

THE ENLARGEMENT OF THE COMMUNITY
THE POLITICAL-INSTITUTIONAL PROBLEMS

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The Europe of the Twelve

After seven long years of negotiations, Spain and Portugal finally joined the group of the other ten partners on 1st January 1986. Greece, which had presented its request for entry to the Community at the same time as the two countries of the Iberian Peninsula, turned out to be luckier, as its negotiations with the Nine were brought to a successful close a good five years earlier. In this way, the great historic cycle of enlargement of the Community, which began in 1973 with the entry of Great Britain, Ireland and Denmark, has for the time being come to an end.

One would be justified in asking why, in the case of the last two countries to enter, the negotiating period lasted so long. The principal explanation clearly lies in economic considerations (1). Spain and Portugal are two recently industrialized countries with a large degree of internal imbalance, a strong Mediterranean agricultural products sector, and rather backward financial and fiscal structures. All valid explanations which throw some light on the difficulty of the complex negotiating process.

It can however be observed that even before their official entry into the EC the two Iberian economies were closely integrated with the rest of Europe; almost half the exports of the two candidate countries were directed to other EC members (in 1983, 48.3% for Spain and 58.9% for Portugal), which was roughly the same proportion as for Germany, Italy and France. This does not mean that the economies of the two countries are similar to those of their principal European partners. In fact, if this were the sole basis of argument, then Morocco, which has in its turn applied for entry to the EC, exported 52% of its goods towards Europe in 1983 and could in theory claim the same rights (2). However, this spontaneous attraction towards the EC was an indication that the process of economic integration would in any case, albeit in the long rather than the short term, come to fruition.

And so, even if the economic side should not be put into the background, it cannot give any major reason for the enlargement and will not dictate the effects there will be on the process of the integration of Europe. In order to explain this point, it is enough to consider the association agreements which were stipulated between the EC and the then candidate countries. The characteristic principle of these agreements, and this is especially true in the case of Greece, which has had contacts with the Community since 1961 (though frozen during the rule of the colonels), was progressive economic integration of the countries into the Community area. In the Athens agreement of 1961 and in the various documents there was even a plan to link up Greek agricultural policy with the Community's. This link, together with the complete dismantling of frontiers, should have been completed by 1984. Things were

slightly different for Spain and Portugal, given the peculiar needs of the two countries, but the basic tendency of, and the philosophy behind these agreements, is undoubtedly wide-ranging economic integration. What was missing in these agreements was a formal integration in the Community decision-making process.

The most pressing problem of the enlargement, both in the early and late 1970's, was mainly a political one. Indeed, in the first case, there was the historical relevance of the change in Great Britain's role from an insular-imperial one to a European one, which was, in some way, formalized by her entry into the Common market. The fact that the entry of this country was accompanied by that of Denmark (an old Scandinavian democracy) and of Ireland (a country with a strong European vocation) simply adds political significance. This does not mean that the economic aspect was negligible; while the Danish economy was, for the most part, already linked to the Community and in particular to the German economy, the others still had different options open to them, although already tending towards a growing relationship with the Six.

This second enlargement was even more a proof of the political attractiveness of the Community. Three countries, two of which undoubtedly have a European vocation (as far as Portugal is concerned, we can see a certain similarity with the British case, with a country turning towards Europe instead of over the ocean), almost simultaneously come to the end of a period of dictatorship. Europe was a frequent and meaningful point of reference - often a leverage for action - for the democratic forces in order to overthrow or change the régime. Thus, stable and effective democratic institutions and joining the Community have nearly come to coincide in one goal (3).

A New Political Dimension for Europe

Every new enlargement of Europe has brought with it a new political dimension. The first Community, the Europe of the Six from 1951 to 1972, was essentially an expression of the leadership of France and the need to overcome the memory of the war through Franco-German reconciliation. In this period an attempt was also made, the many disagreements notwithstanding, to construct a new European identity with respect to the great powers (this was De Gaulle's dream). The Europe of the Nine, from 1973 to 1980, had as its leitmotif the construction of a Europe more pragmatic and Anglo-Saxon in nature, based more on policies and agreements between governments than on the role of the common institutions. The European Council of the heads of government and the European Political Cooperation (EPC), an interdiplomatic and intergovernmental tool for the conduct of European foreign policy, therefore came into being. The entry of Greece in 1981, and then of Spain and Portugal, saw the addition to and completion of the Mediterranean dimension of Europe, with all the problems, economic and above all political-strategical, which this involves.

There is no doubt that in the course of its various enlargements the political dimension of the Community has grown greatly in both magnitude and complexity compared to the beginning of the 1950's. The consequences of this have been a diversification of common interests in the various sectors and a need to devote some real consideration to the problem of the Community's own autonomous role in the world, so as to be able to give a united response to external pressures and to the challenges posed by the rest of the world.

During these successive enlargements, however, while the range of interests and tasks of the Community grew enormously, its Institutions did not undergo those changes which were necessary to meet the new challenges satisfactorily. In fact, if some developments happened to be in the institutional field they contributed instead to a weakening of the ability of the common Institutions to respond to such challenges. Or to put it another way, those clauses calling for the further development of common policies and the strengthening of the institutions, which had been one of the Community's leading principles since the first enlargement in 1973, were not being satisfied (4).

The Evolution of the Community Institutions During the Enlargements

It is commonly recognised that the dynamics the Community institutions were developing along the lines conceived by the authors of the treaty, came to a halt at the Luxemburg compromise of 1966. Up till then, the Commission of the European Economic Community (and the parallel bodies of the other two communities) had tried to gradually expand the possibilities given by the treaty and act as a proxy of a government, i. e. : a) implementing the power of initiative; b) acquiring "resources propres"; c) exerting Community representation towards Third World countries; d) attempting direct contact with public opinion by the instrument of information. In 1966, the role of this institution began a gradual and constant decline which continues today. As many authors have already pointed out, it was increasingly substituted by another institution, the Council of Ministers, which in the meantime had taken on a type of organizational support system which had not been foreseen by the treaty: the Committee of Permanent Representation (Co-Rep). The Council took on an increasingly central role in the Community which, in the meantime got through the transition period more quickly than had been planned when it accomplished the Customs Union, formulated a Common Agricultural Policy (with huge related funds to keep high prices) and set up a Common External Tariff which contributed to the definition of the Community's international role.

As far as power relations between the Community and the member countries are concerned, this change in the institutional equilibrium of the Community is significant. In fact, while the Commission was eroding governments' powers in order to strengthen its own, i. e. bringing power from the outside to the inside, the Council obviously did not take part in this process since its institutional function was precisely to represent and protect the interests of the member states and so, if anything, it inverted the process by taking away power from the Commission. But the Commission had not much power to yield so that the process was slowly overturned and the Council itself eventually showed a decreasing decision-making capacity.

The third institution, the European Parliamentary Assembly, was only lately, in 1979, given its right to direct elections, which would have assured it a certain legitimacy. It has, therefore, played a permanently smaller role and has usually ended up allying itself with the Commission. The weakness of the Parliamentary institution, therefore, added to that of the Commission which, in the treaty's conception, was also supposed to have the function of mediating between the representatives of the people (the Assembly) and the representatives of the States (the Council). Only after a long time did the European Parliament get a partial say in the budgetary field.

The end of the most obvious effects of the Treaties of Rome coincided with the end of the transition period which had marked the stages in the Community integration process between 1957 and 1969. At this point, there was a certain vacuum left in Community development programmes. New problems, however, had arisen, both in the sense of accepting new member states (Britain had become the first candidate and was initially refused entry) and in the sense that new competences had apparently to be added to those the Community already had; both possibilities had been foreseen by the Treaties. The fact was that the motive power of the Treaties seemed to have been all used up, even though not all the articles had been fully applied. Between 1969 and 1974, there was a tendency to substitute the power of the Treaties with summit meetings between the heads of state and government. These meetings were convened with an increasing frequency, and it was from these top level meetings that the new, gradual and partial changes in the decision-making process in the Community sprang.

One of the first important innovations was produced by the decision to start a "political cooperation" mechanism (5). The idea of extending the cooperation between the European states to the sector of foreign policy was self-evident. Actually, a much wider task was given to political cooperation; i.e. to proceed towards a politically united Europe; at least this was the intention contained in the communiqués from the Hague summit meeting in 1969 and the Paris one in 1972, as well as the two Davignon protocols in 1971 and 1973. But, the method which they had chosen to carry the European foreign policy was a typically diplomatic and intergovernmental one; it was totally and rigidly kept apart from the Community system. The first consequence of this choice was that a disturbing and competitive element was introduced into the institutional mechanisms of the Nine which already existed. Besides, it was hardly credible that this method would have been able also to give birth to political integration.

A second modification of the Community machinery came, as mentioned above, from the concession of limited powers to the European Parliament to deal with budgetary matters. The move was in itself a victory for the supporters of a more integrated and more democratic Europe. Its effect, however, on the Community's institutional equilibrium, was not quite so clear and unequivocal. As a matter of fact, these powers were exercised only when it came to dealing with the Council of Ministers and the role of the Commission was left to one side. Whereas, in the original intention of the Treaty of Rome the Commission had the function of the privileged interlocutor of the European Parliament (the power to pass a motion of censure can be exercised on the Commission, not the Council). So the decision on budgetary powers shifts the Parliament's focus from the Commission to the Council without actually clearing up and stating what sort of real control the European Parliament can exercise on an organ which is only responsible to national governments and parliaments.

The third innovation shows that the Council itself has come out of this contingency with de facto reduced decision-making capacity. It was Giscard's initiative to propose the transformation of the summit meetings of heads of state and government into a European Council, not quite an institution, but something formalized by the regularity of the meetings and the authority of the participants (6). This decision, taken at the end of 1974, had induced a basic turning point in the fragile equilibrium of the Community institutions, as a process of taking away responsibility from the Community Council of Ministers

was initiated. The European Council started off with the intention of dealing with the broad problems of the Community and it has finished up dealing with everything, including details. The Council of Ministers has hardly done anything else but ratify the decisions which had been taken at the top level and to send back those which are difficult to solve. The European Council has in this way also confirmed the fact that the Commission has been deprived of its power of initiative; in fact, the Commission has been limiting itself more and more to waiting for its decisions before getting down to work to implement them, when asked to do so.

Enlargement and the Institutional Crisis of the EC

As can be seen from this brief analysis of the history and development of the decision-making process within the Community, there is no direct cause and effect relationship between the enlargement of the EC and the weakening of the Community's institutions. The first sign of a change of direction with respect to the supranational (and, in prospect, federal) course drawn up by the founding fathers of Europe dates back as far as 1966 (Luxemburg compromise), to a period, in other words, when the Community still numbered only six members. The subsequent enlargements contributed, if anything, to the acceleration of that tendency to intergovernmentalism which was already evident at the beginning of the 1970's and which came to a peak, as we have mentioned above, with the creation of the EPC and the European Council.

Various remedies have been put forward over the years to deal with the increasing ponderousness of the community's decision-making process and its progressive slide towards the intergovernmental method.

The first, most obvious of these remedies is the one which, given the economic differences within a Community of Twelve members, proposes its subdivision into two or more levels of integration. Each of these levels would have a different degree of integration and would therefore progress at a different speed towards the final objective of political union. While remaining formally united, the group of twelve would move on different tiers. The weakness of this proposal lies in the real risk that it would lead to an increase in the divergences and imbalances between strong and weak countries instead of contributing to lessening them.

The second proposal is for a "variable geometry" (or à la carte) Europe where the groups of countries fall into their various divisions according to the specific projects involved or the different sectors of integration. Here, the most obvious criticism lies in understanding how a different decision-making process for each set of circumstances, or for each group of countries, can be jointly coordinated and managed

The third idea consists of formally setting up a group of strong countries wishing to achieve political union (the concept of the so-called "hard-core countries") and capable of taking the lead and moving with a certain degree of autonomy with respect to those countries which are more reluctant (and therefore not necessarily slower or weaker). An idea of this type is expressed in art. 82 of the Draft Treaty of the European Parliament of 1984 (7).

None of these proposals which have succeeded one another over the years has ever been put into effect. The last Community reform, the Single European Act of 1986, leaves things as they are and does not introduce any substantial changes to the already existing framework; it simply corrects the unanimous vote mechanism within the Council, in an attempt to make it more difficult in some cases to have recourse to the veto (the vital national interest clause of the old Luxemburg compromise) (8).

The short-term conclusion which can be drawn is a double one:
- the enlargement of the Community has not created any particular problems for the working of the strictly intergovernmental mechanisms; the EPC, for example, may take more time to draw up its declarations, but its working methods have not been changed (9);
- it has, however, had an indirect effect on the Community's decision-making system, in the sense that, with the increase in the number of governments participating, there is a greater risk of paralysis in those sectors where the possibility of invoking national and vital interests (the right of veto) exists.

The Enlargements and a New Package-Deal of Common Interests

The above considerations lead us to think that enlargement at any cost and without guarantees does not necessarily represent institutional political progress and that, in any case, enlargement is reversible if it engenders decision-making paralysis.

A "hard-core" group of states, capable of aggregating itself at a level of superior intensity, might represent the only means of implementing a successful relaunching operation.

By analysing the new conditions of international integration and internal Community conditions, and using positive elements drawn from past experiences, one can proceed with an examination of those elements upon which a future package deal will perhaps be based. To be more precise, it is now necessary to illustrate which new negotiating conditions should be taken into consideration in order to generate further membership interest in relaunching the European community.

Clearly, European Political Cooperation is one sector in which recent European collaboration has made interesting progress. Despite the obvious limits of this diplomatic-governmental apparatus within the decision-making process, there is little doubt that EPC has attempted to respond to two fundamental needs. The first has been to propagate the image of a Europe seeking to establish its own identity (even in non-economic sectors); the second involves an attempt to play a more autonomous and homogenous role in managing the international environment.

The need to more precisely establish a European foreign policy in deeds rather than words, and the persistent desire to advance specifically European needs and perceptions in different crisis areas are both sentiments shared by practically all European governments. Beyond the dearth of appropriate foreign policy machinery, until now Europe has also lacked a comprehensive elaboration

of its strategies and positions on important global themes. EPC is still an essentially reactive institution. Yet, with inter-Atlantic links weakening and the international scene growing ever-more complex, Europe must look towards this sector to establish its own operating space and increase internal collaboration (10).

Continental collective security represents another issue linked to the foreign policy problem. Even within this field, recently, there has been a plethora of initiatives and proposals. Yet the results of this reformist agitation have been rather poor. Europe is certainly farther behind in Community security cooperation than it is in political cooperation. Above all, EPC-security links are missing in the first phase, and these two sectors and the Community lack coherence and linkage in the second. Despite these missing links, both the changing international security landscape and evolving member state perceptions (particularly in France and Germany) may eventually be treated as important priorities as a result of certain objective conditions.

Europe can still take an interest in creating room to collaborate in those economic sectors in which Community partners might easily perceive the effectiveness of EC intervention and its multiplier effect upon employment and international competitiveness. The idea advanced by Michael Albert in his report to the European Parliament, which foresaw an impressive financial plan (a kind of new Marshall Plan) for productive investments in some leading European industrial sectors, may well respond to the needs which a majority of member governments have felt and which, if addressed individually, cannot be properly resolved (11).

These elements may provide a basis for rethinking and clarifying European intentions for cooperation in the coming years. From this foundation, Europeans can enucleate the necessary elements to begin new negotiations which must result in: a) the confluence of national interests in a political agreement; b) its successive transformation in coherent and stable structures and clear procedures in order to implement these elements so that their longevity will extend beyond a political 'moment'.

The Possible Institutional Strategy after the Enlargement

Adopting an institutional strategy in order to attain positive results from domestic and foreign policy is an essential element of a new political accord for relaunching the integration process.

In brief, the institutional goals can correspond to three possible models, which here are considered extreme in so much as there are other conceivable intermediate models and many variations.

1. The presidential model. This model is reflected in the current tendency towards strengthening the highest echelons of the institutional system. In the first place, it entrusts the European Council with the dual role of 'supreme court' and 'inspirator' of all Community initiatives. A permanent secretariat and a Council of Ministers who serve as faithful executors as well as a stable point of reference during the preparatory phase and during the directive's execution, would add support to the Council structure. The same Commission

'summitizes' and endows its president with the role of employing his position at European Council meetings; directly nominated in the European Council, he becomes the only interlocutor dressed as a promoter of common interests. The European Parliament is relegated to merely discussing European Council initiatives.

2. The model of a reinforced Community. This is a return to the letter of the Treaties, complete with a restoration of majority voting in the Council of Ministers, and it includes a European Council which initiates new policies and a directly-elected European Parliament with some budgetary power.

3. The parliamentary model. Here the European Parliament plays a central role and it is the primary source of legitimacy for European executive power. The Council of Ministers becomes the Chamber of States and the Commission assumes the role of European government in the appropriate sectors.

Obviously, these models are rather theoretical and it is most likely that the proper orientation for Europe is towards an intermediate and less extreme version. The very European Parliament project of 1984 did not achieve the third model's extremity but it elaborated a compromise version which incorporated common elements from all three models.

In effect, when one reasons in terms of institutional models or an 'ideal Europe', it is imperative to consider that to this day, all successful or even partially successful attempts never arose from an ideal plan, but rather followed a 'feasible' path or at least first accounted for existing power configurations.

A strategy following the parliamentary model would require exceptional domestic and foreign political circumstances. Beyond this, membership goals require clarification, a task which has been difficult even with a very small number of actors.

Besides the lack of credibility resulting from past failures to revitalise the EC, the case for reinforcing the community model based on the Treaty of Rome (today called Single European Act) no longer provides answers to today's needs, as it emerges from our previous description.

Even if more flexible and acceptable to national leadership, the presidential model lacks the fundamentals necessary in order to effectively function (credible decision-making centres).

The final strategy could be a compromise between these extreme models. At any rate, the conditions leading to this decision will necessarily include :

- a) a package deal consisting of policies and criteria which is wide enough to aggregate various national interests;
- b) some clear institutional premises which allow the creation of stable structures and efficient procedures;
- c) a strong coalition of leading states;
- d) active participation of the Community's institutions, and particularly the European Parliament, in forming this coalition and aggregating different interests.

Footnotes

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(1) Redston, C.J., "The impact of EC membership on Portugal and Spain", Intereconomics, No. 5, September-October 1983, pp 207-212.

(2) Moreau Defarges, Ph., "L'Europe des Douze ou la Communauté III", Défense Nationale, Juin 1985, pp 155-164.

(3) For a broad analysis of the two enlargements, see: Schneider, J.W. (ed.), From Nine to Twelve: Europe's Destiny?, Sijthoff and Noordhoff, The Netherlands, 1980.

(4) A description of various attempts and plans to strengthen Community institutions is in: Pryce, R. (ed.), The dynamics of the European Union, Croom and Helm, London, 1987.

(5) De Schoutheete, Ph., La coopération politique européenne, 2nd Ed., Labor, Bruxelles, 1986.

(6) Bonvicini, G. and Regelsberger, E., "The Decision-Making Process of the EC's European Council", The International Spectator, No. 3, 1987.

(7) On the various aspects of the project for a new Treaty presented by the European Parliament in 1984 see the acts of the Conference "The Draft Treaty Establishing the European Union", organised by the Policy Unit of the European University Institute of Florence, Badia Fiesolana, 29-31 October 1984.

(8) Lodge, J., "The Single European Act: towards a new Euro-Dynamism?", Journal of Common Market Studies, Vol. XXIV, No. 3, March 1986, pp 378-387.

(9) Regelsberger, E., "From Ten to Twelve: a New Dimension for European Political Cooperation", The International Spectator, No. 3/4, 1985, pp 34-44.

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