

## EU Opt in and out under the Framework of Lisbon Treaty

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*According to Article 50 TEU (Treaty of European Union) amended by Lisbon Treaty, member states of European Union are granted right to leave this international organisation, and the moment and change is being watching. Since Article “Withdrawal” being approved, EU member states have legal right to leave EU; nevertheless, the European political and economic situation can be changed, and no scholar can ensure that all the EU countries will be together forever. The Lisbon Treaty coexists “Opt in and out” Open Door Policy, and it is doubted whether EU is constrained or loose regime with the Article 50? This paper consists of those parts to study the potential and future political development and situation of European Union—the procedure of access to and withdrawal from EU in context of the Lisbon Treaty, and what impact comes up to international politics when the withdrawal of EU member state is in process. This paper is designed to apply Open-Source Intelligence for data management by which data processing is more effective. As well, the study*

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*is employed Organisational Decision-Making Theory to be theory base by which explains the process and procedure of decision-making in organisation of EU, because the EU accession procedure needs to match the decision made by the European Council, to consider the opinions reported by the Commission, and to research common consent concluded by the EU Parliament. In addition, the historical review is adopted as research approach to review the history of access and withdrawal among EU member states. The contribution of the paper mentions the EU's world position and European politics if one member leaves the Union, and it would bring the domino effect to affect others to withdrawal as well. The paper discovers that some EU member states would plan to leave the Union before the Treaty of Lisbon enforcement by reason of national interest maladministration or unfair allocation, and even though one EU member state leave the Union, it still has the right and opportunity to cooperate with the Union. However, the former member cannot enjoy membership right, but it does not serve the EU obligations. The paper concludes that the withdrawal of the EU may not hurt former states' interest and continue multiple cooperation with EU, but the EU's world position and international peace and security will drop into the dilemma, and it will not benefit the EU in final.*

**Key words: withdrawal from the EU, the Treaty of Lisbon, organisational decision-making theory, open-source intelligence, historical review**

## Introduction

The Treaty of Lisbon plays a cornerstone role that betters the European Union (EU) institutional performance as well as citizen's right protection; this treaty is aimed to reform the current EU and EC treaties that reveal several problems within EU. Before the enforcement of the Treaty of Lisbon, EU can be interpreted as a rock solid international organisation, because the EU has succeeded to create the three fundamental common policies to harmonise every EU member state's national interest, and besides the EU is also designed to provide the negotiation platform to discuss and solve problem and differences.

However, this understanding will not be reasonable anymore after ratification of the Treaty of Lisbon, particularly The Article 50 TEU amended; as a matter of fact, it could conclude that the EU integration is not the only option, but the disintegration could be another one. It is the certain argument that the Treaty of Lisbon empowers EU to become a global actor by means of integration strategies that gather and collect the national power and interest from the member states of EU, but the Article 50 may weaken the solidity.

Solidity is the key element for EU to demonstrate her power in any international affair, because the EU can employ the collective action to favour or punish any country that threaten or benefit the EU. If any EU member requests to withdraw, it can not only provoke internal disputes among the member states but also damage the effectiveness of external

action around the world. With regard to EU withdrawal issue, that took place in Sweden, Norway, Switzerland, Denmark, France and Britain.

Since Britain joined the EU in 1973, this United Kingdom has not balanced payments and gains from the EU; many British have complained about more payments but less gains, and for instance, the country made high payments to the EU budget but was allocated only a small amount out of the agricultural fund composing 75% of the overall budget prior to 1984.<sup>1</sup> In addition, the policy toward Europe inherited by the United Kingdom has been against any single dominance in this continent; even though Britain was granted with EU membership, this country never disobeys this tradition—anti-hegemony.

As the former prime minister Margaret Thatcher spoke at the College of Europe in Bruges, Belgium on 20<sup>th</sup> September 1988, the United Kingdom supports the European integration and enlargement rather than European “superstate”; Madam Thatcher believed that every EU member state holding herself identity is very helpful for the European integration, and she interprets that participating the European Community is to join the family of nations.

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<sup>1</sup> Lechner, S. and R. Ohr. "The Right of Withdrawal in the Treaty of Lisbon: A Game Theoretic Reflection on Different Decision Processes in the EU." *European Journal of Law and Economics* (2010): 5.

According to withdrawal of the EU, study the example first of all, France was the pioneer that threaten to leave the EU under the de Gaulle's presidency in 1965. Additionally, Swedish and Danish governments have undergone the debate of EU staying or leaving since 1990s. Although no EU countries opt out, there are examples of the member state attempting to leave; do not mention it again, it makes the EU member states legal and easy to participate the EU.

Review the history of the integration of European countries, the primary purpose is to prevent Germany's rehabilitation that could triggers the next world war again, and to tackle the aftermath of the first world war with the economic integration strategy among the whole European countries. Unfortunately, but the cold war took place and divided European continent at that time by applying different ideologies of politics and economy that differentiated the western and eastern European states.

Although the cold war broadened the gap among European countries, the integration in West Europe has carried on. Few years later, the European Coal and Steel Community in 1951 was established by reason of strategic energy management and cooperation on economy recovery; in addition, the European Economic Community in 1958 appealed the member states to make economic cooperation effective, and finish the coordination of atomic policy and custom affairs in the next years. The most important moment of EU enlargement has launched since Greece accession of 1981, and it has continued to wait for new members until

now, but the alternative of withdrawal EU has not been introduced officially.

Since David Mitrany's pamphlet was published, his "*functional alternative*" has been applied for European integration and unity<sup>2</sup>; since that time, Europeans realised that professional cooperation could replace military confrontation in issue of interest conflict, and besides the European integration has dominated the research topic, newspaper article, and policy and issue agenda for years. People believe that the European integration provides the solution of economy recovery after the World War II and offers the strategies of competing with the Soviet Bloc.

By any means, the core of international politics has acted as a catalyst for change after collapse of Soviet Russia and the age of counter-terrorism. The external threat has disappeared, but the internal terror just starts off for EU member states; worst of all, several financial and economic crises are intertwined with them, and therefore more and more EU member states consider establishing the right of withdrawal from the Union.

Before the Treaty of Lisbon, no one anticipate that EU may come toward disintegration; however, after the enforcement of the Treaty of

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<sup>2</sup> David Mitrany wrote the pamphlet *A Working Peace System* in 1943, and his theory and argument are developed for the unity of the world and war prevention; nevertheless, his "*functional alternative*" is still employed by European unity and integration theorists.

Lisbon, the disintegration of EU is going to become an unavoidable issue in the EU affairs study. EU Accession produces rights and obligation, but EU withdrawal suspends them; what impact and influence are accompanied by the enforcement of the Lisbon Treaty? This paper focuses on the analysis of EU Accession and Withdrawal under the framework of the Treaty of Lisbon; first of all, the paper analyses the decision-making procedure of EU membership accession and withdrawal under the framework of the Treaty of Lisbon through the theory base “*Organisational-Decision Making Theory*”

Secondly, this research concentrates on the procedure and future influence for EU while withdrawing, and concludes the reasons and motives of EU withdrawal, particularly unilateral not expulsion or negotiation withdrawal; in final part of this research, this paper analyses the future integration or disintegration of EU respectively, and discusses whether this effort or consequence determines the position of EU as a global actor in the world affairs—stronger, weaker or neutral. By reason of few research papers analysing EU accession and withdrawal within the Treaty of Lisbon, this paper makes use of *open-source intelligence* to collect, filter, analyse, validate and manage data and information; in summary, to create the systematic data process method to explore valuable resource to achieve research findings.

The definition of OSINT exists two basic meaning—open source and intelligence circle. In this way, *Open Source* is interpreted to denote public and unclassified data and the researchers are not worried about

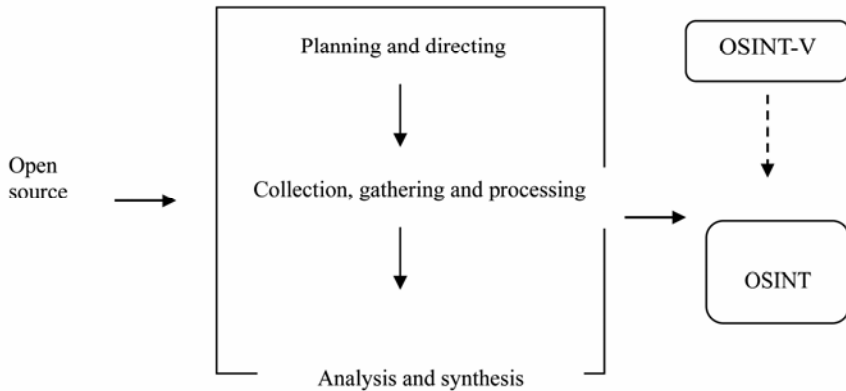
lack of data under this condition; although a wide range source comes toward the research, the researchers could be lost in large-scale source and discover no research direction immediately. Therefore, solicitously, the solution of data management is not ignorable, and consequently, intelligence circle is the ideal answer to this question. To sum up OSINT, this data processing tools benefit the IR researchers in the field of data planning, identification, collection, processing, analysis, synergies and exploitation. In the other side, most OSINT experts define open source intelligence as unclassified information that has been deliberately discovered, discriminated, distilled and disseminated to a select audience in order to address specific questions.

With knowledge of relevant and reliable sources of open source information, the researcher can devote collection energy and analytical expertise to develop source-collection strategy and to fulfill the research need. OSINT consists of all sources of information that matches the designed purposes, and is sharable and communicative to improve the process of data gathering and processing.<sup>3</sup> (Figure 1 the process of OSINT)

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<sup>3</sup> Cheng, Y. C. "The Application of OSINT in IR Studies." NCCU, Taipei, June 6, 2008.





**Figure 1** the process of OSINT

**Source:** Cheng, Y. C. “The Application of OSINT in IR Studies.”

NCCU, Taipei, June 6, 2008.

Definitely, the organisational decision-making theory is ideal theory base to analyse the EU decision-making on member states accession and withdrawal by reason of pattern of EU decision-making—collective, organisational and rationale; as we know, any major and influential decisions are made by organisational performance in EU—unanimity, qualified majority voting, and double majority system. The organisational decision-making does not exclude any decision maker in organisation, but sometimes not every makes decision in organisation; decision makers,

who do not make any decision in organisation, participate the process and procedure of decision-making, and it also can be named organisational decision-making.

Unlike individual decision-making, organisational decision-making emphasises incentives and penalty; the incentives of organisational decision-making encourage decision makers to make decision, which is better for an organisation; the penalty of organisational decision-making punish decision makers, who make worse decision to damage the operation or survival of organisation. Organisational decision-making may appear repeated decisions on the same or similar issues or problems; the repeated decisions in organisation usually happen to the same situation, but not to the same decision makers. Organisational decision-making ensures that different groups of decision makers make similar decisions, which support organisation.<sup>4</sup>

Obviously, long unity may lead into division, but long division may return to unity for any institution as well as EU; EU has been designed to eliminate difference among member states, and tries to reach common position over crucial policies and issues, but the Treaty of Lisbon breaks the efforts that could trigger the disintegration of EU. It is difficult to conclude that the disintegration would carry EU burden, but it can assume that EU will become a weaker global actor, who is capable of impacting on international affairs. Moreover, the integration strategy approved by

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<sup>4</sup> Cheng, Y. C. "Accelerated Decision-Making Procedure: Case Study of EU Rapid Reaction Mechanism." (PhD diss., Charles University in Prague, 2010.)

the Treaty of Lisbon is another part of the research to analyse that where, when and who takes place EU integration.

### **The Lisbon Treaty outlines EU Accession and Withdrawal**

The decisions on EU accession and withdrawal require unanimity, and it means the model of EU decision-making is making decision in organisation; furthermore, EU member states have obligation to obey the rules and regulations made by EU administrative body, and the outcome of EU's decision on accession and withdrawal must satisfy the interest of EU member states. In practice and theory, no doubt, the EU accession and withdrawal would threaten current and existing interest in the EU, and it matters the system of power balancing or shifting; worst of all, it cannot ignore that it might destroy the EU in future.

Since EU accepted the Accession of the UK, Denmark and Ireland, the system of power and the architecture of national interest in the EU have been being changed in every EU enlargement phrase; however, the Treaty of Lisbon will bring more one possible consequence—EU dissolution, because this treaty returns to the withdrawal right for every member state. Having said that, the Treaty of Lisbon just rematches the principles of the Vienna Convention.

According to Article 6 (consolidated version of TEU), the applicant states are necessary to accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms, and obey any regulation made by any Treaty that has been signed and ratified by the

current member states of the EU, and with Article 49 (consolidated version of TEU), the EU members to notify application for accession.

The European Parliament and national Parliaments shall be notified of this application. The applicant state shall address its application to the Council, which shall act unanimously after consulting the Commission and after receiving the consent of the European Parliament, which shall act by a majority of its component members. The conditions of eligibility agreed upon by the European Council shall be taken into account.<sup>5</sup>

In contrast to Article O (TEU), the European Parliament should not act by an absolute majority about accession to the Union, and the national Parliaments of the applicant states need to approve the EU accession application as well under the Treaty of Lisbon; in addition to membership application, the integration strategy of the EU cannot be understood separately, and therefore the European Council gets involvement with the decision on membership application and accession.

Obviously, the Treaty of Lisbon is strict to the accession and application of candidate states of the EU, and it interprets that the EU considers the quality rather than quantity of integration progress; no doubt, the current integration phenomenon has doubted the confidence of the member states over the EU.

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<sup>5</sup> Council of the European Union. "Consolidated Versions of the Treaty on European Union." *Official Journal of the European Union C*, no. 115 (2008): 43.

Whatever accession clause in the treaties have been written, any applicant country is obligated to experience “*pre-accession strategy*”, “*pre-accession assistance*”, “*grant candidate country status*”, “*accession negotiation*”, “*Copenhagen criteria*”, and “*accession partnership*”, and becomes EU member state subsequently; need to mention, the new accession procedure approved by the Treaty of Lisbon emphasises the role of the national Parliaments and the European Council, and that makes any applicant state reach the agreement concluded by the executive and legislative bodies, and reminds the head and president of the EU member states rethink the integration strategy.

Any treaty referred to EU participation cannot be the exception and cannot break the fundamental principles of the Vienna Convention on the Law of Treaties (the Vienna Convention) particularly. With accordance with the Vienna Convention, the limited right of withdrawal for the treaty signatory is obligated to provide, and two different situations are recognised that a signatory can unilaterally withdraw form a treaty that is silent on the possibility of its denunciation. One is where it is possible to establish that the parties to the treaty intended to recognise a right of denunciation or withdrawal, and Article 56 (b) indicates that a right of denunciation or withdrawal may be implied by the nature of the treaty.<sup>6</sup>

Obviously, the treaties of establishing European Union do not connect with the nature of the Vienna Convention, and the clause of the treaty

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<sup>6</sup> “The Vienna Convention on the Law of Treaties (1969)”, accessed June 6, 2010, <http://untreaty.un.org/cod/avl/ha/vclt/vclt-e.pdf>

withdrawal is expected to reckon in necessity while EU initiates a new treaty to make its institutions effective. The treaty of Lisbon was viewed as the Constitutional Treaty earlier, because the active designers of this treaty aimed to constitute fundamental laws to establish basic value of Europe.

No surprise, this proposal is rejected sooner by reason of the nature of sovereignty; some EU member states are worried about their loss of national interest after accepting the constitutional treaty. Although the Treaty of Lisbon does not outline the context of European Constitution, it contents several essential articles that support human rights and democracy. Besides, the Treaty of Lisbon provides the solutions to make EU institutions and decision-making more effective and better, and clarifies the right of the treaty withdrawal as well.

Since Article 50 (TEU) amended by the Treaty of Lisbon, any Member State may have decided to withdraw from the Union in accordance with its own constitutional requirements; the EU cannot be consolidated regional international organisation anymore. A Member State, which decides to withdraw, shall notify the European Council of its intention; in the light of the guidelines provided by the European Council, the Union shall negotiate and conclude an agreement with that State, setting out the arrangements for its withdrawal, taking account of the framework for its future relationship with the Union.<sup>7</sup>

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<sup>7</sup> Council of the European Union. "Consolidated Versions of the Treaty on European Union." *Official Journal of the European Union C*, no. 115 (2008): 43.

The procedure of the EU withdrawal needs the co-decision made by the Council and the European Parliament; the Council acts by a qualified majority, and the European Parliament obtains the consent. The withdrawal from the EU does not mean disrupt cooperation or relationship with the EU; instead, the EU will create an extra system to carry on collaboration with former member states. What can be lost for the former states are to leave co-decision system that is created by the European Council or Council; having said that, the member of the European Council or of the Council representing the withdrawing Member State shall not participate in the discussions of the European Council or Council or in decisions concerning it.<sup>8</sup>

Both accession and withdrawal of the EU obey the principle of the decision-making in the organisation, and the majority of voting or consent is determinate element for them; refer to majority, the minority may disapprove or express or abandon the rights of decision-making or consents expressing. However, any decision made by the majority secures cohesion and common position with minority.

The EU may be afraid that the disruption between current and former member states will appear the leak of integration, and it could damage the interest of other current member states; therefore, the withdrawal application is designed to leave away from the discussion or decision hosted by the European Council or Council, but other cooperation is still

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<sup>8</sup> *Ibid.*, 45.

working, such like the custom union, police and home affairs, the fundamental human rights, and so on.

As a matter of fact, the withdrawal allows the applicant to leave top ranking decision-making platform but not to turn away economics, social, culture and education, police or foreign and security affairs; nevertheless, the former EU member states cannot be granted the equal right and benefit, but they are not obligatory to fulfill the obligations.

### **Reasons and Motives of Unilateral Withdrawal**

With regard to withdrawal from a organisation or union, there may have “negotiation”, “expulsion” or “unilateral” types, but this paper is designed to analyse the unilateral withdrawal by reason of voluntary motive as well as application without enforcement. The EU accession applicant countries always are voluntary to apply for accession and they also enjoy the same condition to submit withdrawal application.

As for a Member State’s withdrawal from the EU, the complexity surrounding it are legion, affecting the rights and obligations of every natural or legal person inside or outside the territory of the withdrawing Member State who is or who may be affected by it.<sup>9</sup> It is not easy the EU current and former members to diver a system to another one. Based on the Organisational Decision-Making Theory, any EU member state

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<sup>9</sup> Herbst, J. "Observations on the Right to Withdraw from the European Union: Who are the “Masters of the Treaties”?" *The Unity of the European Constitution* (2006): 385-389.



decides to withdraw regardless of personal decision-making because of political system that is requested and prepared by the conditions of EU application procedure.

Applying EU membership is essential to adopt democracy into the applicant country's political system, because this adoption is viewed to support the basic value of the European Union; therefore democracy represents public support, collective and organisational decision-making as well as humanity respect. With regard to organisational decision-making, the desire of unilateral withdrawal in organisation is the objective to analyse.

Before submitting withdrawal application, the motives play the key roles in this issue, and the reason request by one EU member is valuable to discover; the motives, drive the EU country to apply for withdrawal, are categorised into two groups—*cost and profit*. With connection of the accession histories, one European country prepares to participate the EU in order to fit the purpose of seeking for national interest; contrary all the expectations, one EU member is ready to leave the Union if she cannot find out any profit. However, the cost is bigger than the profit, and this consequence might drive the EU member to leave, but also threaten others to satisfy her requests in exchange of keeping membership.

For every EU member state, the membership brings along economic benefits as well as disadvantages that result in state-specific relations; in

accordance with the cost-profit factor, another case explains that the membership benefit is lost and can therefore be equated with the (opportunity) costs of a membership are based on the benefits resulting from an independent position outside the Community. With abandon of the EU membership, the non-membership state can regain the benefit of independency, the autonomous use of the state revenues, and enjoys an autonomous foreign trade policy.<sup>10</sup>

On the conditions, where extraordinary domestic or international situations affect a Member State's ability to fulfill its treaty of obligations, it is another motive for her to apply for withdrawal in the event of war, critical international tension constituting a threat of war, or in order to carry out obligations that can match the purposes of maintaining peace and international security.<sup>11</sup> In conclusion, the motives, related to domestic-international stability and cost-profit balance, will cause the EU member country to maintain or disrupt her membership.

Overview the EU integration and accession histories, it is not difficult to discover several reasons of the membership withdrawal, but no case takes into practice until now. First of all, the case of "French empty chair" was the trigger of the EU disintegration because of profit allocation issue and the disputes over the power of EU institutions with Germany. French

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<sup>10</sup> Lechner, S. and R. Ohr. "The Right of Withdrawal in the Treaty of Lisbon: A Game Theoretic Reflection on Different Decision Processes in the EU." *European Journal of Law and Economics* (2010): 4.

<sup>11</sup> Athanassiou, P. "Withdrawal and Expulsion from the EU and EMU: Some Reflections." *European Central Bank Legal Working Paper Series 10*, (2009): 20.

President de Gaulle was unsatisfied with the proposal that brought less benefit but more financial burden on France, and he also opposed giving more power to the EU Parliament by reason of nationalism.<sup>12</sup> Although the Luxemburg Compromise eased tension between France and Germany, exploiting withdrawal provoked the issue of the possibility of EU disintegration.

Besides France, Great Britain indirectly threaten to withdraw in order to obtain concessions: Since joining the EU in 1973, the country made high payments to the EU budget but was allocated only a small amount out of the agricultural fund composing 75% of the overall budget at that time. Continuously, Britain under Thatcher's presidency also tried several times to leave the Union on the purpose of benefit protection<sup>13</sup>; exploited withdrawal to gain greater leverage to coerce other member states to satisfy British interest. Subsequently, the compromise between Britain and other member states had reached finally in 1984 by establishing the compensation mechanism—the British rebate; however the British rebate still unsatisfied all the EU member states, but it loosened the political and economic tie among them.

Both indirect withdrawal proposals made by Britain and France expose the fact that the interest can be negotiated, and the conflict will

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<sup>12</sup> Dinan, D. *Europe Recast: A History of European Union* (Hampshire: Palgrave Macmillan, 2004), 265-271

<sup>13</sup> Lechner, S. and R. Ohr. "The Right of Withdrawal in the Treaty of Lisbon: A Game Theoretic Reflection on Different Decision Processes in the EU." *European Journal of Law and Economics* (2010): 4-5.

arise again after compromise cannot satisfy the third member state anymore. Furthermore, Denmark and Sweden have had the argument and dispute over maintenance of their EU membership since 1990s; as we know, Danish and Swedish parliaments are mostly seated by the EU skepticism political parties, and the members of parliaments disfavour the Union by reason of sovereignty protection and preservation of Westphalian value. These two Scandinavian countries are sceptical towards the decisions procedures in the EU, which they argue gives too much power to bureaucrats. Brussels are as far as they are concerned also t far way from the peoples of Denmark and Sweden, and thus they are afraid of a development towards a European “super state”.<sup>14</sup> Consequently, they are worried that this super state concerns a little what Danish and Swedish governments care about.

In addition to abovementioned motives and reasons, the Turkey accession dispute disunites the EU member states, and some of them threaten to leave the Union under the condition of Turkey EU membership approval; the EU insists to preserve the pure values of European, particularly culture and region, and the Christian EU states remain sceptical about difference of region, and that may drive fundamental dispute and argument on EU decision and strategy toward the common foreign and security policy and the common justice and home affairs policy.

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<sup>14</sup> Braun, M. "Reasons for a Withdrawal from the EU: EU-Critical Parties in Denmark and Sweden." [http://veda.fsv.cuni.cz/doc/KonferenceRCS/pol\\_braun.doc](http://veda.fsv.cuni.cz/doc/KonferenceRCS/pol_braun.doc) (accessed September 2, 2010).

### **Future integration or disintegration**

For what the EU integration is? In summary, it is the subject to seek maximum of interest but minimum of disadvantage; in advance of favor or barrier, avoiding the next world war can be interpreted as the real reason of the integration in Europe. In the beginning of the integration in Europe, professional affairs dominate over half century, and core national interest, such like diplomacy, defence, and politics, becomes the key role in the agenda of integration in Europe later. The integration for Europe and the EU means that the negotiation and cooperation is welcomed rather than military conflict and confrontation among the European nations.

The integration can broaden the market and investment in Europe, and it gathers all power to tackle huge problem, and produces the guideline to face common challenge as well. Nevertheless, the integration causes burden; a problem took place in nation A may spread like wildfire in other any states. The integration causes the argument of absolute and relative gain among member states, and produces the problem of resource allocation or store. Since the Treaty of Maastricht of 1992 succeeded in elimination of political and economic barriers for the EU member states, freedom of service, labour, goods and capital, and even knowledge has been granted for the EU citizens, and the member countries acquire permission to look after maximal interest. As a matter of truth, the Treaty of Maastricht of 1992 cannot deal with the argument of the relative and absolute gain among member states as well as the Treaty of Lisbon.

In addition to interest issue, both treaties have no ideal solution for the problem of resource allocation or store. Since the EU integration started off, how to allocate or store resource for the EU member states has been the key problem and debate among them. Some member states feel they pay more than get, some complain their counterparts become more competitive and pose a threat for them after receiving the resource from them. In theory, the Treaty of Maastricht and Lisbon create and consolidate the liberal world community to promote goodness for the nation and humanity, but self-interest and Realpolitik expose the potential ambiguity of the EU in reality.

It may say, even regardless of interest or cost, the EU member states would break away by reason of ineffective decision process and procedure made by the EU; either double majority, unanimity or qualified majority voting applied by the EU, they all mean that negotiation is in front of decision, and the heads of the EU institutions are merely responsible for schedule arrangement and meeting conducting. All decisions must favour all the EU member states and all obligations must ensure they will follow, and it could protect their rights and interest, but it cannot make sure whether the members are all satisfied or not. Although the Treaty of Lisbon would better the effectiveness of the EU institutions by creating new executive position, the heads are not really directly elected by the EU citizens; it is still difficult to make the EU more effective than before.

Is the EU moving toward disintegration? In accordance with the Treaty of Lisbon, the disintegration takes place in top-ranking decision and discussion system, not broadens to other systems, such as economy, culture and education, police and home affairs and other professional affairs. The right of withdrawal from the EU is designed to leave co-decision and discussion mechanism in the European Council or Council, but not to disconnect all contact and cooperation, and constitutes an extraordinary mechanism or system to maintain mutual cooperation and relation between the EU and former member states. The Treaty of Lisbon marks the end of “federalism”, and it restores power to the member states for maintaining more stable but less invasive form of integration.

Obviously, the withdrawal from the EU can reduce the responsibility and burden of the member state while making determinate decision or decisive discussion, but it remains the right of collaboration with the EU, and it could encourage the member states, which have intention to obtain the right but avoid obligation, to leave the EU; the phenomenon of disintegration of the EU will become the critical agenda for the next EU integration strategy after the enforcement of the Treaty of Lisbon.

### **The Catalytic Global Actor—Stronger or Weaker**

With regard to the EU establishment, it is believed that these European ambitions are in line with an old tradition in Europe to see itself as an actor that could and should play a role in the world to the extent that

the rest of the world is even supposed to mirror Europe.<sup>15</sup> These EU member states stand for consolidation and support integration and enlargement, and what they achieve makes them become an influential and powerful global actor around the world, and what they make norms or regulations usually make the world catalytic. Even though the economic centre has been shifted from the West to East, the EU's norms and regulations still regulate world politics and international affairs; it is not difficult to understand that no single European country has the powerful influence regardless of the EU.

The EU is the world leading exporter of goods, largest trader of services and biggest donor of both development and humanitarian aid, the second largest foreign investor and the second destination for foreign migrants. Moreover, the Euro has become the second most important currency and the EU's GDP equals that of the US.<sup>16</sup> With its 27 member states and their nearly 500 million inhabitants, a quarter of the world's GNP and around 40 per cent of its merchandise exports, and a comprehensive array of economic, legal, diplomatic, and military instruments at its disposal, the EU is able to exercise significant influence in various parts of the world.<sup>17</sup>

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<sup>15</sup> Van Langenhove, L. and D. Marchesi. "Lisbon Treaty and the Emergence of Third Generation and Regional Integration." *The John Monet/ Robert Schumann Paper Series* Vol. 8 no. 4 (2008): 7.

<sup>16</sup> *Ibid.*, 5-6.

<sup>17</sup> Zielonka, J. "Europe as a Global Actor: Empire by Example?" *International Affairs* 84, no. 3 (2008): 480-484.



Obviously, the integration of EU member countries carries the comprehensive benefit to themselves, and delivers influence to the other countries as well; conversely, if the EU dissolves, her influence will disappear as soon as possible, and no doubt, the Treaty of Lisbon provides the possibility of weakening EU because of the withdrawal permission article.

Hypothetically speaking, the integration and consolidation of the EU strengthen both member state and the Union, but the argument of different national value and traditional dispute among the member states does not promise them to become powerful, but push them into dissolution instead; furthermore, the withdrawal article offers the option for the EU member states to leave, and the position of the EU on the world politics must be changed in future whilst the withdrawal application approving. As we know, the EU's contribution to international peace and security has also intensified rapidly, reaching such different and often distant places, but it could change if one EU member leaves the Union and it triggers domino effect.<sup>18</sup>

Perhaps leaving the EU, the dispute and argument among the members could be tackled, but the important and powerful leverage provided by the EU would not exist anymore. In theory and practices, the EU will become weak if one or more member leaves, but in fact the stability and order of the world could be damaged as well. By reason of

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<sup>18</sup> *Ibid.*, 484.

world peace and European politics stability, leaving the EU cannot be simply interpreted as EU internal affairs, but it is a critical argument for the world politics.

## **Conclusion**

Obviously, the end of Cold War raised the prospect of EU enlargement on an unprecedented scale and scope, and no doubt, it is fundamental for European integration. The new 15 EU member states from Central and Eastern parts view EU enlargement as a mean to empower European security; nonetheless, the integration strategy can maintain EU security.<sup>19</sup> The integration was the endless mission for the EU in the past, but it allows a pause for it in the present; what is the reason for the change of the EU integration strategy? This research argues for the interest among the member states; some member states calculate by relative gain, but some act in accordance with absolute one.

The member states, which insist the relative gain, are the potential countries that submit the withdrawal application by reason of hunting for more interest, but the member states, which believe in absolute gain, are still the EU members, because of interest satisfaction. With regard to the EU accession, the candidate states consider and plan deeply about cost and payment, but with abandon of membership, the applicant countries

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<sup>19</sup> Dinan, D. *Europe Recast: A History of European Union* (Hampshire: Palgrave Macmillan, 2004), 265.

eye on the opportunity cost and the benefit of independency, and autonomous status.

The EU accession commits revenue to their candidate countries, and the Union becomes stronger because of more application; the EU accession opens the door of integration of common interest and share major responsibility and cost. Nevertheless, the EU withdrawal returns autonomy but weakens the power and influence of the EU institution inside and outside Europe. It is believed that consolidation of the EU solves domestic and international problems much powerfully.

Furthermore, partial withdrawal but continuous cooperation is the key research finding. The withdrawal applicants still maintain the link of cooperation with the EU member states, but lose the right of top-ranking decision making; the more withdrawal applicants are, the less powerful the EU, but it will not hurt the national power or mutual relation of the former member state with other countries over the world. If the EU becomes weaker, its legal personality will be challenged; as a matter of fact, the EU cannot be a powerful global actor to seek for more interest for its member states, and worst of all, it is more difficult to tackle world affairs without the EU.

As we know, the EU has no the veto system, and it can reacts to the crisis or problem faster than the UN, and the architecture of the EU is very similar with the UN; nonetheless, the right of memberships

withdrawal can be understood as the right of veto, and it can benefit and damage the EU respectively. The design of veto is to seek for common decision and agreement over dispute and interest, but it sometimes becomes a instrument of threatening of blackmail. Worst of all, if more and more membership abandonment claim, the internal and external position of the EU will weaken and she cannot provide the leverage to balance European and international affairs. It can assume that “the weak the EU is, and the anarchic the world community is.” With regard to the EU withdrawal issue, it is not simple event of membership abandonment, but in fact, it affects both European and the international affairs.

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