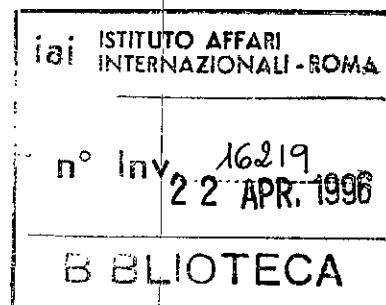


**THE FEDERAL REPUBLIC OF GERMANY AND THE EUROPEAN UNION
THE GERMAN PRESIDENCY AS A LITMUS TEST**

Institut für Europäische Politik
Trans European Policy Studies Association
Bonn, 17-18/VI/1994

- a. Programme
- b. List of participants
 - 1. "Europa als nationales Interesse? Tendenzen deutscher Europapolitik von Helmut Schmidt bis Helmut Kohl"/ Wilfried Loth
 - 2. "Rationalizing Maastricht: the search for an optimal strategy of the new Europe. Who is afraid of complexity?"/ Wolfgang Wessels
 - 3. "The German presidency: July-December 1994 : a change for Europe"/ John Pinder



Friday, 17 June 1994

10.30 - 13.00 h **PLENARY SESSION**

Chair and Welcome

Dr. Egon A. KLEPSCH, MEP
President of the European Parliament / Member of the Executive
Board of the Institut für Europäische Politik, Brussels/Bonn

Wolfgang CLEMENT
Head of the State Chancellery of North-Rhine-Westphalia / Minister
for Special Assignments, Düsseldorf

Prof. Dr. Jacques VANDAMME
President of the Trans European Policy Studies Association, Brussels

Speeches

Prof. Dr. Rita SÜSSMUTH, MdB
President of the German Bundestag, Bonn

Friedrich BOHL, MdB
Federal Minister for Special Assignments / Head of the Federal
Chancellery, Bonn

Philippe COSTE
Director of European Cooperation, Ministry of Foreign Affairs, Paris

Dr. Hans-Friedrich VON PLOETZ
Head of the European Department, Federal Ministry of Foreign
Affairs, Bonn

Dr. John PINDER
Federal Trust for Education and Research, London

13.00 - 15.00 h **Lunch**

on the invitation of the Federal Ministry of Foreign Affairs at "La
Redoute"

Speech

Dr. Werner KAUFMANN-BÜHLER
European Department, Head of Subdivision E 1, Federal Ministry of
Foreign Affairs, Bonn

15.00 - 16.30 h **WORKING GROUP SESSIONS**

16.30 - 16.45 h **Coffee break**

16.45 - 18.15 h **Continuation of WORKING GROUP SESSIONS**

INSTITUT FÜR EUROPÄISCHE POLITIK

In cooperation with
STATE CHANCELLERY OF NORTH-RHINE-WESTPHALIA
TRANS EUROPEAN POLICY STUDIES ASSOCIATION (T.E.P.S.A.)

European Conference

THE FEDERAL REPUBLIC OF GERMANY AND THE EUROPEAN UNION
- THE GERMAN PRESIDENCY AS A LITMUS-TEST

17/18 June 1994

La Redoute
Kurfürstenallee 1
53177 Bonn (Bad Godesberg)

Conference languages:

German and English

Simultaneous translation in Plenary Sessions and Working Group I
English in Working Groups II and III (no simultaneous translation)

PROGRAMME

19.00 h

Reception

at the Altes Rathaus am Markt
by Dr. Hans DANIELS
Lord Mayor of Bonn

followed by Dinner

on the invitation of the President of the European Parliament
Dr. Egon A. KLEPSCH, MEP

at the Restaurant "Aennchen - Zur Lindenwirtin"
Aennchenplatz 1, 53173 Bonn-Bad Godesberg

Saturday, 18 June 1994

9.00 - 11.00 h

Continuation of WORKING GROUP SESSIONS

11.00 - 11.30 h

Coffee break

11.30 - 13.00 h

PLENARY SESSION

Chair

Prof. Dr. Wolfgang WESSELS
University of Cologne / Institut für Europäische Politik, Bonn

Reports from WORKING GROUPS

WORKING GROUP I:

Prof. Dr. William E. PATERSON
University of Edinburgh

WORKING GROUP II:

Dr. Gianni BONVICINI
Istituto Affari Internazionali, Rome

WORKING GROUP III:

Prof. Dr. Loukas TSOUKALIS
University of Athens

Speech

Dr. Werner KAUFMANN-BÜHLER
European Department, Head of Subdivision E 1, Federal Ministry of
Foreign Affairs, Bonn

13.00 h

Lunch

at "La Redoute"

End of the Conference

WORKING GROUP I:

THE EUROPEAN POLITICAL DEBATE IN GERMANY - CONTINUITY AND CHANGE

Rapporteur

Prof. Dr. William E. PATERSON
University of Edinburgh

SESSION 1:

Friday, 17 June 1994

15.00 - 16.30 h, coffee break: 16.30 - 16.45 h

"Conflicting Concepts of European Integration - The Domestic Level"

Chair

René PANIS
Honorary Ambassador of Belgium, Brussels

Introduction

Prof. Dr. Wolfgang WESSELS
University of Cologne / Institut für Europäische Politik, Bonn

Comments

Dr. Simon BULMER
University of Manchester

Ursula KALBFLEISCH-KOTTSTIEPER

Head of European Department, State Chancellery of North-Rhine-Westphalia, Düsseldorf

SESSION 2:

Friday, 17 June 1994

16.45 - 18.15 h

"Germany's EU Policy - Seen from Brussels"

Chair

Prof. Dr. Rudolf HRBEK
University of Tübingen

**WORKING GROUP II:
THE COMMON FOREIGN AND SECURITY POLICY OF THE EUROPEAN UNION -
THE SEARCH FOR A PROFILE IN A TURBULENT ENVIRONMENT**

Rapporteur

Dr. Gianni BONVICINI
Istituto Affari Internazionali, Rome

SESSION 1: Friday, 17 June 1994
15.00 - 16.30 h, coffee break: 16.30 - 16.45 h

"The Procedures of the Second Pillar - Increasing Efficiency through the German Presidency?"

Chair

Dr. Egon A. KLEPSCH, MEP
President of the European Parliament / Member of the Executive Board of the Institut für Europäische Politik, Brussels / Bonn

Introduction

Dr. Klaus-Peter KLAIBER
Political Department 2, Head of Subdivision 20, Federal Ministry of Foreign Affairs, Bonn

Comments

Ambassador Pierre CHAMPENOIS
Head of CFSP Unit, Secretariat General of the European Union, Brussels

Prof. Dr. Patrick KEATINGE
Trinity College / Institute of European Affairs, Dublin

SESSION 2: Friday, 17 June 1994
16.45 - 18.15 h

"The Main Issues of German and European Foreign and Security Policy"

Chair

Dr. Alfred PLJPERS
Europa-Instituut, University of Amsterdam / Interdisciplinaire Studiegroep Europese Integratie, The Hague

Introduction

Ambassador Dr. Dietrich VON KYAW
Permanent Representative of the Federal Republic of Germany to the European Union, Brussels

Comment

Lionel BARBER
Financial Times, Brussels

SESSION 3: Saturday, 18 June 1994
9.00 - 11.00 h

"Enlargement and Deepening of the Union - Topics for the Intergovernmental Conference 1996"

Chair

Prof. Dr. Siegfried MAGIERA
Hochschule für Verwaltungswissenschaften, Speyer

Introduction

Prof. Dr. Ulrich EVERLING
University of Bonn

Comments

René FOCH
Association Française d'Etudes pour l'Union Européenne (AFEUR), Paris

Guilherme D'OLIVEIRA MARTINS
Instituto de Estudos Estrategicos e Internacionais, Lisbon

Dr. Jacek SARYUSZ-WOLSKI
Ministre Délégué pour l'Intégration Européenne et l'Aide Etrangère, Conseil des Ministres, Warsaw

Introduction

Joachim VON ARNIM
Deputy Head of Planning Staff, Federal Ministry of Foreign Affairs, Bonn

Comments

Dr. Vladimir HANDL
Institute for International Relations, Prague

Dr. Cesare MERLINI
President, Istituto Affari Internazionali, Rome

SESSION 3: Saturday, 18 June 1994
9.00 - 11.00 h

CFSP Instruments - First Balance Sheet and Further Development

Chair

Prof. Dr. Robert PICT
Deutsch-Französisches Institut, Ludwigsburg

Introduction

Hans-Werner BUSSMANN
European Department, Subdivision E 2, Section E 20 "CFSP, basic institutional questions of EU foreign relations", Federal Ministry of Foreign Affairs, Bonn

Comments

Dr. Nikos FRANGAKIS
Greek Center of European Studies and Research (EKEME), Athens

Dr. William WALLACE
St. Antony's College, Oxford

**WORKING GROUP III:
ECONOMIC, MONETARY AND SOCIAL AFFAIRS -- THE PROGRAMME OF THE
GERMAN PRESIDENCY**

Rapporteur

Prof. Dr. Loukas TSOUKALIS
University of Athens

SESSION 1: **Friday, 17 June 1994**
15.00 - 16.30 h, coffee break: 16.30 - 16.45 h

"A New European Economic Concept -- the White Paper 'Growth, Employment and Competition' of the European Commission"

Chair

Prof. Dr. Alejandro LORCA CORRONS
Spanish Group for European Studies / Universidad Autonoma de Madrid

Introductions

Prof. Dr. Gerhard RAMBOW
Head of the European Department, Federal Ministry of Economics, Bonn

Dr. Reinhard SCHULTE-BRAUCKS
Directorate-General XXIII "Enterprise Policy, Distributive Trades, Tourism and Cooperatives", European Commission, Brussels

Comment

Christian WEISE
Deutsches Institut für Wirtschaftsforschung, Berlin

SESSION 2: **Friday, 17 June 1994**
16.45 - 18.15 h

"The Financial and Budgetary Policy"

Chair

Prof. Dr. Dieter BIEHL
University of Frankfurt

Introduction

Dr. Peter ZANGL
Directorate-General V "Employment, Industrial Relations and Social Affairs", Directorate
A, European Commission, Brussels

Comment

Jef van GINDERACHTER
Studiegroep voor Europese Politiek, Brussels

SESSION 3: Saturday, 18 June 1994.
9.00 - 11.00 h

"German Attitudes on Monetary Union and Prospects of their Realization"

Chair

Prof. Dr. Jean-Victor LOUIS
Université Libre de Bruxelles / Studiegroep voor Europese Politiek, Brussels

Introductions

Dr. Wolfgang GLOMB
Ministry of Finance, Bonn

Dr. Willy FRIEDMANN
Head of the Department of External Economic Affairs, Deutsche Bundesbank, Frankfurt

Comment

Prof. Dr. Theo PEETERS
Katholieke Universiteit Leuven

in Zusammenarbeit mit
STAATSKANZLEI DES LANDES NORDRHEIN-WESTFALEN
TRANS EUROPEAN POLICY STUDIES ASSOCIATION (T.E.P.S.A.)

Europäische Expertenkonferenz / European Conference

DIE BUNDESREPUBLIK DEUTSCHLAND UND DIE EUROPÄISCHE UNION -
DIE DEUTSCHE PRÄSIDENTSCHAFT ALS PRÜFSTEIN

THE FEDERAL REPUBLIC OF GERMANY AND THE EUROPEAN UNION
- THE GERMAN PRESIDENCY AS A LITMUS-TEST

17./18. Juni 1994, Bonn-Bad Godesberg

TEILNEHMERLISTE / LIST OF PARTICIPANTS

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Dr. Maria SCHEPPACH	Ministerium für Bundes- und Europaangelegenheiten des Landes Schleswig-Holstein, Bonn
Dr. Thomas SCHOTTEN	Wissenschaftlicher Dienst, Deutscher Bundestag, Bonn
Dr. Reinhard SCHULTE-BRAUCKS	Generaldirektion XXIII "Unternehmenspolitik, Handel, Fremdenverkehr und Sozialwirtschaft", Europäische Kommission, Brüssel
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Prof. Dr. Martin SEIDEL	Bundesministerium für Wirtschaft, Bonn
Théodore SOTIROPOULOS	Gesandter-Botschaftsrat, Botschaft der Griechischen Republik, Bonn

Gerhard STAHL	Ministerium für Bundes- und Europaangelegenheiten des Landes Schleswig-Holstein, Kiel
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Generaldirektion V, B, Europäische
Kommission, Brüssel

in Zusammenarbeit mit
STAATSKANZLEI NORDRHEIN-WESTFALEN
TRANS EUROPEAN POLICY STUDIES ASSOCIATION (T.E.P.S.A.)

Europäische Expertenkonferenz
zum Thema

DIE BUNDESREPUBLIK DEUTSCHLAND UND DIE EUROPÄISCHE UNION
- DIE DEUTSCHE PRÄSIDENTSCHAFT ALS PRÜFSTEIN

17./18. Juni 1994

La Redoute
Kurfürstenallee 1
53177 Bonn (Bad Godesberg)

Wilfried Loth

Europa als nationales Interesse?

Tendenzen deutscher Europapolitik von Helmut Schmidt bis Helmut Kohl

Der Konsens, der die deutsche Beteiligung an der Gründung von EWG und EURATOM 1954 trug, war ziemlich oberflächlicher Natur. Unklar blieb, ob nach der Unterzeichnung der Verträge der Schaffung einer Wirtschafts- und Währungsunion oder der Integration der Sechser-Gemeinschaft in eine europäische Freihandelszone Vorrang eingeräumt werden sollte. Die SPD propagierte beides zugleich und überbrückte damit unterschiedliche Akzentsetzungen innerhalb der Partei; und im Regierungslager stand Walter Hallsteins Programm für eine konsequente Stärkung der Gemeinschaftsorgane ziemlich unvermittelt neben Erhards Kampagne für die größere Freihandelszone. Ebenso unklar und kontrovers war, ob der Beginn der Gesamtintegration im wirtschaftlichen Bereich auf den politischen Bereich übergreifen sollte, wie es die bei den Gründungsvätern der EWG populäre "funktionalistische" Theorie versprach. Und völlig offen, in den unterschiedlichen Denkschulen auch selten bis zu Ende reflektiert, war die Frage, welche Funktion einem solchen politischen Europa innerhalb des westlichen Bündnisses und im Ost-West-Verhältnis zukommen sollte.

Bei der Neuorientierung bundesdeutscher Außenpolitik in den 60er Jahren blieb die Dimension der europäischen Gemeinschaft darum weitgehend außer Betracht. In der CDU/CSU endete ein heftiger Streit um außenpolitische Positionen, der zugleich ein innerparteilicher Machtkampf um das Erbe Adenauers war, mit einem Sieg der nationalen Realisten um Kurt-Georg Kiesinger, die Selbstbewußtsein gegenüber der amerikanischen Führungsmacht mit der Bereitschaft zu einer vorsichtigen Öffnung gegenüber dem Osten verbanden. Dabei blieb nicht nur Erhards postnationaler Atlantizismus auf der Strecke, sondern auch der europäische Supranationalismus à la Hallstein. Die SPD begann allmählich, die deutschlandpolitischen Möglichkeiten zu entdecken, die in de Gaulles ostpolitischem Ansatz steckten, formulierte dann aber ihre eigene "neue Ostpolitik" als nationale, nicht über Europa vermittelte Verständigungspolitik mit dem Osten. Sie blieb wohl realistisch in das westliche Bündnis eingebunden, ließ aber nicht erkennen,

welche besondere Funktion der Europäischen Gemeinschaft bei der Gestaltung der künftigen Friedensordnung zukommen sollte.

EWS und Sicherheitsgemeinschaft

Das politische Profil europäischer Gemeinschaftsbildung wurde erst unter Helmut Schmidt wieder deutlicher verfolgt. Das hing zum einen damit zusammen, daß Schmidt seine Version der Entspannungsstrategie auf die Überzeugung einer weitgehenden Identität der westeuropäischen Interessen gründete. Zweitens ließen die amerikanischen Rücksichtslosigkeiten in der Finanz- und Währungspolitik sowie der bald einsetzende Verfall der Entspannungspolitik tatsächlich gerade jetzt gemeinsame Interessenlagen der westeuropäischen Partner der USA besonders deutlich erkennen. Und drittens fand Schmidt in dem französischen Staatspräsidenten Giscard d'Estaing einen kongenialen Partner, der diese Gemeinsamkeiten nicht nur sah, sondern auch dem gleichen pragmatischen Politikstil verpflichtet war, den Schmidt als Verteidigungs- und Finanzminister entwickelt hatte.

Schmidt bemühte sich zunächst einmal um eine Überwindung der Krise, in die die Wirtschaftsgemeinschaft durch die Turbulenzen der Weltwirtschaftskrise von 1973/74 geraten war. Dazu gehörten finanzielle Unterstützungen für Mitgliedsländer, die in Zahlungsbilanzschwierigkeiten geraten waren, aber auch das Bemühen um eine Begrenzung der Ausgaben der Gemeinschaft, ein restriktiver Kurs in der Frage eines europäischen Regionalfonds, Forderungen nach einer Reform der verschwenderischen EG-Agrarordnung (diese wegen der Rücksichtnahme auf die eigene Agrarlobby weitgehend vergeblich) und der Versuch, die Partner auf einen wirtschafts- und finanzpolitischen Konsolidierungskurs festzulegen. Dazu verständigte er sich 1978 mit Giscard d'Estaing auf die Schaffung des Europäischen Währungssystems, das nicht nur die Abhängigkeit von der internationalen Währungsspekulation verringern, sondern die Teilnehmer auch haushaltspolitisch disziplinieren sollte. Bedenken der Deutschen Bundesbank, ein solches System werde die Bundesrepublik zum Finanzier einer Inflationsgemeinschaft machen, mußten hinter dem politisch motivierten Ziel zurückstehen, die EG als handlungsfähige Einheit zu erhalten.

Gleichzeitig verwandten Schmidt und Giscard d'Estaing erhebliche Anstrengungen auf die Abstimmung Ihrer Außenpolitik. Gleich zu Beginn ihrer Amtszeit vereinbarten sie, sich vor bilateralen Kontakten mit Moskau regelmäßig zu konsultieren und regelmäßig über ihr beiderseitiges Verhältnis zu den USA zu sprechen. Dann regten sie die Verstetigung der EG-Gipfeltreffen im "Europäischen Rat" an, ebenso die Einführung des "Weltwirtschaftsgipfels" der führenden Industrienationen, der im November 1975 erstmals zusammentrat. Die regelmäßigen Konsultationen im Rahmen des Deutsch-französischen Vertrags und die EPZ wurden zur Verständigung in zahlreichen Detailfragen genutzt.

Als das westliche Europa gleichwohl in eine prekäre sicherheitspolitische Lage geriet und die amerikanische Regierung nach dem sowjetischen Einmarsch in Afghanistan das Gespräch mit der Sowjetführung ganz abbrechen wollte, gingen Schmidt und Giscard noch einen entscheidenden Schritt weiter: 1980 faßten sie die Bildung einer deutsch-französischen Militärallianz ins Auge, die Kern einer eigenständigen westeuropäischen Streitmacht im Rahmen der westlichen Allianz sein sollte. Die Bundeswehr sollte auf die taktischen Nuklearwaffen verzichten, dafür ihre konventionelle Kapazität deutlich ausweiten und unter ein gemeinsames Oberkommando mit den französischen Streitkräften treten; gleichzeitig sollte Frankreich den Aufgabenbereich der force de frappe (über die es nach wie vor allein entscheiden würde) auf den Schutz der Bundesrepublik ausweiten. Auf diese Weise wollten der deutsche Bundeskanzler wie der französische Staatspräsident verhindern, daß wachsende Beunruhigung über die Gefährlichkeit der amerikanischen Politik die Deutschen an die Seite der Sowjetunion trieb. Außerdem hofften sie, mit einer solchen Stärkung der europäischen Eigenständigkeit im sicherheitspolitischen Bereich die nukleare Schwelle anheben und so die sicherheitspolitische Situation insgesamt entdramatisieren zu können. Die übrigen westeuropäischen Länder würden sich, davon waren sie überzeugt, der Initiative des deutsch-französischen Führungsduos früher oder später anschließen.

Der ehrgeizige Plan blieb unausgeführt (und vorerst auch der Öffentlichkeit verborgen), weil seine beiden Protagonisten nachein-

ander ihre Ämter verloren. François Mitterand, der Giscard d'Estaing im April 1981 ablöste, war zunächst um Rückversicherung nach innen wie nach außen bemüht und konzedierte Schmidt daher vorerst nur einen "vertieften Meinungs austausch" über Sicherheitsfragen. Als dann die sozialliberale Koalition auseinanderbrach und Helmut Kohl neuer Bundeskanzler wurde, fehlte dem Projekt auch von deutscher Seite die treibende Kraft. Schmidt ging zwar nun mit seinem Vorschlag in die Öffentlichkeit, hatte aber weder in Frankreich noch in der Bundesrepublik die erforderliche Resonanz.

Institutionelle Enthaltbarkeit

Im übrigen krankte auch Schmidts Europapolitik an ihrer institutionellen Enthaltbarkeit. Die Regierung Schmidt/Genscher sprach sich zwar grundsätzlich für eine Erweiterung der Rechte des Europäischen Parlaments aus und befürwortete auch den Übergang zur Direktwahl der Straßburger Versammlung; im übrigen konzentrierte sie ihre Europapolitik aber ganz auf die Arbeit im Europäischen Rat der Staats- und Regierungschefs. Damit trug sie zwar zunächst einmal einer Realität Rechnung, die dadurch charakterisiert war, daß Frankreich noch wenig Neigung zur Stärkung der Gemeinschaftsorgane zeigte und in Großbritannien sogar über einen Rückzug aus der Gemeinschaft diskutiert wurde. Gleichzeitig steuerte sie aber auch selbst auf eine Gemeinschaft zu, die nur soweit funktionierte, wie es den übereinstimmenden Interessen Frankreichs und der Bundesrepublik entsprach: Die Autonomie des Rates wollte sie weder durch das Parlament noch durch die Brüsseler Kommission beeinträchtigen lassen. Die Eurosklaverei in den öffentlichen Meinungen der Gemeinschaft ließ sich auf diese Weise nicht überwinden; und angesichts der Gefahr eines deutsch-französischen Kondominiums blieb auch das Problem des "Nachziehens" der übrigen Mitgliedsländer ungelöst.

Außenminister Hans-Dietrich Genscher suchte die beiden Probleme dadurch in den Griff zu bekommen, daß er 1981 den Abschluß eines "Vertrags über die Europäische Union" vorschlug. Dieser sollte das politische Ziel der europäischen Einigung bekräftigen, die bestehenden Aktivitäten besser aufeinander abstimmen und Möglich-

keiten zur Weiterentwicklung in einem überschaubaren Rahmen aufzeigen. Helmut Schmidt betrachtete das Vorhaben von vornherein mit großer Skepsis, und in der Tat ließen sowohl die französische als auch die britische Regierung alsbald ihre Zurückhaltung erkennen. Allein die italienische Regierung war bemüht, das Unternehmen zu einem Erfolg zu führen, wodurch aus Genschers Vorstoß dann die "Genscher-Colombo-Initiative" wurde. Schon im Bundeskabinett wurde aus dem Vorschlag eines Vertrages eine Initiative für eine politische Grundsatzerklärung, und diese erfolgte dann auf dem Stuttgarter EG-Gipfel im Juni 1983 in denkbar unverbindlicher Form.

Angesichts der mangelnden Problemlösungskapazität der Gemeinschaft war es kein Wunder, daß sich der vage westeuropäische Konsens, der die Europa-Diskussion in der Bundesrepublik seit dem Ende der 50er Jahre kennzeichnete, in der Ära Schmidt weiter verflüchtigte. An den ersten Direktwahlen zum Europäischen Parlament im Juni 1979, zu denen die etablierten Parteien mit vollmundigen Europa-Bekennnissen aufwarteten, beteiligten sich eben mal 65,9 Prozent der Wahlberechtigten; und in den Meinungsumfragen sank die Zustimmung zur EG 1981 zum ersten Mal unter die 50 Prozent-Marke. In der öffentlichen Diskussion wurde zunehmend Kritik an der "Künstlichkeit" der Europa-Idee laut. Gleichzeitig setzte eine breite Diskussion um die nationale Identität der Deutschen ein.

Dahinter stand in den seltensten Fällen ein Wiederaufleben der alten Wiedervereinigungshoffnungen, wie man sie im westlichen Ausland häufig diagnostizieren zu müssen glaubte. Vielmehr verleitete das Vakuum, das die geringe Präsenz der Europäischen Gemeinschaft hinterließ, die meisten Deutschen nur dazu, sich wieder vorwiegend mit sich selbst zu beschäftigen. Für eine breite konservativ-liberale Mitte bedeutete dies eine Verstärkung der Status-quo-Orientierung, verbunden mit ideologischen Anleihen aus der nationalstaatlichen Tradition und dem Vorsatz, bundesdeutsche "Realpolitik" zu treiben. Die wachsende Zahl derjenigen, die sich von der prekären Sicherheitslage beunruhigen ließen, entdeckte eine besondere Schicksalsgemeinschaft der beiden deutschen Staaten in der neuerlichen Eskalation des Kalten Krieges und setzte dann zumeist auch, von den französischen Partnern de facto al-

leingelassen, auf eine besondere Friedensmission der Deutschen. Dabei machten sich wohl auch nationalistische Töne bemerkbar, und zuweilen kam es sogar zu ganz bizarren Bündnissen zwischen traditionellen Nationalisten und radikalen Pazifisten. In der Regel hielt die Friedensbewegung aber durchaus an der gesamteuropäischen Perspektive fest; und aus dem Lager der "Realisten" (zu dem es viele Querverbindungen gab), kamen gleichzeitig eindringliche Mahnungen, nur ja nicht an der bestehenden Westintegration zu rütteln.

Vom Status quo zur R elance

Der verstärkten Status-quo-Orientierung entsprach in den Anfangsjahren der konservativ-liberalen Koalition eine noch stärkere Tendenz, sich in der Europapolitik auf die Konsolidierung des bereits erreichten Integrationsstandes zu beschränken. Die Regierung Kohl/Genscher trat noch energischer als ihre Vorgängerin für eine Beschränkung des Wachstums des EG-Haushalts ein; sie kämpfte erneut (und genausowenig konsequent wie ihre Vorgängerin) für eine Reform der EG-Agrarordnung, die den Anteil der Agrarausgaben am Gesamthaushalt reduzierte; und sie tat erneut wenig zur Stärkung des Ansehens wie des Einflusses von Kommission und Parlament. Das Projekt einer Währungsunion, von Frankreich und anderen EG-Mitgliedern besonders nachhaltig verfochten, weil sie sich von der einseitigen de-facto-Abhängigkeit von der Deutschen Bundesbank befreien wollten, wurde nicht nur von den einschlägigen deutschen Wirtschafts- und Finanzkreisen als "verfrüht" abgelehnt, sondern auch von der Bundesregierung wiederholt verschleppt. Allein an der Süderweiterung der Gemeinschaft wirkte Bonn höchst aktiv mit; freilich ging es dabei nicht nur um die politische Stabilisierung der jungen Demokratien, sondern auch um die Wahrnehmung neuer Exportchancen für die deutsche Industrie.

Eine Lockerung des restriktiven Kurses zeichnet sich erst 1988 ab, als das zwei Jahre zuvor mit der Einheitlichen Europäischen Akte beschlossene Binnenmarkt-Projekt schon Wirkung zeigte. Die Bundesregierung besann sich darauf, daß dieses Projekt allein schon im Hinblick auf die künftige Wettbewerbsfähigkeit der europäischen Industrie nicht scheitern durfte, und machte ihren Part-

nern folglich einige empfindliche Zugeständnisse: weitere Ausgabensteigerungen bei gleichzeitiger Produktionsbegrenzung (Flächenstillegungsprogramm) im Agrarbereich; eine Verdoppelung des Strukturfonds in einem Zeitraum von fünf Jahren; die völlige Freigabe des innergemeinschaftlichen Zahlungsverkehrs und die wechselseitige Anerkennung der Hochschuldiplome. Kohl verwandte große Anstrengungen darauf, die zögernde britische Regierungschefin Margaret Thatcher auf konsequentes Festhalten an dem Binnenmarkt-Projekt zu verpflichten, und hatte damit weitgehenden Erfolg.

Zurückhaltend blieb die Bundesregierung allerdings weiterhin in der Frage der Europäischen Zentralbank. Lediglich Außenminister Genscher war hier zu raschem Entgegenkommen bereit; Kohl beharrte unter dem Einfluß der Bundesbank auf der Erfüllung von immer rigideren Bedingungen, die die Währungsunion letztlich nur noch nach der Überwindung aller strukturellen Unterschiede in den Volkswirtschaften der Mitgliedsländer zuließen. Ebenso kam das Projekt der deutsch-französischen Sicherheitsgemeinschaft und (daran anschließend) der Politischen Union nur langsam voran. Halbheiten, in diesem Falle auf beiden Seiten, führten dazu, daß in der Einheitlichen Europäischen Akte die Entwicklung einer gemeinsamen Außenpolitik nur vage als anzustrebendes "Ziel" formuliert wurde und daß beim 25. Jahrestag der Unterzeichnung des Deutsch-französischen Vertrags in sicherheitspolitischer Hinsicht nicht mehr herauskam als die Einrichtung eines deutsch-französischen Verteidigungsrates und einer deutsch-französischen Brigade, die in Süddeutschland stationiert wurde. Damit wurde zwar der sicherheitspolitische Dialog zwischen Frankreich und der Bundesrepublik gefördert und so dafür gesorgt, daß das Ziel der Entwicklung einer westeuropäischen Sicherheitsidentität nicht ganz verloren ging. Von einer inhaltlichen Übereinkunft war man aber noch weit entfernt - nicht zuletzt, weil die Diskussion über diese Problematik in beiden Ländern noch kaum entwickelt war.

Immerhin rückten die Bewältigung der Altlasten, die aus der vermehrten Kompromißbereitschaft, der Rückkehr zu Mehrheitsentscheidungen im Ministerrat und der Vereinfachung der Verfahren resultierte, sowie die zunehmende Europäisierung aller Lebensbereiche infolge des Binnenmarkt-Projekts die Gemeinschaft jetzt wieder

stärker ins Bewußtsein der Deutschen. In ihren Zukunftserwartungen nahm die Gemeinschaft jetzt wieder einen deutlicher umrissenen Platz ein, und auch das Vertrauen in ihre Fähigkeit zur Bewältigung der anstehenden Zukunftsaufgaben nahm wieder zu - wenn auch nicht überall. Ein Teil der politischen Linken, der neutralistischen oder pazifistischen Illusionen müde geworden, begann die europäische Dimension des bundesdeutschen Handlungsspielraums jetzt überhaupt erstmals zu entdecken.

Bewährung in der deutschen Einheit

Diese - gewiß noch sehr bescheidene - rélance des Europa-Projekts war insofern von entscheidender strategischer Bedeutung, als mit dem Zusammenbruch der DDR im Winter 1989/90 die deutsche Frage mit einem Mal wieder auf der Tagesordnung stand und den Deutschen damit eine Schlüsselrolle bei der Gestaltung der Neuordnung des europäischen Kontinents zufiel. An ihnen lag es zu entscheiden, ob es wieder einen deutschen Nationalstaat geben würde und ob man gleich zur Konföderierung Europas überging, ob sich dieser Staat von den europäischen Bindungen lösen oder sie verstärken würde, ob er wieder hegemoniale Qualitäten annehmen würde oder diese in einer europäischen Ordnung transzendiert werden könnten.

Man wird sagen dürfen, daß die Deutschen diese Bewährungsprobe bislang im Großen und Ganzen bestanden haben. Gewiß, in der Debatte, die nach dem 9. November 1989 einsetzte, gab es nicht wenige Stimmen, die eine Alternative zum Nationalstaatsprinzip überhaupt nicht mehr zulassen wollten und sich die Gelegenheit nicht entgehen ließen, diejenigen, die anders dachten, der nationalen Unzuverlässigkeit zu zeihen. Bundeskanzler Kohl nutzte die Situation, um die nationale Einheit zügig durchzusetzen, ohne die EG-Partner lange zu fragen oder bei den einzelnen Schritten auch nur vorab zu informieren. Auch löste die Vergrößerung der Bundesrepublik, die dann spätestens mit dem Votum der DDR-Bürger am 18. März 1990 unabwendbar wurde, bei den europäischen Nachbarn keineswegs große Freude aus. Möglicherweise (aber der genaue Anteil muß wohl für immer offen bleiben) hat sie sogar dazu beigetragen, daß Gorbatschows Versuch einer geordneten Demokratisierung der Sowjetunion scheiterte.

Doch dann erwies sich die Beharrungskraft der Westdeutschen als so groß und wurde der Erfolg der Westintegration so offenkundig, daß nur eine Minderheit ernsthaft einen gesamtdeutschen Neuanfang wagen wollte. Die Freude über die wiedergewonnene nationale Einheit wurde rasch von Sorgen wegen ihrer Finanzierbarkeit übertönt; und nicht wenige Bundesbürger nahmen in der Begegnung mit den neuen Bundesbürgern ihre Verwurzelung in der westlichen Zivilisation überhaupt zum ersten Mal bewußt wahr. Diejenigen, die - weitersehend - die Notwendigkeit eines innerdeutschen Lastenausgleichs begriffen, wußten in der Regel auch, daß das größer gewordene Deutschland einer stärkeren Einbindung in die europäische Gemeinschaft bedurfte. Und viele verstanden auch, daß die Zustimmung der einstigen Siegermächte zur deutschen Vereinigung auch, wenngleich nicht ausschließlich, eine Frucht des Vertrauens war, das man sich in jahrzehntelangem Verständigungsbemühen im Westen wie im Osten erworben hatte.

Die vertraglichen Selbstbeschränkungen, die Kohl zuerst mit Gorbatschow aushandelte - Verzicht auf ABC-Waffen und ein tiefer Einschnitt bei der Truppenstärke der Bundeswehr -, stießen daher auf keinerlei Kritik. Vielmehr wurden sie wie selbstverständlich als Vorgriff und ersten deutschen Beitrag zu einem kollektiven europäischen Sicherheitssystem begriffen, das die formale Souveränität des deutschen Nationalstaats sogleich wieder einschränkte. Gleichzeitig signalisierten die vereinbarten Zahlungen an die Sowjetunion - auch sie ohne jede Kritik von der deutschen Öffentlichkeit mitgetragen - die Bereitschaft der erweiterten Bundesrepublik, sich nicht nur um die Bewältigung der inneren Probleme der Einigung zu kümmern, sondern bei der anstehenden Neugestaltung des Kontinents Verantwortung zu übernehmen. Beides unterschied die Vereinigung grundlegend von der Reichsgründung des 19. Jahrhunderts.

Wichtig war sodann, daß Helmut Kohl - in sinnfälliger Verabredung mit François Mitterand - die Währungsunion, gegen die er sich solange gesperrt hatte, in Verbindung mit der Politischen Union auf die Tagesordnung setzte. Solange die beiden Regierungskonferenzen, die im Dezember 1990 zu ihrer Vorbereitung eingesetzt wurden, tagten, konnte man noch zweifeln, ob ihm wirklich ernst da-

mit war, stellte er doch ein Junktum zwischen beiden Projekten her. Auf dem Maastrichter Gipfel im Dezember 1991 stimmte er dann aber dem Übergang zur Währungsunion in fünf bis sieben Jahren verbindlich zu, obwohl die Absprachen zur Politischen Union vage blieben. Die unleugbaren Risiken einer Europäischen Zentralbank, die zwar unabhängig, aber doch mit Bankern unterschiedlicher finanzpolitischer Kultur besetzt sein wird, schienen ihm jetzt ein vertretbarer Preis, um die wirtschaftliche Einigung voranzubringen und zugleich deutsche Selbstbescheidung zu demonstrieren. Angesichts des Unbehagens, das die deutsche Wirtschaftskraft bei den EG-Partnern hervorruft, kann der psychologische Effekt dieser Demonstration gar nicht hoch genug veranschlagt werden.

Erheblichen Demonstrationseffekt hatte auch die Bildung des Deutsch-französischen Korps, von Kohl und Mitterand im Oktober 1991 angekündigt und im Mai 1992 beschlossen. Sie bekundete die Absicht der beiden Regierungen, bei der anstehenden Umstrukturierung des europäischen Sicherheitssystems tatsächlich eine europäische Verteidigungsidentität anzustreben, und setzte die beiden Länder zugleich unter Zugzwang, die dazu erforderlichen Schritte zu tun: Wenn das Korps funktionieren soll, wird sich Frankreich der NATO wieder annähern müssen, während die Bundesrepublik vor der Notwendigkeit steht, die Beschränkung von Bundeswehr-Einsätzen auf Bündnisverpflichtungen im Rahmen der NATO aufzugeben. Die Europäisierung der Sicherheitspolitik zeichnet sich damit gewiß nicht so deutlich ab wie der Übergang zur Euro-Währung; gleichwohl sind die Weichen auch hier eindeutig in Richtung Europa gestellt.

Perspektiven

Natürlich war mit den Entscheidungen von Maastricht und La Rochelle noch nicht alles gewonnen. Gegen das Projekt der Währungsunion erhob sich, seit es ernsthaft zur Verwirklichung anstand, lautstarker Protest, von liberalen Dogmatikern ebenso wie von Verfechtern des nationalen Machtstaats und dumpfen DM-Nationalisten. Ähnliches dürfte dem Deutsch-französischen Korps widerfahren, wenn seine Konsequenzen erst einmal einem größeren Kreis bewußt werden: Eingefleischte Atlantiker und pazifistische Funda-

mentalisten werden dann eine recht bizarre, aber darum nicht weniger wirkungsvolle Abwehrallianz bilden. Generell sind seit den Tagen der Vereinigung neokonservative Klagen über deutsche "Machtvergessenheit" zunehmend beliebter geworden; und nicht wenige Zeitgenossen haben sich durch die Koinzidenz von deutscher Einigung und nationalistischem Aufbruch im Osten dazu verleiten lassen, den Nationalstaat wieder als die reguläre, nicht mehr zu transzendierende Organisationsform menschlichen Zusammenlebens zu begreifen.

Indessen ist die westdeutsche Gesellschaft unterdessen in einem so hohen Maße individualistisch und universalistisch geprägt, daß nicht zu sehen ist, wie der Nationalstaat in ihr noch einmal zum vorrangigen oder gar ausschließlichen Bezugspunkt politischer Orientierung werden könnte. Die positiven Erfahrungen mit den bisherigen Integrationsschritten haben die in der Nachkriegszeit teilweise opportunistisch bestimmte Integrationsbereitschaft mit einigem zeitlichen Verzug in eine grundsätzliche Aufgeschlossenheit für die gemeinsamen Probleme aller Europäer übergehen lassen. Vorbehalte gegen die europäische Gemeinschaftsbildung, die aus der ungelösten deutschen Frage und aus der Spaltung Europas resultierten, sind mit dem Ende des Ost-West-Konflikts mit einem Mal verschwunden; Reserven aus Sorge um die Präsenz der amerikanischen Schutzmacht haben erheblich an Bedeutung verloren. Wenn die Politiker die anstehenden Einigungsprojekte auch nur einigermaßen geschickt zu erläutern wissen, werden sie sich daher ohne größere Schwierigkeiten durchsetzen können.

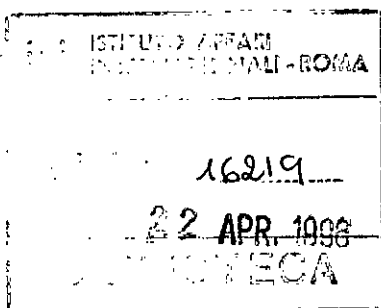
An der insgesamt eher postnationalen Befindlichkeit der Bundesrepublik hat auch das Hinzutreten der neuen Bundesbürger nur wenig geändert. Gewiß kommen diese aus einer Tradition, in der ein von oben oktroyierter selektiver Internationalismus die Erinnerung an die Welt der Nationalstaaten nicht löschen konnte; den vielfältigen Weg der Westintegration hatten sie weder miterlebt noch recht verstanden. Doch begreifen viele nach der ersten Enttäuschung über die mangelnde nationale Loyalität der Westdeutschen, daß das von ihnen bewunderte bundesdeutsche Modell seinen Erfolg nicht zuletzt der fortgesetzten Integration verdankt. Manche bringen zudem, sei es aus offizieller DDR-Politik oder aus der Erfahrung mit dem KSZE-Prozeß, eine besondere Sensibilität für die Probleme

gesamteuropäischer Sicherheit mit. Es bleibt eine zahlenmäßig nicht unbedeutende Gruppe von vormaligen DDR-Bürgern, die aufgrund der aufgestauten Defizite an Zivilgesellschaft in hohem Maße für einen autoritären Nationalismus anfällig ist. Wenn die wirtschaftliche Sanierung der neuen Länder allzu lange auf sich warten läßt oder ganze Bevölkerungsteile zu Einigungsverlierern stempelt, könnte sie rasch an Bedeutung gewinnen und auf ähnlich situierte Modernisierungsverlierer in den alten Bundesländern abfärben. Bis zur Etablierung einer strukturellen Mehrheit für eine strikt nationalstaatliche Politik wäre aber selbst dann noch ein weiter Weg.

Problematischer ist, daß die Bemühungen um eine Demokratisierung der EU bislang nur von geringem Erfolg gekrönt waren. Bei der zunehmenden Fülle der Lebensbereiche, über die auf Gemeinschaftsebene entschieden wird, werden mangelnde Artikulationsmöglichkeiten der gesellschaftlichen Gruppen, mangelnde Transparenz der Entscheidungsverfahren und mangelnde demokratische Legitimation der Entscheidungen unweigerlich zu Versuchen führen, die nationalstaatliche Autonomie zurückzugewinnen und sich weiteren Vergemeinschaftungsprozessen zu verweigern. Das gilt grundsätzlich für alle Mitgliedsländer, wobei sich die Renationalisierungseffekte in den einzelnen nationalen Gesellschaften wechselseitig zu verstärken drohen. In der Bundesrepublik droht eine solche Entwicklung um so eher, als die nationalen Institutionen ja augenscheinlich recht gut funktionieren und die europäischen Institutionen nicht wie andernorts auch zum Ausgleich für die Schwäche der nationalen Institutionen gebraucht werden.

Schließlich ist auch die Gefahr nicht von der Hand zu weisen, daß die Bundesrepublik von ihren Partnern aus kurzfristigem Gleichgewichtsdenken zu Alleingängen gedrängt wird. Wenn Frankreich und Großbritannien weiter auf ihren nuklearen Sonderrollen beharren, wirft das natürlich langfristig die Frage nach einer nationalen Sicherheitspolitik der Deutschen auf. Wenn die westeuropäischen Partner die Osterweiterung der Gemeinschaft hinauszögern, um die Bundesrepublik möglichst eng im Westen zu halten, provozieren sie damit nur eine deutsche Vormachtstellung im Osten. Nach wie vor gilt, daß Deutschland im Prozeß der europäischen Integration eine zentrale Rolle spielt, seinen Verlauf aber nicht allein bestimmen

kann. Das hat seine bedenklichen Seiten, kann aber auch produktiv wirken: dann nämlich, wenn sich die Deutschen und ihre Nachbarn ihrer wechselseitigen Abhängigkeit bewußt sind.



In cooperation with
STAATSKANZLEI NORDRHEIN-WESTFALEN
TRANS EUROPEAN POLICY STUDIES ASSOCIATION (T.E.P.S.A.)

European Conference

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17/18 June 1994

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Kurfürstenallee 1
53177 Bonn (Bad Godesberg)

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Who is afraid of complexity?

W. Wessels

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April 1994

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I. The post-Maastricht debate: the fundamentals at stake

European integration has become the object of a heated controversy. More than in the decades before, the post-Maastricht debate has led to look at the basic direction Europe should take. Whereas in the second half of the eighties the major topic of political and academic discussion alike was the speed and the scope of extending and reforming the existing EC Treaties and the more intergovernmental European Political Cooperation in the area we now call the Common Foreign and Security Policy we witness in the early nineties that several fundamental issues – which seemed to be either irrelevant or hidden – were raised. The Maastricht Treaty on European Union (TEU) proved to be the catalyst of this European-wide discourse, though it was certainly not its basic underlying cause. In a strange mixture of different elements we are confronted with basic issues: the institutional set-up – the horizontal dimension of policy-making – the vertical dimension and the subsidiarity principle – as well as the geographical scope of the Union raising the question of European identity and the final European vocation are on the agenda. And even more fundamental: the same time that we observe a considerable increase of activities of the European Union including those of enlargement we are also confronted with an increasing public mistrust against "Brussels" – for many an astonishing legitimacy gap about what seemed at least on the continent generally accepted.

The intensity of this controversy might be surprising, but with the dramatic changes in the political landscape since 1989 many implicit assumptions about the evolution of Western Europe since World War II need to be revisited. The economic recession and the overall political malaise with the political system require a deeper analysis than before. When reflecting about the long list of open questions we realize that more than just discussing some concrete institutional issues, the form and the character of the European state is at stake or, to put it differently: core attributes of the European political system in its deepest and broadest sense are now discussed in the changed context of the "New Europe". Items like sovereignty, state, democratic and constitutional government, legitimacy, community of destiny, solidarity are now more than before issues of the European agenda. The debate on the nature and future of Europe has moved out of being the subject for a specialized limited public into the

centre of political attention. With the Maastricht Treaty on European Union the substance and the forms of the integration process became an issue of "vital interest".

Given this agenda it is not surprising that there are several inputs into the debate, by parliaments, governments, constitutional courts and the academic world alike. Many already classical approaches, theories and doctrines about the character and direction of the EC are now reiterated in the discussion about the interpretation and adaptation of the Maastricht Treaty and its possible reform at the next Intergovernmental Conference planned for 1996. The evolving realities and the fundamental debates are pointing at an increasing complexity which – so my major argument – is to be shaped. We have to live with Maastricht – not with a fatalistic, reactive attitude but with the willingness to meet the challenge to reforming the Treaty on European Union. The strategy is to make it more rational. Some alternatives look more convincing, but quite often ill-founded, misleading and finally quite risky. Easy answers are not necessarily a good policy.

II. Strategies: A look at the debate

1. Implementing Maastricht

Though seldom put forward publicly – at least at the moment – a widely held strategy is just to take the provisions of the Maastricht Treaty seriously and to fully apply them. In this view, the post-Maastricht debate should not destroy the assets upon which the Member States have agreed as a joint programme for common policy-making. This strategy stresses that Maastricht is the best offer we have at the moment and for the near future: with the ratification of the Maastricht Treaty on European Union new possibilities for joint activities to face common problems are given. Some of the rules – especially concerning the Economic and Monetary Union – might be less promising than before the signature of the Maastricht Treaty, but generally the TEU still reflects the political priorities of the Member States. Thus the proponents plea for a rapid and comprehensive use of all provisions which have been inserted in the Maastricht Treaty. They would argue that the Maastricht Treaty is perhaps

imperfect but nevertheless a progress compared to the pre-existing system. Whatever the changes in the international and European environment were and are after 1989, with Maastricht the European states will dispose of better preconditions to tackle the problems of Europe including those of dealing effectively with countries outside the present EU. For this school Maastricht is not necessarily the product of a unique and meanwhile obsolete constellation of the eighties, but it opens "windows of opportunities" to deal also with the problems inside and outside Europe in the nineties.

Though criticized heavily (like e.g. the constitution of the Founding Fathers in the early days of the USA) the TEU is in this view now perceived as fully legitimized – at least in formally constitutional terms. The political leaders and the parliaments of the Member States have in this view not ratified Maastricht because of an external or another pressure which would have meanwhile disappeared. With a serious implementation of the Treaty the European Union will re-gain credibility. Up to the next intergovernmental conference in 1996 the European citizens will be better equipped than today to realize what can be done through the Maastricht provisions. The defenders of this strategy would argue that most critical remarks in 1992/1993 do not concern the Maastricht Treaty itself but more basically a broad "political malaise" in Europe which hijacked the Maastricht process as a symbol and not as the origin of a general dissatisfaction with the political class and the political system in general. After such an outburst the negative debate will wither away. For a certain period a wait and see strategy seems then to be the way to follow, with an economic upswing and new political leaders the perception of European integration will turn to be more positive again; further reforms should be discussed later not now when the perception of the EU is still more negative than deserved. Therefore the agenda for the next Intergovernmental Conference should be fixed later – with first experience of the TEU at hand.

The intensive use of the TEU as a sort of preconstitution will finally lead to an increasing acceptance of this "fait accompli". The performance of the new system will in the end be of a major importance for its reputation. The new "status quo" of the EU as fixed in Maastricht might become a broadly accepted political system.

The EFTA enlargement as envisaged in March 1994 is interpreted as a full success for the TEU. All applicant countries have accepted Maastricht in all its points, – even more the political, economic and administrative class of these countries – not necessarily the majority of the population – is seen to be eager to fully apply Maastricht for dealing with the problems they face, too. The TEU is thus not interpreted as a straitjacket forced upon newcomers, but as a useful framework also for applicants to the club. In spite of a less federal outlook of the EFTANs the inbuilt dynamics of pursuing own interests will make the EFTANs – after the still problematic referenda having to deal with the respective legitimacy gaps – good EU Europeans and thus reinforce the stability of the Maastricht framework itself.

A rather different issue will be, however, a possible Mediterranean and Eastern European enlargement. These countries would create major problems for applying the Maastricht Treaty. Looking at the first view rather simple this strategy raises, however, certain doubts. By applying the TEU the ambiguities of the overall text as of many concrete provisions will come to the surface. The Maastricht text is one of these package deals including demands and offers of Member States which needs also some kind of balanced implementation. Each new or reformed article as well as each pillar of the Maastricht Treaty is the product of a diplomatic and political bargaining which needs to be interpreted while being translated into practice. Already in the short period since coming into force many articles of the TEU are disputed in their daily application. The incremental implementation opens a certain range of diverging options, e.g. more towards a federal interpretation (by giving the European Parliament all the powers which are in the Treaty) or by strengthening the European Council (stressing the respective provisions in that direction). Already in the use or non-use of major provisions of Maastricht can the European Union demonstrate certain flexibility and prepare the ground for other strategies. Other strategies going beyond Maastricht are therefore mainly based on the ways of how to work with and within the TEU.

The basic message of "the implement Maastricht" strategy is to demonstrate that the EU is better than its reputation; some of the critical remarks should be taken into account when implementing Maastricht, e.g. by answering the demands for more transparency and subsidiarity, but the basic legitimacy gap is the product of a hostile

environment which is bound to wither away when the political and the economic weather gets better again. Looking at these assumptions in 1994 this strategy is a rather optimistic, self-assured, perhaps too self-centered outlook. Some of the issues raised just cannot be declared as a short term downturn in the public opinion of popular support and an artificial product of the media.

2. Federalizing Maastricht

A strategy prominent before and in the immediate aftermath of the European Council session at Maastricht is viewing Maastricht as an important but imperfect step towards a federal constitution. Certain transfers of national sovereignty like in the area of the Monetary Union and the increase of the powers of the EP are taken as indicators for such an evolution. This school of thought reflects the federal orthodoxy linked in the history of debates on European integration especially with names like Hallstein and Spinelli. The Herman draft for a European constitution as presently discussed in the European Parliament should also be seen as a document of this strategy.

For the European people (in singular) a federal state has to be constructed which is the only way to overcome the fundamental deficiencies of the small European nation states and their imperfect and finally futile attempts of intergovernmental cooperation. The 1996 intergovernmental conference is seen as the next – hopefully final – step ("saut qualitatif") towards a really federal constitution for a political system which might finally be called the "United States of Europe".

The changes of 1989 are – in this view – increasing the international and pan-European demands for more efficient, effective, and democratic institutions of the European Union. The time after these upheavals is perceived as being short: drastic steps forward have to be taken soon as otherwise a process towards an overall "balcanization" is imminent. At the same time the end of the superpower bilateralism removed external constraints for European states to move ahead. The TEU is already an indicator for a higher degree of responsibility and freedom of manoeuvre for the Europeans themselves.

As to the contents of such a constitution it should follow the doctrine of classical federations as far as the vertical division of competences is concerned. As to the application of the subsidiarity principle most or least central public resources will be used by the European (federal) level and no more by the national level.

As to the horizontal division of powers binding decisions by the EU are to be taken by a two-chamber-system – with the EP as the first chamber. Provisions for majority voting in the Council need to be strengthened and extended to new areas. The Commission should evolve into the direction of a coherent government.

This new federal constitution would only enumerate the basic principles and rules, most articles of the TEU are eliminated from a short, if possible, inspiring text.

The EP is seen as a major driving force for framing the constitution in an open, European-wide debate ("le grand débat") which is to reduce or even prevent any further legitimacy gaps. One major lesson drawn by this school from the controversy after Maastricht concerns the procedures to draft the constitution: Revisions of the constitutional texts should no longer be negotiated by diplomats behind closed doors like it happened with the Single European Act and the Maastricht Treaty on European Union, but drafted by some kind of "constituante" involving parliamentarians from different levels; later acceptance in the ratification of the new constitution demands also an intensive involvement in the decision-making.

The implicit hope of this strategy is that by 1996 the still hesitant member states would be convinced of the value of a qualitative move towards a United States of Europe. If not, a "core Europe" should be envisaged: The process towards a strictly federal model should not be stopped by a minority of inconvincible Member States. In the same line it is of vital importance that deepening takes place before widening. The EFTANs should only be admitted if they prove to share a sufficient federal attitude, otherwise these countries might turn out to be "Trojan horses" blocking further constitutional reforms. Furthermore the citizens of these countries would then know what kind of Union they are expected to join.

The basic assumption of this strategy is the existence of a European people which is willing and capable to establish – against the narrow interests of national politicians and bureaucrats – a political system which serves peace and prosperity. The fundamental legitimacy gap which extends to all European governments will only be overcome by a constitution of, by and for the European people – thus creating finally a "classical" state on the Union's level, which would guarantee solidarity among its citizens.

This vision still inspires Europeans; though with a growing distance to the traumata of the World Wars it might appeal to fewer citizens than before. Some arguments are convincing though some of the basic assumptions look at the same time naive. The federalists do present an option which has to be discussed seriously even if many pragmatists and realists just want to get rid of these utopias.

3. Renationalizing Maastricht

The renationalization strategy perceives Maastricht as a step at the same time too late and too far. The strategy is linked with contributions by de Gaulle, Thatcher, Major and also by the German Constitutional Court (at least in some parts of his ruling on the Maastricht Treaty). This school of thought has become increasingly important during the ratification and referenda debates: major results of Maastricht Treaty are criticized as over-centralization and over-bureaucratization reflecting an overstretch of ambitions – especially in so far as the monetary and defence policies are concerned, but also other areas like social and cultural competences are mentioned.

This strategy would, however, not abolish the European Union but look for a comprehensive reform/overhaul. The adherents plea that future strategies should shape a "leaner" product. In terms of the vertical division of competence the subsidiarity principle should be strictly applied to "de-communitarize" the uncontrollably expanded "acquis" of the EU into the direction of preserving governmental core functions for member states.

The IGC of 1996 should clearly delimit the field of action of the European Union by a short and binding list of enumerated exclusive competences for the EU. In case of doubts the presumption is that national governments would be responsible for using public resources. The European Union would become something like the "level of the last resort". Accordingly, the horizontal division of powers among the institutions of the European Union are to be re-balanced: independent institutions on the European level like Commission, EP, and Court are perceived as in-built driving forces for an over-centralization and should therefore be restricted in their rights of preparing, taking, implementing, and controlling binding decisions. The European Council and the Committees of national civil servants are to be upgraded.

The renationalization strategy is also based on a certain reading of the history of 1989. This concept stresses the altered realities of a "New Europe" after 1989. The fundamental changes in the international system away from the superpower bilateralism, the new situation in Eastern Europe and German unification have thus reconfirmed that nation states are and continue to be the basic units of the international and thus also of the European system. The nation-state remains the "master of the game", but "sovereign states" will be prepared – wherever they perceive it as positive for their national interest – to cooperate with each other. For this purpose they are even prepared to accept a fixed framework but without too many legal strings linked with it and without too strong interference of non-national institutions. The European Union especially with the restated importance of the European states is to be shaped in the direction of a "confederation" to tackle a limited number of common problems by extending procedures of intergovernmental cooperation to all major policy areas. The 1996 conference should therefore divert from the fundamental trends of the last forty years into the "right" direction. Not a Maastricht II but a "Rome/Maastricht Europe minus" is the objective.

The enlargement by EFTAs and the demands of the Central and East European countries for accession are viewed as positive out of fundamental and tactical reasons. The basic conviction is that these countries belong to the "concert of Europe". Furthermore, they are likely to reduce the political strength of the federalist oriented hard-liners of the Community orthodoxy and to replace them by "reasonable people".

Even with all critical remarks vis-à-vis Maastricht – to dissolve or leave the European Union seems, however, for this school to be an "overshooting" of emotions. By a reform towards a "l'Europe des états" the perceived legitimacy gap of European political systems will certainly be reduced. The democratic deficit on the European level is overcome by strengthening democratically elected and controlled governments.

The basic assumption that forms of soft cooperation will be sufficient to deal with the problems facing European governments looks, however, not too convincing. The negative lessons of intergovernmental cooperation, e.g. in the area of European Political Cooperation, are quite often underestimated as are the interdependencies among member countries which create more pressure for an efficient and effective policy output than can be expected from this strategy. Sometimes one has the impression that this option is the victim of a historic illusion of a renaissance of a European system of flourishing nation states. All benefits of European integration of the post World War II Europe are supposed to be preserved, whereas the costs for the nation states can be lowered.

4. Abandoning Maastricht

More prominent than in the debates of the last two decades are the options to look for complete substitutes to the EC or the EU. Not some kind of piece-meal decentralization towards the national level by keeping, however, at least some basic features – like the renationalization option would argue – is the basic message of this strategy, but a complete revision towards a new kind of Europe.

Maastricht is the final, already outdated and therefore illusionary step. The West European integration process is assessed as a "child" of the post World War II in Europe. With history taken out of the "refrigerator" long cycles of competition among nation states will dominate again artificial efforts for "supranational" integration which could only survive because of external threats. The drastic events of 1989 are interpreted as a return to traditional, fundamental and perennial patterns of inter-state

behaviour. The European nation-state is – after some years of externally enforced hibernation – alive and well.

In this view the negative reactions vis-à-vis the Maastricht texts are not ephemeral phenomena which might be overcome if the economy booms again and if the TEU is properly applied but they document a basic misreading of European history after World War II on the part of all three strategies before.

The legitimacy gap reflects a basic historical pattern which cannot be remedied by "institutional" or "constitutional engineering" on the European level as proposed by other strategies. Being out of step with history the European Union is in a fundamental identity crisis which it cannot resolve by incremental reforms in whatever direction. This situation might be taken rather light-heartedly, if the Maastricht Treaty would not be perceived as a threat to fundamental attributes of constitutional states and core functions of the nation-state like defence and monetary sovereignty. An attitude of benign neglect as vis-à-vis organizations like the Council of Europe or a hibernation is not acceptable as the European Union block alternatives which are more suitable to the realities of the "New Europe". In its crucial elements, the TEU is a dinosaur which might survive for a limited period but will certainly need to be replaced by more competitive forms of cooperation and coalition building among European and more important states.

The Maastricht Treaty is then to be abandoned or at least fundamentally revised by "de-constitutionalizing" the presently existing forms – also for the sake of saving national constitutions from being eroded by supra-national and thus "unhistorical" attempts of federal doctrines. On the alternatives to pursue the proponents of such an analysis are quite often less clear, different options are offered. Generally they would argue against the straitjacket doctrine that all members need to have the same rights and obligations; the principle of subsidiarity is interpreted along sectorial and geographical lines: those countries which are willing and capable to do so should cooperate in fields of common interest. Others might join later.

Furthermore, member states should as a general principle be given extended possibilities to "opt out" of already existing obligations including leaving the EU as such. All these efforts will ruin or at least reduce the legal and institutional dynamics of the present European Union: the shift away from binding decisions to flexible regimes of soft cooperation, from a strong role of independent institutions towards looser forms of intergovernmental cooperation. The most prominent terms used for these concepts with slightly different meanings are *l'Europe à la carte*, *l'Europe à géométrie variable*, concentric circles, core groups. In a broader perspective also views stressing a "*l'Europe des régions*" could be seen as a part of this school of thought.

By the very process of dismantling the European Union also the yet artificial division between Eastern and Western Europe will be overcome. The relative advantage of present members vis-à-vis applicant countries is in this view no more justified. All European countries should be on the same legal footing. Enlargement of the European Union as such would not be a major issue anymore as the European Union at least in its present shape is no more of major relevance.

The best strategy to pursue now might be opting out of the present treaty obligations and supersede the existing forms by new and more flexible regimes of cooperation even if this means a violation of the Maastricht Treaty. The Intergovernmental Conference 1996 should be – at best – turned into a "market" for new opportunities in which "offers" and "demands" for problem solutions of all European countries are confronted and solutions are found according to national interests.

This school of thought looks stronger in a fundamental, yet distorted analysis of the West European state system than in presenting convincing alternatives. The options for *l'Europe à la carte* and similar forms were and are used, although with limited or even negative results. It is not the EC as a monster which prevents West European states to use more flexible forms of cooperation in important areas of public policies, but the inbuilt shortcomings of these attempts. Historical experiments and theoretical considerations confirm the weaknesses of looking for sectoral ad hoc coalitions which offer no sanctions for trespassing common agreements. It is an illusion to believe that the benefits of the EC approach like an extended legal system for an internal market

can be safeguarded if burdens are not shared. The need for package deals to come to common solutions as well as strong interdependencies among policy sectors drastically reduce the rationality of this strategy which might look so seducing.

More fundamentally any free floating of frameworks for problem solutions will undoubtedly tend to favour the strategic position of the country in the core of Europe: the Federal Republic of Germany is not only in terms of geo-politics in a central position, but also because of its economic and demographic weight. Few sectoral approaches for problem solutions will work without Germany – a statement which does not hold for any other country. For Germany this option might be at first look quite tempting, but the demands for some kind of leadership will go fast beyond any serious supply the Germans might be able to offer for this kind of role.

III. Where to go from here

1. Against easy and seducing answers

As the long list of positions in the open and controversial debate about useful and feasible strategie indicates, we are after the coming into force of the Maastricht Treaty in an early phase of re-structuring the debate: too many elements are still floating around so that at the moment no dominating concept and/or strategy could be made out: somehow despite (or just because of) many proposals we miss a driving constellation which would set the train heading for a new station into motion; we might need to wait for certain political date a like the elections in Germany and in France, as well as for the referenda in the applying countries. After these political events some constellations and strategies might look more promising than others; by the middle of 1995 we will also know more about some fundamentals like the economic situation of the EU in general and the performance of some of major provisions of the TEU more specifically.

To point at these political factors for the political relevance of these strategies does – of course – not support a wait and see strategy, the controversial questions need to be

debated European-wide to prepare the ground for more concrete strategies when (and if) the political "window of opportunities" will be opened. More important, the risks of getting seduced by easy answers seem to increase with dramatic speed. Maastricht is quite often no more debated in its major details, but just taken as a negative symbol. To blame "Brussels" for all shortcomings whatsoever and irrespective of the existing constitutional framework and political constellations might basically undermine any chance of serious and lasting reforms. The issues at stake are too important for a tactical hibernation: fundamental changes in public perceptions might occur which are difficult to redress even if the economic situation might have improved. To take one step backwards for a larger jump forward is not to be recommended as the ground under one's feet might be undermined meanwhile.

The temptation to propose naive solutions such as just to cooperate more intensively or to construct a "l'Europe à la carte" for reborn nation-states might look convincing, but its effects will not be positive given the experiences and general reflections so far. The problems Europe is facing are not those between Brussels on the one side and national capitals on the other. More soft cooperation will lead to more bureaucratic inefficiencies and less effectiveness and thus finally to an increase in the legitimacy gap and to a further erosion of the nation state. This fundamental lesson implies that to pursue a strategy of downgrading the European Union will not close the list of worries but open a Pandora box of additional problems leading to some traditional conflicts well known in the European history – like e.g. the position of Germany and the European role in the international system.

A third risk is that of overstressing a European paradise solution. In bad times the proposals for a radical once and for all solution, e.g. a qualitative jump towards a full-fledged federation, might look more rational and tempting than in times which are rather satisfactory, but without a strategy which mobilizes sufficient support among elites and the electorate the federal avant-garde might lose contact with the main army and might get lost in the wrong direction.

2. Rationalizing Maastricht

Facing the costs and benefits of the strategies debated I propose to take Maastricht seriously and to look for significant reforms of the TEU. One fundamental assumption is that Maastricht is a typical and useful step as it reflects fundamental trends of the (West) European political and social development; these have not become outdated by events in 1989, but are even reinforced in the nineties. For the New Europe major features of the Rome/Maastricht system can thus be extrapolated. In this view the historic "changes" have not really affected the fundamental reasons for further integration: the in-built propensity of interdependent European welfare states to create efficient institutions and procedures for applying effective instruments and resources to shape European and global realities and thus – as an important element – to stabilize European democracies. Maastricht is thus not perceived as a threat to European states as they have developed over the century, but a strategy to rescue or at least to strengthen them by adapting them to changing conditions. Maastricht is therefore an important step within a piece-meal-engineering strategy which will lead to a new stage in the historical evolution of the nation state in Europe. The TEU is part of an open, evolutionary process without a clearly defined or yet recognisable final stage.

The "product" (the TEU) as established in Maastricht is a typical package-deal by which member states have tried to tackle common problems of mutual interdependencies relevant at the time of the Intergovernmental Conferences of 1991. This constellation of interests needs to be reviewed as the situation and the perceptions of the states involved and their political and social forces change, but the inbuilt dynamics clearly works for enlarging the scope of the TEU; the formulation of new and additional interests to be solved by the Union will create centrifugal forces leading to some kind of up-graded package-deal in the near future. The legitimacy gap of the EU like this of traditional nation states in Europe is seen as a major problem and needs to be taken seriously, but it is a nearly unavoidable part of an evolution in which Member States merge or pool their public legal and budgetary means. A "neo-medieval" situation of overlapping competences is the product of economically induced institutional developments. Resources originating from different governmental levels are

"fused" – within the EU – a process some would describe as a new cooperative federalism among the Member States and the European Union. In such a process the decision-making is shifted to common institutions and bodies which cannot be controlled according to traditional democratic standards. No politician can be voted out of office. The benevolent diffusion of responsibilities for the political class is characterized by voters as an anonymous and complex machinery; remedies have to be taken though their impact on public perception will be limited.

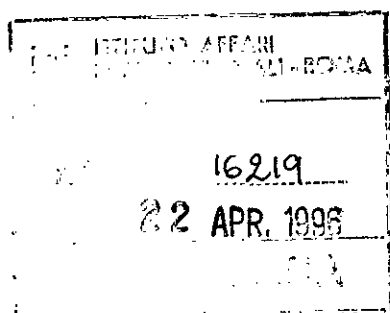
More important for the new IGC than the rather academic debate about subsidiarity is then to reduce the variety of procedures for decision preparation, making, and implementation. Presently there are at least 23 different procedures written into the TEU by which Council and Parliament are involved in the European policy cycle. With the compromise about the blocking minority within the Council agreed upon in relation with the EFTA enlargement the Council procedures have become even more complex. To these treaty rules we need to add also the increasing number of interinstitutional agreements, especially between the Council and the EP, which define additional rules for the EU system. Another shortcoming to be tackled are the inconsistencies among the three pillars. The Committee of the Regions might get some additional – though sectorially limited – powers.

In general: the performance of the European Union should be improved by what might be called "intégration rationalisée" by which the set of procedures is reduced, the procedures themselves are made more transparent and risks for blockades are reduced. A rather complex institutional system involving a larger number of actors on different governmental levels (EU, national and – where existing – regional) remains, however, unavoidable. The next intergovernmental conference might also review the division of competences along the subsidiarity principle, but such a check will not lead far, as a strict application does not take into account "spill-over-effects" of interdependent policy sectors and the in-built trends to package dealing among member countries; this sceptical assessment of the utility of the subsidiarity principle also reflects the lessons which could be drawn from existing federal states like the United States and the Federal Republic of Germany.

As to the accession of further countries the application of the EFTANs as open welfare states confirm the supposed fundamental centrifugal trends. With neutrality becoming an increasingly irrelevant principle after 1989 these trends can be fully exploited in the nineties; the relative utility of the TEU and of an "integration rationalisée" will also be supported by the EFTANs which will be eager to use existing procedures and ressources; naturally they will try to make their input into the next package deal which in turn will add to the dynamics of enlarging the scope of the EU. The EFTA-Enlargement will thus not create a major upheaval in the history of West European integration, but will be a logical and dynamic part of its further open evolution. Deepening and widening are closely linked with each other.

A Mediterranean, Central and Eastern European enlargement will, however, create a rather different situation: contrary to the situation with the EFTA countries the status quo of balance of interests among existing members has to be totally reviewed, especially considering the admission of several Central and Eastern European countries.

This strategy of rationalizing the Maastricht Treaty has a certain determinist assumption: given the increasing interdependence of European welfare states it is assumed that it will be rational for governments and administrations to work together via EU institutions. Neither the overall legitimacy gap nor the alternative strategies will be able to stop this trend of fusing public resources – at least in a surprise-free scenario. Thus the strategy might remain the unwanted and most of the time unloved child of the controversies among alternative options. Even if it lacks some of the apparent appeals of other strategies it makes an important contribution for explaining that and why we might have to live with this complex system.



In cooperation with
STAATSKANZLEI NORDRHEIN-WESTFALEN
TRANS EUROPEAN POLICY STUDIES ASSOCIATION (T.E.P.S.A.)

European Conference

THE FEDERAL REPUBLIC OF GERMANY AND THE EUROPEAN UNION
- THE GERMAN PRESIDENCY AS A LITMUS-TEST

17/18 June 1994

La Redoute
Kurfürstenallee 1
53177 Bonn (Bad Godesberg)

THE GERMAN PRESIDENCY JULY-DECEMBER 1994: A CHANCE FOR EUROPE

by John Pinder

The significance of the German Presidency

Verdrossenheit is the German word for it, morosité the French one: a sour mood engendered by unemployment and manifold political difficulties, leading to a dangerous resurgence of nationalism and xenophobia. Yet we should be aware how much worse the situation could be if the states of Western Europe were not bound together by the institutions of the European Union, which impede the revival of protectionism among us and instil the habit of political cooperation

The European Community, now the Union, is indeed a triumph of European policy, particularly on the part of Germany and France. The original French initiative and the sustained Franco-German support have brought unprecedented peace and prosperity not only to these two countries but also to the whole of Western Europe; and the example of this peaceful and prosperous Community was a great encouragement to Central and East Europeans to break the bonds of the Soviet system and begin their transformation towards democracy and market economy.

The reason is simple. Interdependence is a fact of the modern world. It requires international cooperation; and the Community has been the most solid and durable form of cooperation yet devised. The establishment of the European Union by the Maastricht Treaty, despite its faults, was another useful step towards a European polity which can enable Europeans to deal with all the challenges of interdependence. But it must not be the last step. Such a European polity must include the democratic countries of Central and Eastern

Europe and must be based on the completion of the project of political union. Otherwise it will not be able to ensure for Europeans a peaceful and prosperous future in an increasingly difficult and dangerous world. The support of Germany and France for the further development of the Union remains a fundamental requirement for the welfare, not only of these two countries, but of Europe as a whole.

The good news, in these circumstances, is that we are about to enter a twelve-month period in which the German Presidency of the Union is to be succeeded by that of France. The Presidency of the European Council and the Council is a key position from which to launch initiatives that can set directions for the future. But six months is a short time. Close cooperation between France and Germany throughout the coming twelve months will considerably enhance their ability to point the Union in the direction that Europe needs. The less good news is that both the German and the French Presidencies will be complicated by elections. The importance of inter-party cooperation on European policy does not need to be stressed.

The widening and deepening of the Union to which Germany is committed are both in the interests of Europe too. But not all member states are likewise committed to both. It is particularly significant for Germany that France may be more inclined to seek delay in widening to the East and to emphasise the importance of deepening first. The aspect of deepening on which France has been most insistent is the economic and monetary union; and strengthening the Common Foreign and Security Policy is also a priority for France. France has been less positive about a third major element of deepening which is, in the German view, essential: strengthening the Union's democracy through greater powers for the European Parliament. But the negotiations for the Maastricht Treaty

showed that France can accept greater powers for the Parliament if Germany is positive in the monetary and foreign policy fields. Thus the deepening of the Union, which is the complement of its widening, has to be realised along the three main dimensions: money, foreign policy and institutions. The particular significance of the German Presidency lies in its capacity to lead the Union forward in these three directions as well as towards the widening to the East.

Strengthening the institutions

It is 'crucial ... that development of the democratic foundations of the Union keeps pace with integration'; and 'increasingly as the European nations grow together, democratic legitimacy is conferred within the structure of the European Union by the European Parliament'. (1) Those were the words of the Federal Constitutional Court in its judgment of 12 October 1993. Thus the Court has confirmed the appropriateness of the German demand for greater powers for the Parliament. Indeed, the Court may be interpreted as requiring a substantial increase in those powers when economic and monetary union is established.

There will, during the German Presidency, be significant opportunities for strengthening the Parliament's role. The most important will be the appointment of the new Commission, with the Parliament for the first time having the right to be consulted about the nomination of its President and to approve the appointment of the Commission as a whole. Nothing could give the Parliament more prestige in the eyes of the citizens than to be seen to have influenced decisively the choice of the President. It is highly desirable that the process of choice should approach as nearly as possible a procedure of codecision. It is also prudent, given that the Parliament can refuse to approve the Commission as a whole if it is not satisfied with the choice of President. Thus it would be unwise for the European Council to take a firm decision about its choice

before the new Parliament has had time to prepare itself to play its part, i.e. before the German Presidency; and the German Presidency would do much for the policy of strengthening the Parliament by giving full weight to its view. The same naturally applies to the procedure of selecting the members of the Commission up to the time when the Parliament votes to approve it -- or, if the process has been badly handled, not to do so. Well handled, as may be expected of the German Presidency, the process can constitute an important step towards the creation of a system of parliamentary government for the Union, with the executive fully responsible to the Parliament.

Other opportunities to enhance the role of the Parliament arise out of the Maastricht Treaty. The interinstitutional agreement on the codecision procedure has to be applied in practice; and the Presidency can play a valuable part in ensuring that the Parliament really does become an equal colegislator. The interinstitutional agreements on committees of enquiry (Art.138c EUT) and on consulting the Parliament about the Common Foreign and Security Policy (Art.J.7EU) have yet to be concluded; and here the Presidency can use its influence to give the Parliament as weighty a role as possible.

While the Maastricht Treaty offers substantial scope for improving the position of the Parliament, it falls short of what the German government wanted and of what will be required if the wider and deeper Union of the future is to have adequate democratic legitimacy. The German government, as a principal protagonist of the Parliament, should do what it can to prepare its partners for this. The new member states that are to accede in January 1995 are among those for whom such preparation will be necessary; but so are some of the existing member states. There will be occasion for the Presidency to make its position clear on this when initiating preparations for the Intergovernmental Conference

stipulated for 1996 (IGC96), which is to consider inter alia the 'effectiveness of the mechanisms and institutions of the Community'. (Art.B EUT) The President is to set up a high-level committee to prepare the Conference; and Chancellor Kohl has assured the Parliament that it will be represented therein. (2) The Parliament should be invited to submit to the committee both the treaty amendments it wishes to propose to the Conference and a draft constitution, based on that of the Herman report, (3) which can serve as a benchmark against which amendments can be measured as well as a signpost for a subsequent constituent process. The Presidency can also initiate preparations for an interinstitutional conference on the IGC96, to be held in 1995, and take a favourable view of the Parliament's proposal to hold a European convention of MEPs and members of the member states' parliaments. (4) The terms of reference for the high-level committee could also, if suitably drafted, help to open the way towards a relationship of the Parliament with the IGC96 similar to that of the Commission, with the right to table proposals and participate in the meetings.

While democracy demands full powers for the Parliament, effectiveness requires a stronger role for the Commission than member states have seemed willing to accord it recently. The calibre of the President will be of great importance; and the President will be able to deliver a better performance if he or she is given more influence than in the past over the selection of the other Commissioners. The Commissioners should have considerable political weight -- and this is of particular significance in the case of the German Commissioners. Meanwhile, during the final semester of the Delors Commission, the Presidency should do what it can to help restore the Commission's influence, and to enable it to make the most of the opportunities offered it by the Maastricht Treaty with respect to the Common Foreign and Security Policy.

The Union likewise needs an effective Council which has the general support of the member states, both large and small. The unfortunate imbroglio over the size of the qualified majority after the current enlargement should not lead policy-makers to ignore the real problem that the addition of further small states will pose for the Union in the future. This problem will require very thorough examination and effort to reach a consensus, which might be based on a double majority of weighted and unweighted votes. With a growing number of member states, the question of the most suitable form of rotation of the Presidency of the Council will also arise. The German Presidency may wish to initiate low-key discussions of these matters. (5)

Success for the Committee of the Regions is particularly important for Germany, with its strong structure of regional government. One basic requirement is that the Committee should have an adequate budget. This is not one of the budgetary causes that appeals to the European Parliament, so the Presidency may have to champion the Committee in this respect. The Presidency will also wish to give weight to the opinions of the Committee, thus according it influence in the Union's policy-making. The Presidency could, in particular, seek the Council's agreement to ask the Committee's opinion on all matters that concern the principle of subsidiarity. (6) Issues relating to culture, education and the environment are of special concern at regional level, and the Presidency should have the support of regional representatives in endeavouring to develop a coherent view of subsidiarity in such fields.

Monetary stability and economic regeneration

The move to Stage 3 of economic and monetary union presents a special problem for Germany, with its superior record of monetary stability. Yet it is vital that at least a core group of member states, including both Germany and France,

should make that move within the timetable laid down by the Maastricht Treaty. There are sound business reasons for this, as witness the constant support of the Association for the Monetary Union of Europe. With the conditions enshrined in the Treaty, following the German requirements, the economic and monetary union is designed for monetary stability; and a guarantee of monetary stability in Germany's neighbours should help to strengthen stability in Germany itself. The credibility of the European Union itself would, moreover, be at risk if the provisions for economic and monetary union, which comprise the backbone of the Treaty, were not to be respected; and the same applies to the Franco-German relationship. It now appears that enough member states will fulfil the convergence criteria as defined in the Treaty to constitute an adequate core to enter Stage 3 within the timetable, provided that speculation does not prevent 'observance of the normal fluctuation margins' of the EMS or cause 'severe tensions' in exchange rates within two years of the decision on entry into Stage 3. (7) It is particularly important to ensure that speculation does not disrupt the stability of the exchange rate between the franc and the Mark. Few things could do more to revive confidence in the future of the Union than certainty about German commitment to the aim of satisfying this aspect of the convergence criteria. A further sign of German commitment to the timetable of the Treaty could be the policy of developing the role of the European Monetary Institute in such a way as to ensure a smooth transition from the Deutsche Bundesbank to the European Bundesbank.

While the German Presidency may offer occasions to underline the German commitment to economic and monetary union, it will certainly require decisions to be made following discussion of the Commission's White Paper on growth, competitiveness and employment. (8) The project of economic and monetary union, and hence the Union itself, will remain at risk unless citizens regain confidence that

unemployment will be reduced. Growth of employment on a sound basis requires an efficient and competitive economy. A liberal trade policy is an essential element in this. The German Presidency will have opportunities to affirm it in implementation of the results of the Uruguay round and also in further opening of the Union's market to imports from Central and Eastern Europe. Flexibility of labour markets is equally essential; but that is largely a matter for the member states, although the German Presidency should seek to ensure that the Union's social policy does not weaken the efficiency of labour markets to the detriment of employment prospects.

There are also some measures yet to be taken to complete the legislative framework for the single market, as foreseen in the 1992 programme. As the White Paper pointed out, these are particularly significant with respect to use of the infrastructure: telecommunications, energy and those elements of transport not yet liberalised, (9) to which may be added some financial services. This is linked to what can be seen as the most important element in the White Paper: the creation of what may be called a Single European Infrastructure through a comprehensive system of Trans-European Networks (TENs), providing economical and efficient transport of people, goods and energy throughout the Union and a complete network of broadband optical fibre cables, or information highways. (10) A programme to complete this physical counterpart to the legislative framework for the single market could also include measures to improve the environment and to ensure that education and training are available so that citizens will be qualified to take advantage of employment opportunities throughout the Union. (11) The aspects of this infrastructure that concern the Union as a whole would be the cross-border services, those that link the Union's periphery with its central areas, and those linking the Union with its neighbours to the East and also to the South.

The White Paper calls the European infrastructure networks a 'key to enhanced competitiveness'; (12) and this is confirmed by the European Round Table of Industrialists, which has 'repeatedly pointed to the high cost and low efficiency of Europe's out-of-date infrastructure as major drags on industrial competitiveness and whose Secretary General has recently stressed that business needs a first-class European infrastructure if it is to invest with confidence for the twenty-first century. (13) The Single European Infrastructure would, indeed, complete the single market by giving all producers and consumers throughout the Union the best access to all that its vast economy has to offer by way of markets, supplies and employment opportunities. It would thus provide a tangible basis for European citizenship and a strong source of cohesion for the Union's peripheral regions as well as for the Central and East Europeans. Its construction would also provide a valid source of new employment opportunities, with the cost of the White Paper's priority projects amounting to 1.2 per cent of GDP a year during 1994-99 and with that expenditure also generating indirect employment effects. (14

The bulk of the expenditure would take the form of private investment, with finance from the Union and the member states playing, according to the White Paper, only a 'marginal and catalytic role'. (15) Private capital should be available for the investments, without generating inflationary pressure. The public deficits should be reduced from a total of 5.8 per cent of Union GDP in 1993 to around 3 per cent in the later 1990s, thus diverting a stream of savings from public to private purposes; (16) and with the inability of tax-based pensions to cover the requirements of the Union's rapidly ageing population, savings-based pension arrangements are already generating savings of some ecu 200 billion a year, or some 3½ per cent of GDP. (17) While not all of this will be a net increase of savings, it will comprise a source of demand for safe and long-term investment opportunities such as many of the infrastructure projects

could supply, provided that the Union and the governments can persuade the relevant financial institutions that the TENs are sound and viable projects. For this, they will need the full commitment of the Union and the governments to the infrastructure programme, the guidelines for which should, following the decision of the European Council in December 1993, be established by July 1994. They will need assurance that the legislation for the single market in these fields will be completed. (19) And they will need to be sure that the necessary minimum of public finance will be forthcoming to cover the public authorities' own interests, in partnership with private enterprise. (20)

A comprehensive programme to create the Single European Infrastructure could do much to regenerate the European economy and to relaunch the Union as the single market programme relaunched the Community in the second half of the 1980s. To set the Union firmly on this path would be a notable achievement on the part of the German Presidency.

Cooperation in Justice and Internal Affairs

Title VI of the European Union Treaty, based as it is on intergovernmental procedures, is too weak to deal with the needs of a Union in which movement across borders is free, and it is inadequate for the protection of rights under the rule of law. This presents particularly serious problems in the fields of asylum, immigration and crime. The responsibility for Title VI should be transferred to the Community institutions. Meanwhile, the German Presidency could seek to move the Union in that direction by initiating the negotiation of conventions which can provide for the jurisdiction of the Court of Justice. (21)

Towards a successful Common Foreign and Security Policy

Bosnia has caused the public to regard the Common Foreign and Security Policy (CFSP) as a failure. The European Political Cooperation which preceded the CFSP

had, however, some useful achievements to its credit; and more importantly, notable successes were achieved by the external economic policy of the European Community, such as the liberalising rounds of negotiations in the Gatt and the powerful combination of trade liberalisation, PHARE programme and Europe Agreement that followed the changes in Central and Eastern Europe in 1989-90. These should be seen as foreign policy achievements, if citizens are to take a just view of the Union's external policy. Indeed, many foreign policy specialists seem insufficiently aware that economic instruments are among the most effective available to foreign policy in the contemporary world. This has particular significance for the Union, since it controls major instruments of external economic policy; and it is precisely the Community's common instruments and institutions that have enabled it to have such successes. The German policy, in the negotiations leading to Maastricht, of preferring that the CFSP should be located in the Community institutions should not be abandoned. (22) The German Presidency should try to promote steps that point in that direction.

Successful joint actions to deal with Europe's real priorities would constitute such steps. The European Council of December 1993 indicated that the Stability Pact to resolve the problem of minorities in Europe and strengthen the inviolability of frontiers could be the subject of a joint action. (23) The German Presidency should seek to initiate others, and where possible to have the procedure of majority voting made applicable.

As regards the aims of a common defence policy and common defence, the Presidency can make a start in establishing suitable relationships between the Union and WEU, and between this European defence entity and Nato. Germany is well placed to begin the delicate process of involving the new member states, in particular the three with traditions of neutrality, in discussions about their future role.

It seems desirable that they should participate in the Union's decision-making in matters of security where they can do so in a constructive way, but that they should 'step aside' from the process rather than block decisions that the existing members of WEU may wish to take. (24) The authority with which Germans can help to lead the Union in this field will, however, depend on the extent to which Germany appears willing to participate in security actions. (25)

Given the salience of Bosnia, the best thing the German Presidency could do for the CFSP would be to ensure that the Union works with the United States and Russia to secure a peace settlement there. But while peace in Bosnia may not be possible yet, the strengthening of partnership with the US certainly should be. In addition to the economic relationship, including the GATT, there is the challenge of developing a new defence relationship between Europeans and North Americans within the Atlantic Alliance, which the US Administration in principle wishes to do but which will doubtless present difficulties in practice. Then the conclusion of a partnership agreement with Russia will be no more than a framework within which hard questions of economic relations will have to be resolved, while the development of relations between Russia and the Partnership for Peace may be no easier. Yet it is supremely important that the Union should act positively towards Russia in what may be very difficult circumstances with respect to both economics and security. The German Presidency might consider a major initiative in the field of development of human resources and of exchange between Russians and citizens of the Union, with the emphasis at first on inviting Russians to the Union and, in view of the enormous success of the Franco-German youth exchanges, on the participation of young people. Similar programmes could be envisaged for the Ukraine and other CIS states.

For other countries of Central and Eastern Europe, the German Presidency could work to plan systematically their paths towards accession, including the measure

of institutional and political cooperation agreed at the European Council in June 1993 and economic cooperation beyond what was then agreed, in particular trade liberalisation and the development of infrastructure networks. (26) Nor is it too soon to begin planning the agricultural and budgetary reforms that will be necessary in order to accommodate Central and East Europeans in the Union.

Reform conference 1996, constitutional conference 1999

The IGC of 1996 should be seen in a perspective leading to a constitutional conference around 1999, to give the Union a sound political framework for the economic and monetary union, to make it strong enough to contain the Central Europeans and, later, East Europeans and to meet other challenges that may arise. Key elements of such a constitution, building on the institutions and powers of the Union, would be democratic institutions, with codecision between Parliament and Council and the Commission responsible to Parliament; a bill of rights; the completion of economic and monetary union; and the transfer by stages of the CFSP to the Community's, by then federal, institutions.

The aim for the IGC96 should be to incorporate in the Union as many of these elements as possible. Thus the European Convention on Human Rights could be incorporated in Union law; codecision between Parliament and Council could be more widely applicable; and there could be movement of the Cooperation in Justice and Internal Affairs and the CFSP towards the Community institutions. The IGC should, in addition, lay down the procedure for the subsequent constituent process, including a leading role for the European Parliament.

Since it seems likely that one or more member states will not be willing to accept the treaty amendments that Germany and other members of a core group may hold necessary at the IGC96 and that not all would initially accept a further

move to the federal constitution, those that are willing may have to consider how to proceed to establish the core group while devising forms of variable geometry for the others. An obvious step for such a core group would be the decision to proceed to Stage 3 of the economic and monetary union. Closer cooperation in justice and internal affairs could be another, as could participation in a strengthened Eurocorps and greater commitment to TENs and to cohesion policies than others are willing to make. While it is to be hoped -- and indeed expected -- that the others would be ready to accept timetables for entering into full participation in the core activities, or at least would come to do so after an interval for reflection, it is inescapable that the core group's greater commitment would be reflected in institutional arrangements. There are already precedents for this, in the British abstention from the Social Protocol, including from the institutional aspects, and in the Danish agreement not to 'participate in the elaboration and the implementation of decisions and actions of the Union that have defence implications'. (27) Building on such examples, ^{the members} the core group would have to apply stronger institutional disciplines and a greater element of democracy in their mutual relationship. They should at the same time try to persuade the others to accept the stronger instruments and institutions; and it may well be that the prospect of relegation to the periphery, together with the logic of events in this age of interdependence, would cause them to be persuaded, so that the IGC96, and subsequently the constitutional conference, could succeed without any need to formalise a two-tier or multi-tier arrangement. But if something stronger and more democratic than the present Union is necessary, as the writer believes it is, then likely members of a core group will have to begin preparing for the eventuality that they may have to establish it, and this will have to be an element in the preparations for the IGC96.

The German Presidency: a chance for Europe

The German Presidency of January-June 1988 efficiently performed its routine duties. But it also presided over major steps forward for the Community: the agri-budgetary reform, which rescued the Community from the dead end of uncontrolled overspending; and the Delors committee on economic and monetary union, which set the Community on its new course towards monetary integration of federal type and also towards political union. Although this could not be foreseen at the time, the strengthening of the Community and the transition to Union that this set in train were an essential part of the context for the German unification.

At the time of the German Presidency of 1994, some of the challenges that the Union will have to confront in the coming years are foreseeable: the completion of economic and monetary union, with its institutional implications; the enlargement to Central and later to Eastern Europe; the instability in parts of Europe where the United States is less ready and able to place its full weight in our support than before. As after 1988, other challenges, not yet foreseen, will certainly arise. Europe therefore needs a German Presidency that will again set the Union on a new course towards institutions that are strong and democratic enough to meet the challenges -- hence to institutions of federal type -- and towards integration of foreign and security policy to match the economic integration that is now so nearly complete, as well as towards a successful enlargement to Central Europe. It has been agreed that the following German Presidency will take place in July-December 1999.(28) Surely Germany's aim should be to preside then over agreement both on the Central European enlargement and on the transition to a federal constitution. The current German Presidency will be truly memorable if it can point the Union in that direction.

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