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**THE POLITICAL DIMENSION OF THE PROCESS OF  
EUROPEAN INTEGRATION.  
INTEGRATION REQUISITES**

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# THE POLITICAL DIMENSION OF THE PROCESS OF EUROPEAN INTEGRATION. INTEGRATION REQUISITES

*by Gianni Bonvicini*

As we address the issue of the political dimension of the process of European integration, we intend to limit ourselves to the consideration of the practical effects and *ad hoc* experiences drawn from the application of certain policies and decision-making instruments to the building of Europe, possibly avoiding any theoretical exercise.

In fact our aim is that of reporting on the variety of different options and modifications on the way towards integration.

We don't know whether a European "model" of integration can be applied outside the historical and geographical boundaries of the present European Union (EU). Today the debate about the enlargement of the EU towards Eastern Countries is partly creating a similar question, although in this case we depart from the assumption that "they are Europeans anyway" and sooner or later they will join the Union. But we think that in an increasingly interdependent world, some practical measures and policies could be universally applied and achieve the same results in terms of positive integration.

This is why we continue to judge the politics of European integration as the master experience in the building of new cooperative experiences in the rest of the world. What has to be rejected is an eventual attempt to "sell" the European experience as "the absolute model".

Today, in fact, Europe too is witnessing a process of deep transformation and redefinition of the old concept of integration. And, as usual in times of transformation, we are living in a state of crisis or of "Europessimism", if we prefer to adopt "Eurocratic" jargon. A clear need to adapt EU institutions has again emerged. But the strategy to be followed is far from being clear. And again we have to turn back to our past experiences. In other words, and in opposition to Fukujama theories, "history continues", at least at the European Union's level.

## **1. The european experience: institutional prerequisites**

Institutions, both national and multilateral, are not simply architectural exercises, they establish the confines of their surroundings and therefore represent the point of arrival or departure of a given historical and political circumstance.

Institutions are not neutral with respect to the environment in which they operate; on the contrary, they tend to shape it with their procedures, laws and operating ability. At the same time, the environment determines the suitability of existing institutions and influences the form of the new ones set up to dominate present and future events (1).

At the beginning of the process of European Community (EC) integration, the events and the resolution of the actors at that time determined the forms and the limits of the EC institutions. Today, after almost forty five years of activity, the common institutions and laws constitute an *acquis communautaire* that is subject to its own internal reform dynamics and which conditions future plans; at the same time, the external environment, undergoing radical change, confronts the

Union with new problems and demands and influences its role and future form. The past and the future converge in demanding a different institutional arrangement for the European Union system.

As is well known, the European experience with reference to a common decision-making process has developed a rather baroque system of institutions with which to balance Union and national interests: first of all, we count on the cohabitation of different levels of executive powers distributed unequally among the European Council, the Council of Ministers and the Coreper (Committee of Permanent Representatives) in defence of the Member States' interests; it is the task of the European Commission to check all this power, but as history has shown, its ability to play an influential role largely depends on the existence of other procedural mechanisms: among them, the most important is the majority voting procedure within the Council, which essentially leaves the Commission the room to create a majority in favour of its legislative initiatives.

Other important elements in the life of the Union may be found in the structure of the own resources system and in the application of the budgetary powers with respect both to EU autonomy as regards the national budgets and the function of control played by the European Parliament. Finally, the Court of Justice must be mentioned as the decisive institution in helping Union law prevail over national law.

This complex and unique system works reasonably well only if the relationships among institutions follow a balanced pattern of cooperation. At the Union level the need to reach compromises is unavoidable, if the system is to produce decisions. When one institution wants to prevail over another, the consequence is usually paralysis. This means that a long period of time and repeated negotiations are among the basic criteria for the proper functioning of the Union, as the theory of international regimes of cooperation suggests. The relative advantage of the Union with respect to other international institutions is that of having reached a high degree of institutionalisation of its legal procedures and decision-making mechanisms.

In this light Maastricht represents another step forward in the process of institutional reform begun already in the early Eighties. It is not the end point; rather, it reaffirms the dynamic character of EU institutions. They must now adapt to new internal and external factors. This time, among endogenous elements, particular emphasis should be placed on the need for the following measures: 1) completion of the single market of '92 with a stronger convergence in the economic field (the famous macroeconomic criteria of Maastricht); 2) strong pressure to enlarge the Union to new members before having decided about its institutional reinforcement; and, finally, on a rather new element, 3) creation of a clearer social and popular perception of the importance of the existence of the EU (to address the so-called democratic deficit).

Regarding exogenous factors, the most pertinent are as follows: 1) the growing role of regionalism in global affairs; 2) the progressive US disengagement from Europe; 3) the new concept and instruments of comprehensive security; 4) the qualitative different meaning of any future enlargement of the Union with respect to a reinforced foreign and security policy of the Twelve and; more generally, 5) the new role that the concept of integration is bound to play in the future pan-European architecture.

## **2. Some lessons draw from the reforming processes of the old Community**

During the Eighties and the beginning of the Nineties the Community witnessed an extraordinary and dynamic period of reforms. It started with the Genscher-Colombo Plan drawn

up by the two foreign ministers in 1981.

At that time, the need was felt to integrate the already operating monetary system (EMS) with better Community organisation in the fields of foreign policy (EPC) and, to some extent, to security policy. Institutional procedures, similar to those of the Community, were to be extended to these two sectors -which were strictly intergovernmental at the time. But the Solemn Declaration concluding the Italo-German Plan issued in Stuttgart in June 1983 was a disappointment for all: the essential points of the plan concerning more binding decision-making procedures within EPC were shelved because of the opposition of France and other partners who wanted to maintain EPC's intergovernmental character (2).

After the Solemn Declaration of Stuttgart, pressure for reform of the Treaty intensified in view of the imminent enlargement of the Community to Spain and Portugal. All agreed that the errors made in 1973 during the first enlargement of the EC to Great Britain, Ireland and Denmark, when demands for deepening were largely ignored, were not to be repeated.

This state of affairs was shaken by the European Parliament in 1984. Upon the initiative of Altiero Spinelli, it decided to draw up the Draft Treaty establishing the European Union. The plan set some fundamental criteria for future debate: unity of the economic, foreign and security policy aspects of the integration process; the principle of subsidiarity as the instrument for division of powers among the Community, States and the Regions; reintroduction of the majority voting system; democratic legitimation of the system (3).

As is known, the Draft Treaty was one, perhaps the most important, element taken into consideration when the European governments undertook partial reform of the Treaty of Rome and approved the Single European Act (SEA) at the beginning of 1986.

### **3. The "success story" of the Single European Act**

Identifications of some of the positive features of the SEA may be useful in view of future reforms.

The very name "Single Act" can be traced back to the need to bring together under one roof the various branches of European activity, from the EMS and the EPC to such bodies as the European Council, relegated for years to an institutional limbo. Thus, it embodied the *principle of consistency* among various activities in the integration process so often called for in prior plans, such as that of Belgian Premier Tindemans in 1976 and the 1981-83 Genscher-Colombo Plan, to mention only the better known.

This principle, which is still one of the cornerstones of debate on the future of the "European Union", as set down in the Maastricht Treaty, (especially when foreign and security policies are seen as a part of the EU and not as self-standing), was however, only incorporated into the SEA in a very elementary manner. In fact, the Single European Act did no more than register the foreign policy activities of the Twelve; it did not "communitarize" them, as it should have. This means that the decision-making procedures have not been changed, even though efforts have been made to bring them into the same framework. Consequently, the Community method applied to all matters provided for by the Treaty of Rome and to those added by the completion of the internal market in 1992; the intergovernmental method applied to all other matters, in particular, EPC (4).

It is clear that the "communitarization" of European Union policies, both old and new, remains an open question. When we speak about "communitarization" we have in mind a combination of balanced dialogue among organs (essentially the Council, Commission, European Parliament) and regular recourse to the majority voting procedure. Maastricht represents a clear example of the difficulty of applying the concept of "communitarization" to a variety of different fields of action and common policies, in other words, the progressive passage from a functional integration in the economic field to a similar form of procedures in the foreign and security policy (CFSP) camps.

In fact, Maastricht continues to maintain a different legal approach in the two fields, essentially leaving the CFSP in the realm of the classical intergovernmental approach (albeit with some minor concessions to the communitarian method). The risk is that of creating competitive decision-making processes in the two fields of cooperation and weakening the efficacy of the Community's external role, as has been largely shown in the case of the ex-Yugoslavia case.

Going back to our history, the real novelty of the SEA was the elimination of an old taboo: the return of the qualified majority voting procedure to the Council. Although limited, the rehabilitation of this old procedure has made the Community decision-making procedure more efficient; it has greatly speeded up the approval of directives in all matters in which it is applied.

Parallel to the reintroduction of the majority vote, the objectives and the methods for the most rapid achievement of legislative harmonization were defined more precisely. Unlike in the past, the Commission has returned to the practice of emanating rather broad directives, leaving their detailed implementation up to individual member states.

This strategy was in keeping with another fundamental principle: equivalence. If complete harmonization as set down in art. 8a of the SEA were not achieved by 1992, art. 100b provided for the application of the criterion of equivalent provisions, in the sense that provisions judged equivalent by the Commission and the Council could be considered valid in all member states during a transition period.

This was perfectly in line with another of the founding principles of the Treaty of Rome, rendered famous by its application in some cases before the Court of Justice. The principle is known as *mutual recognition*. Its constant application could greatly accelerate and simplify the harmonization process. Although application can obviously not be automatic, it nevertheless could have great potential if backed by an increasingly active and authoritative Court of Justice, the real federating element in Community law (5).

The last interesting feature with an institutional deepening effect was the modification of the competences of the European Parliament (EP). Although limited to the so-called cooperation procedure provided for in art. 149, the results have been better than expected. In matters pertaining to some relevant articles of the SEA - mostly concerning the internal market - the EP was given the power of influencing the legislative process by amending or rejecting the Council's common position during second readings. If the Council then wishes to override the decision of the Parliament supported by the Commission, it has to vote unanimously, and that is obviously no easy matter. This first reform has helped to further develop the EP's powers in the Maastricht Treaty, through the concession of co-decision competences in the legislative field (art. 189b), a kind of veto power which allows the last word in the hands of the Parliament.

In conclusion, the experience gained from the first reform of the Treaty of Rome and, subsequently, from implementation of the SEA has provided important guidelines not only for the

following drafting of the Maastricht Treaty but also for the present debate on its further future reforms.

#### **4. The political strategy that led to the success of the SEA**

Three strategic elements helped turn the SEA into a success story.

The first was the decision taken by the European governments (i.e., the Council of Ministers and Commission) to link enlargement of the Community to its deepening. Ratification of the SEA took place at the same time as the entry into the Community of Spain and Portugal, thus avoiding a repetition of the errors made in 1973, when widening was undertaken without provisions for deepening; that is, contemporaneous reform of decision-making structures took place (6).

Another element which contributed to the achievement of consensus in Luxembourg in 1985 was the "package deal" strategy: rather than searching for agreement on individual measures of policy or institutional change, discussion centred on a set of policies and institutional improvements. In fact, in addition to approximately 280 directives on the completion of the internal market, the Commission suggested the introduction of some procedures streamlining decision making, a majority vote on most of the matters proposed. This mix of policies and procedures turned out to be a very dynamic factor and led to the swift implementation of most directives not requiring unanimity (7).

A third element, perhaps less apparent but no less important, was the fact that this reform sprang more from the "force" and perceptions of European society than from the goodwill of its political leaders. The 1992 deadline served as a rallying point in the economic and business worlds and, more generally, in the citizenry concerned with assessing what impact the date would have on various sectors of the economic and social life. Not even the launching of the EMS in 1978 generated the same kind of expectations and consensus in European society. Basically, the real supporters of 1992 were the people involved in business, in banking, etc. - the citizens; the politicians, on the contrary, were fearful of losing further terrain to European sovereignty.

#### **5. The partial failure of Maastricht**

Those positive lessons from the past were only partially reflected in the Treaty of Maastricht. A different political climate too, both internally and outside the Union, has contributed to a remarkably less convincing performance in the implementation of the Treaty itself. We are interested here in evaluating the latest events which have marked the recent history and evolution of the Maastricht Treaty.

The most important and unexpected fact with regard to Maastricht has been the collapse of public support of the Treaty, in particular, and of the concept of integration, in general. It was not just the first Danish refusal and the scarce electoral support in the French referendum which caused concern, but the general decline in the once widespread interest for the creation of an *ad hoc* supranational Europe. The ratification process has taken practically two years instead of one, and the revision process of the Treaty, due to happen in late 1996 (art. N), has already started (if only unofficially) before the legal implementation date.

This slow and negative evolution of the Treaty contradicts the expectations created by the

Single European Act (SEA) and the fateful date of 1992 which represented a Europe able to move quickly into an era of full freedom in the basic elements of our social life (capital, labour, trade and services). Strangely enough, in institutional terms the SEA was far less ambitious and complex than the successive Treaty. Nevertheless, as we have described above, it helped Europe to relaunch a process towards deeper integration, through the restoration of a few decision-making rules (among others the reactivation of the majority voting procedure within the Council of Ministers).

The recent economic crisis does not in itself sufficiently explain the collapse of public confidence in the process of integration. Its effects began to become evident only some months after the first Danish referendum. It is true that a positive economic cycle might favour the speed of those efforts which are addressed to the launching of policies of international cooperation, but this explanation does not provide a reasonable answer for those integration processes having already reached a certain level of complexity.

Other elements have to be taken into consideration: a general one is the post '89 crisis of the concept of multilateralism and, consequently, of its mechanisms of management. What appears to be paradoxical is not just the collapse of multilateral institutions and doctrines in the Eastern half of the old bipolar world, but the lasting difficulties for Western cooperative organisations to reorient their role and objectives to the new geostrategic situation.

Moreover, this lengthy process taking place during the last decade of this century happens to be occurring in a period in which a strong tendency towards the renationalisation of policies and actions of old and new states appears to be becoming the key political factor. And here again a phenomenon which has started to emerge in the East as a legitimate reaction against a forced pattern of integration has ended up penetrating into the West, affecting the policies of cooperation and the progress towards integration. The European Union itself, as the maximum expression of supranational experience, has suffered from this ebb of nationalism, largely due to the fact that it happened to spread mainly in the Old Continent, where former historical linkages and feelings were suddenly charged with new vitality.

Add to these factors a subtle argument, supported by many politicians and intellectuals, which asserts that true democracy lies only at the national level, where Parliaments and political parties better protect the rights of individuals against the technocratic bureaucracy of Brussels, so distant from the social needs of people. Through this way of reasoning, the strict linkage which actually exists between integration and democracy is hidden and appears less evident; to deny the substantial democratic character of a voluntary integration among states and people, as a way of directing and controlling the effects of international interdependence, means to threaten the very basis of one of the most relevant postwar phenomena constituted by the various forms of supranational cooperation.

The above considerations necessarily lead us to evaluate the process of complex integration, as represented by the European experience, in a more articulated manner. This must be accomplished through an assessment of various combinations of positive and negative factors, both in political and institutional terms, the prevalence of one over the other being able to determine the direction that integration can take in particular historical periods.

## **6. A new, "old principle": subsidiarity**

For the first time, the Treaty of Maastricht mentions in art. 3.b the *principle of subsidiarity*. The wording of the text is rather generic:

"In areas which do not fall within its exclusive competence, the Community shall take action, in accordance with the principle of subsidiarity, only if and in so far as the objectives of the proposed action can not be sufficiently achieved by the Member States and can therefore, by reason of the scales or effects of the proposed action, be better achieved by the Community....."

and it does not add very much to the understanding of the traditional relationship between the national and European Union levels. Throughout the history of the Union, there has been a laborious application of different degrees of responsibilities at the two levels. In the past, others have tried to discipline the division between nation-state and the Union. The most significant effort was made by Altiero Spinelli in the drafting of the 1984 New Treaty, through the concept of exclusive and concurrent competences (art. 12).

Since European Union institutions, more than any other multilateral institutions, are the most significant product of the transition from the old form of national state to a new form of cooperative state, it is clear that the principle of subsidiarity must be applied, if possible, in the most advanced meaning of the term: the Union must be assigned all tasks whose scope and effects go beyond national boundaries. This approach should have a decentralising or federative effect, unlike the efficiency-oriented approach, which attributes to the Union those tasks which it can best carry out, and consequently leads to centralisation. The conclusion reached on this point in Maastricht was a compromise: both concepts of subsidiarity are included in art. 3.b, in its reference to "reason of scale or effects of proposed action" (8).

Moreover unlike in the past, today a real innovation, when considering the principle of subsidiarity, is represented by the presence of a new, important and worried actor: the Regions, which are fiercely fighting to participate directly in the Community decision-making process. And through the enlargement of EU competences to new fields of action (like environment), Maastricht has convinced the Regions to press for their involvement. As a sign of this pressure, the Treaty, for the first time, provides for a Committee of Regions, which for the time being has only consultative powers for a limited number of common policies.

But aside from this significant political innovation, the open question remains that of addressing the real substance of the concept of subsidiarity, that is:

- the political and institutional mechanisms which will provide clear decisions about the appropriate level for the new and old competences - in other words, how the concept should be put into practice. This is something completely missing from the new Treaty and this absence is going to create future conflicts among institutions.
- the question of how to regulate the permanent contradiction between common interests and vital national interests. The latter continues to appear as strong as it was in the past, although the majority voting procedure has helped to moderate the recourse to veto power in certain fields. The resolution of this lasting contrast has, in any case, to do with the clarification of the concept of subsidiarity: only if and when a sharp distinction between the different levels of competences exists, will the preeminence of national interest give up part of its political meaning.
- the application of the concept of subsidiarity to democracy and transparency. The argument that democracy works properly only at national level, largely depends on the



confused implementation of the division of competences between the different levels-- Union, national and regional. In this respect the European Parliament is still playing a complementary role to that of the national ones. And in Europe we are currently witnessing a pressing call by national parliaments for directly controlling the decision-making process at the European Union level. Here again the lack of clarity about the concept of subsidiarity constitutes a misleading factor in the correct application of normal Union rules. What is missing are well-structured relations between the European Parliament and the national parliaments.

## **7. The "perceptive factor" as a precondition to develop the process of political integration**

For too long, the process of European integration was considered a direct result of the application of the functional theory, which by definition neglects the importance of the political and sociological factors as basic elements necessary for the consolidation of the cooperative efforts made by the states. National and Union leaders have only partially posed the question of the role of public opinion in defining the direction of the process towards closer cooperation. As a result of this absence of a strategy to get public support for the integration of Europe, we have witnessed a growing negative attitude in public opinion in various countries. The Danish and French referendum on Maastricht are cases in point.

Another aspect has to be taken into consideration when we deal with the "perceptive" factor: the growing amount of legislation produced by Brussels. With the completion of the internal market and the plan for full economic union common legislation will inevitably have to limit progressively the room for manoeuvre and the autonomous decision-making power of member states. As a result, the Union will become increasingly responsible to its citizens. The President of the Commission, Jacques Delors, has repeatedly stated that almost eighty percent of economic and social legislation will be passed by the EU. This raises two main problems: the first concerns the governing capacity of the Union, with the extension of the qualified majority voting procedure to all social and economic legislation to streamline the decision making procedure; the second regards the democratic deficit, that is, the low level of legitimacy of the present Union decision-making process. Thus the powers of control and co-legislation of the European Parliament must also be increased.

There are therefore several questions that have to be settled if national and community leaders want to win public support in order to avoid isolating the process of European integration from the perceptions of people. In brief, the following topics must be taken into consideration:

- a clearer linkage between European electoral representation and the protection of individual interests at European Union level. It is very difficult for a European citizen to understand how much direct involvement he/she has in the political life of the Union; from this point of view, direct elections to the European Parliament have not helped to solve the problem--the solution of which largely depends on the degree of competences and power attributed to the Parliament and on the existence of EU political parties. Both of them exist at a very low level of intensity and substance.
- the complete absence of a well-functioning structure for mass media at the EU level and the subsequent lack of a formative mechanism to create a common European conscience; Union topics continue to be considered as subjects for specialists.

- information coming from EU institutions is also lacking, as is attention to public opinion; both are even less prominent than they were at the beginning of the process of European integration, when we witnessed a massive effort by the European Commission to spread information about the advantages of Union activities and on the steps to be taken to attain certain positive goals. Nothing like that exists today, and this has given national media more room to interpret EU events, (frequently in a critical way).
- finally, those who are in search of stability, equity and security must be shown that the process of integration is the right answer. Thus, it is important to provide a political solution to the requests (especially those coming from the Eastern Countries) to be full members of the European Union (9); to guarantee small and weak states a reasonably equal status in the decision-making process; to guarantee the protection of human rights both within and outside the Union.

## **8. Towards further enlargements of the Union**

The last point leads us to consider again the question of a growing number of members inside the Union. In fact, the problem of Union enlargement has become very serious. It is no longer a matter of giving a gradual and acceptable answer to two or three small, economic weak states: applications have come from EFTA countries, from Mediterranean countries and from a growing number of East European countries. This could lead to a doubling of the number of Union members in only a few years.

But the applicant countries are not homogeneous and have different reasons for applying for membership: the EFTA, the next full members, were basically motivated by economic considerations and felt less committed to political and security developments inside the Union; the Eastern countries seek not only economic, but also political and security guarantees: the Mediterranean countries, situated in an area of potential conflict, are motivated by their quest for stability, as well as by economic factors, and thus desire formal linkage to Europe.

In this light, enlargement takes on a different dimension: contrary to the strategy pursued today with the EFTA countries, it calls for a new concept of the policy of widening which has to date served simplistic and pragmatic ends. From now on, it will assume a strategic character, as general political and security (as well as military) considerations can no longer be overlooked. This means that a purely mechanical adaptation of the present institutional procedures, as is being done today with EFTA countries, will not be sufficient to match the general political interests of the Union, as explained in the preceding paragraphs. There is therefore a need for new radical institutional changes.

## **9. Scenarios for the future**

As we have said before, the uncertainty and pessimism following the signing of the Treaty of Maastricht on 7 February 1992 has given rise to a process of revision. In fact, there is no doubt that governments as well as political and business leaders have begun a critical review of Maastricht. Whether the focus is on limitations or constraints, the revision process is under way.

Clearly, the course of this process will vary according to several important developments which may arise: economic recovery, a decline in currency difficulties, maintenance of a stable

process of unification in Germany, the outcome of the next national elections in Germany (October 1994) and in France (May 1995), a significant stabilization of the situation in Russia, and containment of the Balkan conflict (10).

In any case, the result of the ratification process under way will constitute a watershed. There are essentially two possible scenarios: (i) the Twelve will try to consolidate the the Treaty in its present form; (ii) the text will go through a quick and sharp revision.

### ***Scenario 1: the consolidation of Maastricht***

Under this scenario the Treaty would again be the legitimate point of reference for European Union initiatives. While a redemption would certainly not dispel doubts about the limitations and intrinsic weaknesses of the text, the revision process would probably be required to follow the foreseen time schedule and procedures. In other words, it is unlikely that the process of integration would be accelerated or that the Treaty would be superseded by the formal creation of a "hard core", such as the one around Economic and Monetary Union. This would only be possible during the third phase (in 1997 or 1999), as foreseen by the Treaty itself. If anything, in order to facilitate convergence, the three basic criteria could be reconsidered, as not even Germany fully meet them at the moment.

As for enlargement, the process would be as foreseen by the European Council in Lisbon 1992, that is, without further hesitation and without waiting for negotiations for the revision of the Treaty planned for 1996. In other words, no further steps would be taken toward deepening without the agreement of new members. And this is rightly what has happend with end of the negotiations for access with the four EFTA countries. The consequence being that of complicating the process of institutional revision, due to the increased number of national actors.

Defence policy will remain necessarily intergovernmental and therefore subject to initiatives of the individual states, as foreseen by the Maastricht text. The WEU may have an increased role, as is already the case today, but without a specific institutional framework within the European Union, even though events are of an urgency and nature requiring increasingly complex and unitary interventions in local crises.

Thus, Maastricht would leave the main issues that had emerged with the first reading of the text unresolved:

- The main question, whose answer will determine everything else, pertains to the institutional framework (whether it is strengthened or not). In other words, the problem is how to deal with the following issues within the current institutional framework: the general nature of the integration process, the maintenance of a functioning and effective decision-making system, the nature of relations with other candidates for EU admission (from full membership to super-association). If the reinforcement of institutional mechanisms will not be immediately planned, there is a real risk of not even being able to ensure the maintenance of the current institutional framework during the planned revision of Maastricht in 1996, particularly following the first initial enlargement.
- The second question regards the relationship between subsidiarity and democracy. There is currently a marked political tendency to consider the principle of subsidiarity as an instrument for protecting national competences. This is based, as we have underlined

above, on the equivocal assumption that the truly democratic institutions are based only at the national level. Thus, national parliaments are placed in opposition to the European Parliament and the role of the Commission is severely weakened. It is therefore necessary to clarify the politico-institutional relationship between the division of power among the various levels of government (regional levels included) and the role played by the various institutions in legitimating and guaranteeing the democratic process.

- There is a similar problem with respect to the relationship between the organs foreseen by the EMU and the management of the European economy as a whole. In other words, what type of links are necessary between those institutions which are strictly economic (i.e. those foreseen by the Treaty in the chapter on EMU) and political institutions. For example, the European Parliament is completely excluded from the EMU (the limited powers gained in other sectors are not exercised here), while it plays a certain role in overseeing Union actions in general.
- Finally, the Maastricht reforms should address both foreign policy and defence aspects of the CFSP. The dominant issue in this case is also the inter-relationships between other policies and institutions. In this case, however, account must be taken not only of relations among the institutional mechanisms of the European Union (i.e. the progressive "communitarization" of procedures in all fields of the Union, the meaning of the so-called common actions, etc.), but also the links which must be established with related institutions such as the WEU, and completely separate institutions such as NATO, the CSCE, etc. In more general terms, attention must be given to the extent to which integration in the field of security and foreign policy in the near future will serve as the engine for a more accelerated process of unification.

### ***Scenario 2: a quick and sharp revision of Maastricht***

Should the first scenario fail to become reality, there will be several options to take into consideration because, as the solidarity of the Twelve crumbles, some governments and the Union organs (Council, Commission and Parliament) will have more freedom to imagine new models of integration, provided the Single European Act remains the common basis for all countries.

Among the possible alternatives, the following are those which are politically more likely:

(a) Immediate further enlargement (beyond that already decided with the Eftans) of the Union based on the Single European Act, without recourse to early negotiations for drafting a new treaty to replace that of Maastricht. In this case enlargement could be extended to a number and kind of candidate that is far beyond the limits the "strict" Maastricht criteria would impose. The result would be very similar to the free trade area favoured by Britain and Denmark. It would certainly be much simpler to give a positive response to the Visegrad countries and others who would meet the minimum conditions imposed by the old Treaty. Furthermore, in a context of less cohesion within the Community, there would be no obligation for Germany to serve as the focus of the new Europe. In this scenario, enlargement is thus an alternative to the former Union of the Twelve and as a way of reinforcing the bilateral policies of the main powers in a multilateral framework guaranteed by an EU that becomes increasingly like a traditional cooperation regime.

(b) The process of integration is resumed on a completely different basis. In this case, the scenario is necessarily one which has been receiving increasing attention in Europe, that is, one which is

centred around the idea of a "hard core". But this scenario may be subdivided into at least three sub-options:

- "Hard core Europe": a single, homogeneous nucleus of an extremely limited number of participants. The only possible group of countries which could be envisioned in this context is the Group of Five: the three Benelux countries, France and Germany. As the original Schengen group and as an area of monetary stability, these five countries may easily constitute a markedly homogeneous nucleus. Military integration based on the Eurocorp could also become a reality in a short time. While formally a group of five, it would actually be little more than a cosmetic variation of the Franco-German duo as the main engine of a new and different process of integration. It is thus an extreme case which would be difficult to actualize for obvious political reasons, not to mention that it would be highly destabilizing for a large number of excluded countries. This option would be pursued only in the event of a serious disintegration of the Community - one in which the countries of the South would diverge not only in economic terms, but also in terms of political stability; and the countries of the North would become increasingly unwilling to commit themselves to concerted efforts toward integration. In other words, this scenario would serve to maintain the prospect of integration at least in "hard core" Europe at a time of serious crisis at the periphery.
- "Concentric Circles Europe": a broader group than the "hard core" described above, encompassing countries which, propelled toward an accelerated integration by France and Germany, have demonstrated the greatest willingness to pursue integration, both by accepting without reservation (that is not requesting opting-out clauses) the provisions of the Maastricht Treaty and by making domestic policy decisions on the basis of Union priorities, even at the cost of further sovereignty concessions. Natural candidates for such a coalition include Italy, Spain and possibly Portugal. In this scenario, the strongest countries in the group should set less stringent macroeconomic criteria in order to accommodate the weakest divergent countries. Priority could thus be placed on political obligations, on military issues and foreign policy, while de-emphasizing monetary and economic aspects. Enlargement to include a large number of candidates would thus be possible, though they would be "placed" within the framework of the Single European Act, as this would continue to be a legally valid treaty to which both Britain and Denmark would still adhere. This is the classic "concentric circles" proposition, in which each "circle" would be a homogeneous group of member states having equal rights and obligations.
- "Ellipsis Europe": a constellation of several groups forming an ellipsis around a strong nucleus. In part, this is what was described in the preceding scenario, which essentially attributes a specific role to a strongly integrationist political nucleus--the Group of 5 plus Spain, Italy and Portugal. In this scenario, the core of eight would be surrounded by various ellipses: one of countries with convergent economies (therefore excluding Italy); one of countries which would take on the responsibility of defence (this could partially coincide with WEU countries); one of countries adhering to the Schengen agreement; etc. Though theoretically conceivable it is difficult to envision the implementation of the ellipsis model, as it remains unclear what role the formalization of a central political nucleus would have with respect to the peripheral ellipses - particularly in the case of the one based on economic performances and criteria, which would continue to play a central role in Union life. (In fact, the EU, as it now stands, was almost entirely built on the concept of economic integration in which the major role and responsibility was attributed

to those countries which best conformed to Community discipline.) It would be difficult for those countries not partaking in the economic ellipsis to interact as equals with those countries which also meet the criteria for being part of the other ellipses - unless of course the basis for integration were shifted from the economic sphere to the military and foreign policy dimension. This would require communitarization in both fields, making the latter less national and bilateral than they are today. In other words, this scenario also involves the question of having a strong political core which corresponds to an economic and military nucleus of equally strong members as coordination and consistency between the various fields of action is of crucial importance to the international credibility of the EU and of the nucleus itself. Enlargement is also an issue in this scenario, and it is even more complex and variegated here because of the presence of different ellipses which are not necessarily linked.

In conclusion, the future of Europe will be the result of an *ad hoc* combination of the different criteria illustrated above (a mix of institutional procedures, application of the principle of subsidiarity, public perception of the guarantees provided by the participation in the process of integration). Different combinations will lead to completely different outcomes. To choose the appropriate strategy is an open task for politicians: the urgency is clear and the risk of fragmentation still present. Specific criteria and carefully thought out scenarios should be consulted and used as guides to ensure the preservation of a certain degree of integration in the presence of a totally new geostrategic situation and with the aim that the Community remain a point of stability on the Old Continent and an example of integration for the rest of the world.

#### Notes

1. On this general issue, see W. Wessels, "Basic Considerations for the institutional debate", in *The Institutional Debate - Revisited, Introductory Remarks*, Paper presented at the June Conference of the College of Europe on "The institutions of the European Community after the Single European Act: the new procedures and the capacity to act", Bruges, 1990.
2. F. Lay, *L'iniziativa italo-tedesca per il rilancio dell'Unione Europea*, Padova, Cedam, 1983.
3. European Parliament, *Draft Treaty Establishing the European Union*, Luxembourg, February 1984.
4. C. Meriano, "The Single European Act. Past, Present, Future", *The International Spectator*, n. 2, 1987, p. 89.
5. N. Ronzitti, "The Internal Market, Italian Law and the Public Administration", *The International Spectator*, n. 1. 1990. p. 3.
6. On the first enlargement of the Community, see C. Merlini and G. Bonvicini, "The Institutional Problems Arising from the Enlargement of The European Community", *The International Spectator*, n. 2, 1979, p. 103.
7. See W. Wessels, op. cit.
8. Committee for Institutional Affairs, "The Principle of Subsidiarity", *Working Paper*, n.83354, Rapporteur, V. Giscard D'Estaing, European Parliament, Strasbourg, 5 April 1990.

9. The Six Institute, *The Community and the Emerging European Democracies*, A Joint Policy Report, Chatham House, London, 1991.
10. R. Aliboni, G. Bonvicini, C. Merlini, S. Silvestri, "Three Scenarios for the Future of Europe", *The International Spectator*, n. 1, 1991, p. 4.