado o de Gobierno, sino más bien diferirlas a niveles ministeriales (Alto Representante / Secretario de Estado). Del mismo modo, Anthony Gardner¹⁵⁵ consideró que la atención política de las cumbres debería centrarse en 1) áreas geográficas en las que la UE puede aportar valor añadido, como su vecindad geográfica; y 2) ámbitos políticos estratégicos para la cooperación transatlántica, como comercio, datos, digital, sanciones, militar, justicia y asuntos de interior, cambio climático y ayuda humanitaria. Otros entrevistados recomendaron que las agendas de la cumbre se centren en la dimensión económica de la asociación.

La mayoría de los entrevistados también consideró que es necesario un cambio de formato y que es ingenuo que la UE disocie a los Jefes de Estado o de Gobierno del sistema de cumbres. Se consultó a los entrevistados sobre la viabilidad de formatos alternativos, híbridos y posiblemente más operativos, que pudieran incluir como participantes tanto a los Presidentes de las instituciones de la UE como a los Jefes de Estado o de Gobierno. La mayoría de ellos consideró que, si su coreografía fuera cuidadosamente calibrada para evitar largas series de intervenciones, estos formatos híbridos “podrían ser una opción viable”. Por ejemplo, una posibilidad que se planteó a los entrevistados, y que se consideró “interesante”, es un hipotético Consejo Europeo celebrado en formato transatlántico. Este formato permitiría al Presidente de EEUU participar en lo que se considera la cúspide del poder político en la UE y “el nuevo centro de gravedad política en la formulación de políticas de la Unión Europea” (Puetter, 2014: 3). Por el lado europeo, estarían presentes tanto los Presidentes de instituciones como los Jefes de Estado o de Gobierno. Para que la reunión fuese ágil, las intervenciones europeas podrían limitarse a los Presidentes de las instituciones y al Estado miembro que ostente la Presidencia rotatoria del Consejo, que intervendría en nombre del resto de Estados miembros. Por el lado estadounidense, el Presidente asistiría a la reunión con su delegación, ya sean miembros de su Gobierno y / o personalidades externas, como el secretario general de la OTAN, que en los últimos años ha participado en determinadas

¹⁵⁵ Anthony Gardner fue Embajador de EEUU ante la UE desde 2014 hasta 2017. Fue Director para Asuntos Europeos en el Consejo de Seguridad Nacional entre 1994 y 1995.

sesiones en las reuniones del Consejo Europeo¹⁵⁶. En los márgenes del Consejo Europeo, tendrían lugar reuniones bilaterales y actos paralelos, como ha sido habitual en la historia de las conferencias diplomáticas. Los entrevistados subrayaron que es precisamente en dichos encuentros bilaterales, que se celebran al margen de las sesiones plenarias de las cumbres, donde “suelen pasar las cosas realmente interesantes”.

Los entrevistados de la administración Trump ofrecieron como posibles referencias la Cumbre de la OTAN de 2018 en Bruselas, y la Reunión de Líderes OTAN de 2019 en Londres, donde se celebraron varias reuniones bilaterales, al margen de la sesión plenaria, entre el Presidente Trump y líderes europeos. Un entrevistado apuntó hacia la Cumbre UE-China, prevista durante la Presidencia alemana del Consejo de la UE en 2020, que proponía inicialmente juntar a los Presidentes de instituciones de la UE, los Jefes de Estado o de Gobierno, y el Presidente Xi Jinping: “si esto funciona, quizás podríamos hacer algo similar”. Un Consejo Europeo en formato transatlántico, o “Consejo Transatlántico” podría permitir al Presidente de EEUU “besar el anillo de la UE” (en expresión usada por un entrevistado), reunirse bilateralmente con los Presidentes o Primeros ministros europeos de su elección, y así “matar varios pájaros de un tiro”. Estos formatos híbridos son sólo una posibilidad dentro del caleidoscopio de opciones que ofrecen los amplios límites del Derecho de la UE; evidentemente, ser jurídicamente factible no implica que algo sea políticamente oportuno, y sería necesario calibrar adecuadamente diversas circunstancias de índole política u operativa.

Por ejemplo, un “Consejo Transatlántico” podría exacerbar la crítica de “demasiadas personas en la mesa”, formulada por determinados entrevistados, incluso aunque las intervenciones fuesen limitadas y cuidadosamente calibradas. Varios entrevistados, de diferentes administraciones, enfatizaron que las reuniones con todos los Estados miembros de la UE son “muy desagradables” para el Presidente de EEUU y deberían “dividirse en grupos más pequeños”. Una opción, que podría atender a esta necesidad de “alejarse de las multitudinarias reuniones”, sería organizar la participación europea en las Cumbres UE-EEUU en grupos rotatorios de Estados miembros, estructurados según diferentes criterios - *v. gr.* peso político y económico, área geográfica, mecanismos de cooperación existentes, población y afinidades geoestratégicas. El objetivo sería reducir el número total de participantes europeos en las Cumbres, permitiendo al mismo tiempo

¹⁵⁶ En particular, sesiones sobre cooperación UE-OTAN.

la participación o representación formal de todos los Estados miembros, en un formato que pueda resultar atractivo, o menos disuasorio, para un Presidente de EEUU. ¿Una cuadratura del círculo? No necesariamente, como muestran acontecimientos relativamente recientes: una fuente interna del Servicio Europeo de Acción Exterior confirmó al autor que, en una videoconferencia de 90 minutos de 16 de junio de 2020 entre el Secretario Pompeo y los Ministros de Asuntos Exteriores de la UE, junto con el Alto Representante, las intervenciones europeas se organizaron mediante agrupaciones geográficas o grupos de países que comparten intereses comunes. Aplicando la misma lógica, se podrían diseñar e implementar nuevos formatos también para reuniones al más alto nivel político, para que el Presidente de EEUU se reúna con sus homólogos de los países con los que está más familiarizado, así como con representantes de otros países y de las instituciones de la UE. Los países europeos se podrían organizar en grupos determinados por criterios geográficos y económicos, valiéndose, en su caso, de mecanismos regionales de coordinación interna (*v. gr.* Consejo nórdico, Asamblea Báltica, Grupo Visegrado, Benelux y Grupo de Países UE del Sur). Por ejemplo:

Grupo 1: Alemania, Francia, Italia y España. Estos cuatro países estarían presentes al mismo tiempo, ya que son las principales economías de la UE (UE G4) (Gobierno de España, 6 de marzo de 2017; Francia 24, 2017, 28 de agosto) y los principales interlocutores de EEUU en la UE, según confirmaron los entrevistados.

Grupo 2: Países escandinavos y bálticos (Dinamarca, Suecia, Finlandia, Lituania, Letonia, Estonia). Estos países rotarían y uno representaría al resto; mecanismos internos podrían facilitar la coordinación (*v. gr.* Consejo Nórdico, Asamblea Báltica).

Grupo 3: Austria y países de Visegrado (Polonia, República Checa, Hungría y Eslovaquia). Estos países rotarían y uno representaría al resto; mecanismos internos podrían facilitar la coordinación (*v. gr.* Grupo Visegrado y sus relaciones estrechas con Austria).

Grupo 3: Irlanda y Benelux (Bélgica, Países Bajos, Luxemburgo). Estos países rotarían y uno representaría al resto; mecanismos internos podrían facilitar la coordinación (*v. gr.* Benelux y sus estrechas relaciones con Irlanda).

Grupo 4: Portugal, Grecia, Malta, Chipre, Eslovenia. Estos países rotarían y uno representaría al resto; mecanismos internos podrían facilitar la coordinación (v. gr. Grupo de Países del Sur de la UE).

Grupo 5: Croacia, Rumanía y Bulgaria + países candidatos de los Balcanes Occidentales tras su adhesión (Serbia, Montenegro, Albania y Macedonia del Norte). Estos países rotarían y uno representaría al resto; mecanismos internos podrían facilitar la coordinación (v. gr. *Common Regional Market, Central European Free Trade Agreement, Open Balkans*).

Bajo este esquema, las cumbres serían entre el Presidente de EEUU y su delegación + 9 Jefes de Estado o de Gobierno europeos + los Presidentes de la Comisión Europea y el Consejo Europeo + el Alto Representante de la UE. En total, 12 participantes europeos, en lugar de 30. Todos los Estados miembros de la UE estarían representados, así como las instituciones clave de la UE. Una ventaja adicional de este sistema es que promovería la necesaria coordinación interna dentro de la UE.

Además, la institucionalidad de las cumbres entre EEUU y la UE no excluye la flexibilidad y la creatividad en el diseño de otras iniciativas diplomáticas. También debe evaluarse la conveniencia de promover reuniones informales conjuntas de alto nivel entre EEUU y la UE, con países que puedan presentar intereses estratégicos para ambos actores. Casos históricos como la Conferencia de Paz de Madrid de 1991 -aunque difícilmente pueda considerarse un éxito de la política exterior de la UE, ya que puso de manifiesto la ausencia de contribuciones europeas al proceso de paz de Oriente Medio- indican que la organización de cumbres con potenciales consecuencias de amplio alcance es, en gran medida, una cuestión de voluntad política, habilidad diplomática y química personal entre los promotores respectivos, lo que subraya una vez más el relevante papel del individuo en procesos históricos (*human agency*). El papel del Alto Representante puede ser crucial para este fin y requerirá establecer previamente una relación personal (forjada a través de visitas y contactos telefónicos constantes) con Washington, pero también con las principales capitales de la UE y el resto del mundo (como fue la práctica del Alto Representante Solana). Es de esperar que, a medida que aumente la autonomía del Alto Representante, también lo hagan los recelos de las principales capitales europeas, por lo que es fundamental mantener una relación permanente con ellos para informarles y obtener *feedback* (como hizo el Alto Representante Solana).

Las reflexiones sobre posibles formatos de cumbres son una mera adición a la necesaria reflexión sobre las medidas diplomáticas que pudieran llevarse a cabo para evitar que se repita el pasado impasse en el sistema de Cumbres UE-EEUU. Por ejemplo, algunas medidas que se sugirieron en 2019 con este fin fueron: convocar una Cumbre UE-EEUU que anunciara una nueva relación especial, realizar una cena de Estado en la Casa Blanca para los Presidentes de la Comisión Europea y el Consejo Europeo, organizar un discurso del Presidente de la Comisión Europea ante una sesión conjunta del Congreso de EEUU, hacer que Bruselas sea la primera escala en un viaje del Presidente de EEUU a Europa, y/o organizar un discurso del Presidente de EEUU en el Parlamento Europeo (Bergmann, 2019, October 31).

En cuanto al factor inhibidor de complejidad burocrática e institucional, la UE es sin duda una criatura política sui géneris y compleja, cuya institucionalidad es frecuentemente incomprendida en los círculos políticos de élite en EEUU. Madeleine Albright afirmó exasperada que “para entender la UE hay que ser un genio o un francés” (Cottrell, 1999, October 21). Los entrevistados enfatizaron que, en ausencia de una reforma institucional simplificadora, una comunicación inteligente y efectiva es esencial. Debe hacerse un esfuerzo para explicar de manera inteligible la institucionalidad, los procedimientos, los métodos de trabajo y los límites de la UE derivados de la naturaleza política sui géneris que frecuentemente limita la eficacia de su política exterior. En palabras de un ex-Secretario de Estado de EEUU al autor:

“La UE es una entidad difícil de entender. Sus métodos de trabajo, sus limitaciones, sus procesos de toma de decisiones pueden resultar a veces sumamente confusos para los políticos estadounidenses. Mi consejo para la UE es que sea plenamente consciente de esta dificultad y que nos lo ponga más fácil de entender ... o, al menos, que no nos lo ponga tan difícil”.

Ello no será tarea fácil. Como se ha señalado desde el institucionalismo histórico, "el camino hacia la integración europea ha situado a los Estados miembros en un denso entorno institucional que no puede entenderse en el lenguaje de la negociación interestatal" (Pierson, 1996: 158-159). Además, la naturaleza estratégica del diálogo transatlántico y su contribución a la seguridad y prosperidad de EEUU no son necesariamente evidentes por sí mismas, no deben darse por sentado y deben explicarse a fondo y justificarse de manera convincente. La tendencia en las capitales europeas a asumir que la salud de la relación transatlántica viene determinada por el esfuerzo que un

determinado Presidente estadounidense decida invertir en ella, debe equilibrarse con la visión, en Washington, de que el valor de la relación transatlántica depende de su relevancia perceptible para los intereses estratégicos de EEUU (Niblett, 2013).

Respecto al vínculo entre el Alto Representante y la Comisión Europea, no se encontraron hallazgos concluyentes de una correlación entre la capacidad de interlocución del Alto Representante y el aumento de las estructuras administrativas y del acervo competencial posteriores al Tratado de Lisboa. Algunos entrevistados consideraron que el “doble sombrero” puede tener efectos positivos para el diálogo transatlántico, pero otros señalaron riesgos de efectos *spill-over* asociados con choques entre administraciones en materias políticas delicadas como comercio, competencia o fiscalidad¹⁵⁷. Si bien la posibilidad de que el capital político del Alto Representante se vea socavado por la mediación en ámbitos políticos delicados pudiera constituir un campo para la investigación futura, el vínculo administrativo entre el Alto Representante y la Comisión no implica una obligación *de iure* de que el Alto Representante asuma funciones de mediación técnica. Es una cuestión de elección política, estilo personal y/o enfoque estratégico de unas funciones establecidas en el Derecho primario de la UE con amplio margen de discreción interpretativa.

La ausencia de una causalidad epifenomenal entre las relaciones políticas y económicas entre la UE y EEUU en la historia reciente no debería llevar a considerar como irrelevante el indicado declive en el diálogo político. Las relaciones interestatales no solo se nutren de flujos económicos. Si este fuera el caso, EEUU y China serían amigos cercanos -a pesar de las fricciones que conllevan los intensos vínculos económicos, ya que los movimientos transfronterizos de bienes e información suelen generar disputas legales (Efrat & Newman, 2016)-. Las relaciones también se sustentan en valores comunes y la cooperación en importantes ámbitos no económicos, como justicia e interior, clima, educación, cultura y muchos más, según reflejan los datos cuantificados

¹⁵⁷ Un ejemplo ofrecido por los entrevistados fue la "lista negra de paraísos fiscales" de la UE, propuesta por la Comisión Europea y adoptada por el Consejo en diciembre de 2017. Esta "lista negra" incluía aliados estadounidenses, como Emiratos Árabes Unidos y Corea del Sur, y territorios de EEUU en el Pacífico, como Guam (Toplensky, 2017, 5 de diciembre). La lista negra fue modificada en 2019 (Guarascio, 2019, 10 de octubre). Los entrevistados confirmaron que esta iniciativa provocó tensiones importantes. Un entrevistado subrayó que tales tensiones sobre los expedientes sectoriales tienen, en el mejor de los casos, "un efecto enfriador" en el diálogo político general. Otro entrevistado consideró que, si el Alto Representante termina mediando, en nombre de la Comisión, en espinosas negociaciones sectoriales, su capital político podría verse mermado si el resultado final de la negociación se percibiese en EEUU como desfavorable.

en esta tesis doctoral sobre encuentros sectoriales UE-EEUU. Estas materias -algunas de las cuales tienen alta relevancia para la seguridad nacional-, se nutren a través del diálogo político que, al más alto nivel, presenta beneficios potenciales que se obtienen con mayor dificultad en los niveles inferiores (como se explicó, el diálogo al máximo nivel puede desbloquear avances políticos obstruidos en los niveles inferiores; adoptar decisiones de mayor alcance; fomentar la confianza y las relaciones interpersonales de alto nivel, especialmente importantes para las relaciones interestatales y las dinámicas de gestión de crisis; y dar impulso al desarrollo de redes interadministrativas para el diálogo institucionalizado).

EEUU ha sido históricamente “la media naranja” del proyecto de integración europea en el escenario internacional (Hill, Smith, & Vanhoonacke, 2017). El declive del diálogo político de alto nivel entre la UE y EEUU, confirmado por los análisis tanto cualitativos como cuantitativos, tendrá consecuencias de gran alcance, ya que implica un cambio en los equilibrios de poder y los paradigmas de seguridad que han estado en la base del orden internacional desde el final de la Segunda Guerra Mundial. En una época en la que las grandes potencias están cada vez más preocupadas por las relaciones políticas y económicas con los actores globales emergentes, esta preocupación conduce a una peligrosa combinación de mayor indiferencia mutua y roces competitivos a ambas orillas del Atlántico (Niblett, 2013). Uno de los entrevistados, de la administración Trump, consideró que la UE debe aspirar a establecerse “como una plataforma de acción conjunta, para abordar desafíos comunes como China, y no un escenario de competencia”. El riesgo de convertirse en un escenario de competencia en lugar de una plataforma para la acción conjunta ha sido un temor constante en EEUU desde el final de la Guerra Fría. Esta competencia, inherente al sistema internacional, no debe inhibir la capacidad de cooperación de los dos actores para afrontar crisis globales, como las que han marcado la última década (*v. gr.* económica y financiera, inmigración y refugiados, y COVID-19).

Estas crisis han subrayado los límites estructurales de la UE como actor político. Los limitados poderes jurídicos de la UE (*v. gr.* en política económica, inmigración y asilo, y salud pública) han impedido respuestas integrales y rápidas a desafíos implacables que no ofrecen período de gracia ni clemencia para acciones tardías o procedimientos decisorios lentos y engorrosos. Frente a las crisis, la UE está frecuentemente atrapada como consecuencia de poderes limitados, precisamente en los ámbitos políticos donde los

poderes son más necesarios. Además, estos poderes limitados se han visto empantanados con frecuencia por divisiones y escaramuzas entre los Estados miembros, como se destacó claramente en la fase inicial de la crisis de la COVID-19, pero también en la crisis del euro y las crisis de inmigración y refugiados. Ello ha sido posible, entre otras razones, porque el alcance de estos poderes limitados se ha moldeado históricamente a la luz del concepto de "subsidiariedad descendente excluyente" -adoptado en el Consejo Europeo de Birmingham de 1992 y codificado más tarde en los Tratados de Maastricht y posteriores revisiones de los Tratados-, que restringe la acción europea cuando la acción nacional o subnacional se considera más eficiente¹⁵⁸. Es esta "subsidiariedad descendente excluyente" lo que da sentido al principio de subsidiariedad consagrado en el Derecho de la UE actual¹⁵⁹ -este principio puede ser definido por el viejo adagio británico, "es necesario no actuar, cuando no es necesario actuar". Una "subsidiariedad ascendente excluyente" -que restringiría la acción nacional cuando la acción europea se considere más eficiente- fue rechazada en la negociación del Tratado de Maastricht y habría facilitado respuestas más eficaces de la UE a las crisis recientes. El autor está de acuerdo con un eminente académico que indicó que la política de subsidiariedad ascendente es necesaria, pero constituye al tiempo un reto colosal.¹⁶⁰ Parece claro, en todo caso, que la UE no ha podido superar su alianza fundacional original, la Comunidad Económica Europea; el resto de los ámbitos políticos están, en general, fundamentalmente en manos de los Estados miembros. Por ejemplo, de acuerdo con la distribución competencial establecida en el Tratado de Funcionamiento de la UE¹⁶¹, a lo largo de las etapas iniciales de la crisis de la COVID-19, la acción de la UE *complementó* las acciones de los Estados

¹⁵⁸ Un episodio que contribuyó a la cristalización de este concepto de subsidiariedad es la negociación a finales de los años 80 del programa COMETT 2, programa de formación profesional y cooperación tecnológica entre 1990 y 1994 en el marco de la entonces Comunidad Europea. Cuando el Vicepresidente de la Comisión, el español Manuel Marín, propuso un aumento de la financiación del programa, varios países (Alemania, Francia, Países Bajos, Dinamarca y Reino Unido) se opusieron a la propuesta, que se había realizado de conformidad con el artículo 128 del Tratado de la Comunidad Europea, requiriendo unanimidad. En un movimiento audaz, el vicepresidente Marín cambió a una base legal diferente, el artículo 235, que solo requería mayoría simple. La Presidencia griega del Consejo de 1988 aceptó su base jurídica, como hizo el Tribunal de Justicia cuando Alemania presentó una denuncia. Sin embargo, se había sembrado la semilla de la discordia, y Alemania, presionada por sus Länder, y con la intención de volver a redactar el artículo 128 para diluir la competencia comunitaria y detener el proceso de spill-over de la formación profesional de competencias hacia la educación, impulsó la creación de competencias "complementarias" en el ámbito de la educación, la formación profesional y la ciencia. La "subsidiariedad excluyente descendente" se convirtió en la norma, excluyendo la acción europea cuando la acción nacional o subnacional se considera más eficiente, excepto, por supuesto, en las políticas exclusivas de la UE, como el comercio o la unión aduanera (Gori, 2001).

¹⁵⁹ Artículo 5 del Tratado de la UE.

¹⁶⁰ Jolyon Howorth, en correspondencia con el autor.

¹⁶¹ Artículo 6.

miembros, los principales agentes de toma de decisiones en la crisis. Al tiempo, la acción de la UE y sus poderes legales limitados no se *complementaron* con un liderazgo político fuerte dentro de las instituciones de la UE.

Un liderazgo fuerte a nivel europeo habría compensado, hasta cierto punto, la ausencia de poderes legales más amplios en la UE, habría dado más influencia a la respuesta de la UE y habría impulsado acciones más decididas en la gestión de la crisis. Un liderazgo fuerte en la UE probablemente habría facilitado el diálogo transatlántico sobre la COVID-19, cuya falta, sobre todo en las fases iniciales de la crisis, ha sido manifiesta y criticada (Gardner, 2020). Parece una ironía de la historia que la Nueva Agenda Transatlántica de 1995, adoptada en el Consejo Europeo de Madrid bajo la segunda Presidencia española del Consejo, reivindicara la implementación de un sistema mundial de alerta temprana eficaz y una red de respuesta para enfermedades transmisibles nuevas y reemergentes, y aumentar la capacitación y los intercambios profesionales en esta área. Distinguidas voces han considerado que se debería "desempolvar la NTA y dar vida a sus recomendaciones", por ejemplo, para fomentar la investigación conjunta, el intercambio de expertos médicos, el intercambio de conjuntos de datos, la inversión conjunta en instalaciones de fabricación de equipos críticos, la creación de un manual conjunto sobre respuestas a futuros brotes y un acuerdo para eliminar las barreras arancelarias y no arancelarias al comercio transatlántico de bienes útiles para combatir pandemias (Gardner, 2020, April 21).

En todo caso, parafraseando la cita apócrifa de Kissinger ¿a quién llama EEUU para coordinar acciones en la próxima pandemia? ¿A la Comisión? Esta opción puede presentar inconvenientes, ya que la UE *per se* tiene poderes limitados en salud pública. ¿A determinados Estados miembros? Esta opción tampoco resultaría del todo convincente, ya que los Estados miembros no tienen ni el poder ni el mandato legal para coordinar medidas entre el resto de sus pares. ¿El Presidente del Consejo Europeo? El papel coordinador -o falta de él- de esta institución durante la crisis de la COVID-19 ha sido criticado, y el liderazgo de su Presidente no ha impresionado a Washington, según los entrevistados. Una posibilidad planteada por uno de los entrevistados es promover en Europa la creación de enviados especiales, altos representantes o embajadores en misión especial, que actúen como referentes o puntos de contacto para crisis específicas. Para que este ejercicio funcionase, los entrevistados consideraron que los altos representantes tendrían que ser figuras respetadas y de alto perfil, que pudieran coordinar de forma eficaz

ad intra -crear unidad estratégica dentro de las instituciones de la UE y los Estados miembros-, así como *ad extra* -actuar como interlocutores efectivos con autoridades de terceros países-. El actual Coordinador Europeo de Respuesta a Emergencias es Janez Lenarčič, el Comisario esloveno, un diplomático experimentado, aunque relativamente desconocido fuera de círculos tecnocráticos. El caso de Javier Solana es un precedente claro en la UE de coordinador con peso político y prestigio internacional. Más recientemente, y en un contexto completamente diferente, el nombramiento de Michel Barnier como “Mr. Brexit” y su papel efectivo como negociador jefe de la UE, demuestra que, cuando hay voluntad política en la UE de trabajar de manera conjunta en aras de un objetivo estratégico, es capaz de actuar eficazmente. ¿Necesita la UE más Barniers o Solanas? La pregunta no es baladí y va más allá del diálogo transatlántico: si EEUU tiene problemas para comprender la lógica y el funcionamiento de la UE como actor internacional, bien podría presumirse que otras grandes potencias, como China o Japón, pueden tener problemas similares. La UE se enfrenta a una prueba de credibilidad no solo ante EEUU, sino también ante el resto del mundo.

Se viene considerando que el Brexit afectará negativamente al diálogo político entre EEUU y la UE, ya que el Reino Unido ha sido históricamente uno de los principales vínculos estratégicos de Europa con EEUU. Admitiendo este vínculo como un hecho incontestable, también es cierto que, históricamente, el Reino Unido no ha facilitado el diálogo entre las instituciones de la UE y la administración estadounidense. Londres se ha reservado tradicionalmente este cometido, aludiendo a su “relación especial” con EEUU para justificar su preeminencia en el liderazgo del diálogo transatlántico. En particular, este enfoque impregnó los trabajos sobre política exterior del Consejo de la UE y fue conocido entre los diplomáticos europeos como la “filosofía de no intervención” o “*hands-off*” en el diálogo transatlántico. En la Europa post-Brexit, la UE tendrá que hacer de la necesidad virtud y, en lo que podría considerarse una mayoría de edad diplomática, deberá tomar las riendas de su diálogo con EEUU y desarrollar sus instituciones y capacidades diplomáticas (Renedo, 2020).

Un diálogo más fluido y constante, institucional y político, entre la UE y sus socios estratégicos, podría fomentarse mediante un mayor desarrollo de las instituciones creadas por el Tratado de Lisboa, haciéndolas más eficientes y dinámicas sin necesidad de revisión alguna de los Tratados. Esta tesis doctoral sostiene que, con respecto a las

relaciones políticas entre la UE y EEUU, es posible un mayor grado de efectividad en la implementación de las instituciones del Tratado de Lisboa a través de las medidas descritas en esta sección. Aunque la UE ha sido considerada como "un actor estratégico" (Cottey, 2020), los resultados de la investigación proporcionan argumentos en contra de "una conclusión demasiado fácil de la inevitabilidad o funcionalidad de los resultados observados"¹⁶² (Pierson, 2000: 252), y motivos para creer que el aparato diplomático de la UE, responsable de la conducción de la PESC, puede hacerse más eficaz para el diálogo transatlántico abordando los factores endógenos antes mencionados (*v. gr.* mediante el nombramiento de líderes institucionales óptimos de la UE y mediante una estructura más eficaz de las Cumbres UE-EEUU, proporcionando un terreno fértil para las "coyunturas críticas" y el "flujo institucional"). El análisis aquí realizado no pretende ser un diagnóstico concluyente, sino un paso hacia una comprensión más avanzada de ciertos factores que pueden restringir la efectividad de las instituciones diplomáticas de la UE en la promoción del diálogo transatlántico. Entre los factores identificados, posiblemente el más relevante sea un fuerte liderazgo personal en las instituciones de la UE, ya que su falta ha contribuido claramente al bajo rendimiento de Bruselas en su política exterior y su interacción con Washington. En opinión del autor, un liderazgo fuerte podría 1) atenuar el efecto negativo sobre el diálogo transatlántico de los otros factores endógenos identificados -disfuncionalidades en los formatos de las cumbres y complejidad de la arquitectura política y decisoria la UE-; y 2) impulsar las decisiones políticas necesarias para abordar de manera efectiva tales factores.

La UE necesita, quizás más que nunca, instituciones eficaces y liderazgo político, definido como la capacidad de ayudar a las personas a enmarcar y alcanzar sus objetivos (Nye, 2020, May 7). El dilema subyacente en los nombramientos de los titulares de instituciones europeas evoca la clásica distinción weberiana entre "líderes", que mueven la rueda de la historia, y "administradores", que mueven la rueda de la maquinaria burocrática (Weber, 2004). ¿Son los "líderes transaccionales", que manejan situaciones ordinarias o de *business as usual*, compatibles con los "líderes transformacionales", que intentan reconfigurar las situaciones en las que se encuentran? (Nye, 2020, May 7; MacGregor, 2010; Bass, 1985). En opinión del autor, son perfectamente compatibles, en una lógica similar a la del proverbio bíblico *Caesar caesari, deo dei* -a Dios, lo que es de

¹⁶² Traducción del autor.

Dios; al César, lo que es del César-. En cualquier caso, el estilo transformacional de liderazgo se ha considerado crucial para los Estados desarrollistas (Manning, 2001); tal lógica también puede aplicarse a la UE, un proyecto de integración en desarrollo desde la década de 1950, con alto rendimiento económico, pero claras disfuncionalidades políticas. Además, de acuerdo con las aplicaciones recientes de la teoría democrática para explicar la crisis de legitimidad de la UE, el predominio de los administradores transaccionales al frente de las instituciones diplomáticas de la UE plantea interrogantes sobre la calidad de tres componentes identificados de la legitimidad de la UE en los campos de la PESC y la PCSD: “legitimidad del *output*”, relacionada con la eficacia y el desempeño de las políticas; “legitimidad de *input*”, referida a la representación política y la capacidad de respuesta; y “legitimidad del *throughput*”, asociada a la calidad de los procesos de gobernanza (Schmidt, 2020).

En suma, admitiendo la validez del argumento de que la tendencia a nombrar como titulares de las instituciones de la UE a figuras de bajo perfil es hoy estructural y difícil de superar debido a *realpolitik* e inercias intergubernamentales, no está escrito en piedra que ello deba permanecer inalterado en el futuro. Como se indicó previamente, la misión histórica de la UE es rescatar a Europa de la *Realpolitik* (Toje, 2008), facilitando el logro de ganancias absolutas. No es menos cierto que la UE tiene que tratar eficazmente con el mundo tal como es, no como desea que sea (Borrell, 2020, February 8). Cada vez está más claro que, si la UE quiere competir exitosamente en el mundo del siglo XXI, necesita empoderar verdaderamente a las instituciones que ha creado a lo largo de su proceso de construcción. Cuando los Estados miembros -sus gobiernos, sus parlamentos, sus opiniones públicas- tomen plena consciencia de que hacerlo favorecerá la promoción de sus intereses en términos absolutos, podrán dar el gran salto adelante.

La UE se ha forjado históricamente a través de crisis, cuyos efectos catárticos pueden promover heurísticamente dicha realización entre las sociedades europeas. La academia, las instituciones y la diplomacia deben esforzarse por acelerar este proceso, con paciencia, pero con determinación inquebrantable, pedagogía inteligente y comunicación estratégica (Cederman, 2001), sin dejarse intimidar por los profetas de lo inalcanzable. Nelson Mandela escribió que los grandes logros a priori “siempre parecen imposibles, hasta que se consiguen” (Zimmer, 2016: 5). A fin de cuentas, la historia encuentra maneras de sorprender a la humanidad y de deshacerse de convicciones que se habían tomado por

inmutables realidades parmenídeas. Y no debe olvidarse que los cambios profundos en la sociedad internacional, como los desencadenados por la COVID-19, pueden conllevar una evolución institucional, así como cambios en la psicología del liderazgo (Middelaar, 2019). Como señaló Stanley Hoffmann hace cinco décadas, “las instituciones internacionales, en sus procesos políticos y en sus funciones, reflejan y hasta cierto punto magnifican o modifican los rasgos dominantes del sistema internacional” (Hoffmann, 1970: 790). Guiado, en educación y profesión, por una visión heraclíteica de las relaciones internacionales, el autor espera, como firme creyente en los beneficios estratégicos de la integración europea, que algún día, en un futuro no muy lejano, se tomen las decisiones políticas necesarias para permitir a las instituciones de política exterior de la UE alcanzar su verdadero potencial. La esperanza no es una estrategia, pero sin ella, Europa -tal y como la conocemos- no existiría.

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