

# **Explaining the Intergovernmental Conference on Political Union**

by

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## Introduction

The Intergovernmental Conference (IGC) of the member states of the European Community that started in Rome in December 1990 and was concluded in December 1991 in Maastricht, the Netherlands, exhibited the usual bargaining that is common to intergovernmental relations among the Twelve. The member states all brought their perceived national interests to the IGC, as they had done to the talks that preceded the Conference. Does this mean that knowledge about those national interests will allow us to explain the outcome? Or, is the EC more than intergovernmental relations that can be explained by traditional theories of international relations? Are there certain dynamics within the EC that need to be taken into account? Does the EC's position in the wider international system need to be considered, too? Do we need to look at the dynamics of the negotiations themselves to understand the outcome? This chapter will attempt a discussion of these questions, which are of a fundamental theoretical nature. As the author has argued on an earlier occasion it is important for our understanding of the EC to ask such analytical questions.<sup>1</sup>

## The Insights of Realism: The Role of National Interests

In a study of the Single European Act (SEA) it has been argued that it could be explained largely by converging national interests.<sup>2</sup> Without discussing the merits of the argument in respect to the SEA we shall start by asking to what extent the Maastricht treaty on political union can be explained by the national interests of the Twelve? The chapters on national positions in this work serve as a foundation for such a discussion.

The concept of converging interests presupposes changes in those interests. A model based on national interests therefore needs to include, or be supplemented with, elements that can explain changes in these interests. Moravcsik found such an element in domestic politics, which took him beyond the classical realist model of international politics, which dealt with the state as a black box. In the classic theory of international relations the national interest was defined deductively. It was a static concept. The national interest of a given state was supposed not to change, at least not in the short run. Continuity, irrespective of the attitudes and intellectual capacities of statesmen, was seen as the fundamental characterization of the foreign policies of states. The dynamics of international politics stemmed from the clashes of conflicting national interests. Changes in international relations were mainly explained by changing power distributions. Power politics was a central concern of the classical so-called realist writers.

Classical realism dealt with the question of state objectives by deduction. For Hans Morgenthau, states pursue interests which can be defined in terms of power. This conclusion originated from the idea that politics, and society in general, are subject to objective laws which have their origins in human nature. The existence of these objective laws makes it possible to work

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<sup>1</sup> Finn Laursen, 'Explaining the EC's New Momentum', in Finn Laursen (ed.),

<sup>2</sup> Andrew Moravcsik, 'Negotiating the Single European Act: National Interests and Conventional Statecraft in the European Community', International Organization 45 (1991), pp. 651-688; also in Robert O. Keohane and Stanley Hoffmann (eds.), The New European Community: Decisionmaking and Institutional Change (Boulder: Westview Press, 1991), pp. 41-84.

out a rational theory of foreign and international politics; the basic idea of a national interest confers rationality on the foreign policies of states.<sup>3</sup>

To define national interest in a more concrete way, realists refer to the territorial and political integrity of the state. Morgenthau expressed it as follows in an often quoted article:

In a world where a number of sovereign nations compete with and oppose each other for power, the foreign policies of all nations must necessarily refer to their survival as their minimum requirements.<sup>4</sup>

The fact that other values are considered subordinate to national survival and political independence explains why 'high politics' has become so important for realists.<sup>5</sup>

Realism appeals to the intellect because of its simplicity. It considers the state as an autonomous and rational entity whose behaviour is explained by its nature of a sovereign state in a system of international anarchy. The state is an entity which has certain interests qua state.

That states also pursue certain objectives as states in the economic field was argued by Stephen Krasner in his book Defending the National Interest. Apart from broader foreign policy objectives it was found that state actors pursued the basic objectives of increasing economic competition and ensuring security of supply of raw materials.<sup>6</sup>

Krasner defined the state as a set of central decision-making institutions and roles. He considered the state to be an autonomous actor which cannot be reduced to the sum of private demands. The decision-making centre which corresponds to these central institutions and roles is considered to be largely cut off from the influence of society and subject to a range of formal and informal obligations forcing them to promote the general interests of the nation.

Efforts to apply realist type theory to international economic issues are sometimes called neorealism. Another advocate of a neorealist theory, Kenneth Waltz, said: 'Just as economists define markets in terms of firms, so I define international-political structures in terms of states.'<sup>7</sup> He further argued: 'So long as the major states are the major actors, the structure of international politics is defined in terms of them'. Waltz's version of neorealism stressed international systems determinants more than other authors: 'The texture of international politics remains highly constant, patterns recur, and events repeat themselves endlessly.'<sup>8</sup>

To most realists the determining forces are to be found in the political and security fields. Political autonomy belongs to states and among them the major states play the predominant roles. When transposed to the Community these realist and neorealist concepts imply that integration only takes place when it is in the states' interest, in particular in the interests of the bigger member states.

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<sup>3</sup> Hans J. Morgenthau, Politics among Nations: The Struggle for Power and Peace, 5th edition (New York: Knopf, 1973), pp. 4-11. See also Hans J. Morgenthau, In Defense of the National Interest (New York: Knopf, 1951).

<sup>4</sup> Hans J. Morgenthau, 'Another 'Great Debate': The National Interest of the United States', American Political Science Review 46 (December 1952), pp. 961-88, 972.

<sup>5</sup> Fred A. Sonderman, 'The Concept of the National Interest', Orbis 21 (Spring 1977), pp. 121-38.

<sup>6</sup> Stephen D. Krasner, Defending the National Interest: Raw Material Investment and U.S. Foreign Policy, (Princeton: Princeton University Press, 1978), pp. 13-14.

<sup>7</sup> Kenneth N. Waltz, Theory of International Politics (Reading: Addison-Wesley, 1979), p. 94.

<sup>8</sup> *Ibid.*, p. 66.

Regarding European integration, Stanley Hoffmann in particular has stressed the importance of national objectives. Against the logic of integration he set a logic of diversity:

Every international system owes its inner logic and its unfolding to the diversity of domestic determinants, geohistorical situations, and outside aims among its units.<sup>9</sup>

The national situations of the Community countries are different. This leads to divergent, even opposite, concepts of national interests. This particularly applies to the fields which come under 'high politics', as shown by the failure of the European Defence Community at the beginning of the fifties.

In Hoffmann's view, the logic of diversity limits functional integration to the economic field. This logic implies that in important national sectors, states prefer the security of self-sufficiency or an insecurity that they control themselves, over the uncontrolled insecurity of integration. The vocabulary reflects the line of thinking of the game theory. National leaders are rational and calculating, but they cannot be sure of the future behaviour of their partners during a process of integration. From the European point of view this means that it is highly probable that cooperation will be suboptimal.

Whether the outcome of the IGC was suboptimal or not is of course partly a question of which perspective one adopts. But it can be argued that not much progress was recorded in respect to the Common Foreign and Security Policy (CFSP), including giving the Community a defence dimension. This suggests that a realist intergovernmental model may have some explanatory power in the 'high politics' areas. The UK in particular preferred to maintain its special relations in the security field with the United States. Some other member states, too, hesitated about conferring new powers on the EC in these areas.

But some of the cooperation and integration that one finds among the member states of the EC can be difficult to fit in with a realist concept of international politics, where power distribution is seen as decisive. Nor is a classical realist model able to account for changes in national interests. As mentioned, Moravskik found it necessary to introduce the role of domestic politics to explain the SEA. He thus had to 'open the box' and move outside a structuralist realist interpretation.<sup>10</sup> Since, however, domestic politics has its own logic, its needs its special consideration.

### **The Role of Domestic Politics**

The leaders of the states are not always able to define or defend the national interest in a rational way. They belong to national political systems with their own political processes. There are cases in which states can be considered as 'black boxes', but they may not be as common as realists assume. The foreign policies of states are often expressions of compromises between different actors, pressure groups and political parties at the national level. National governments may be more or less autonomous. Usually they have to find a majority in the national parliaments to support their policies and their term of office has to be renewed by general elections.

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<sup>9</sup> Stanley Hoffmann, 'Obstinate or Obsolete: The Fate of the Nation State and the Case of Western Europe', *Daedalus* 95 (1966), pp. 862-915, quotation p. 864.

<sup>10</sup> It may be said that Waltz's effort to explain international relations from an international systems perspective suffered a similar effect. See Kenneth Waltz, 'Reflections on Theory of International Politics: A Response to my Critics,' in Robert Keohane (ed.), Neorealism and its Critics (New York: Columbia University Press, 1986), pp. 322-345. For a useful discussion, see Martin Hollis and Steve Smith, Explaining and Understanding International Relations (Oxford: Clarendon Press, 1991), pp. 92-118.

Among analyses of European integration and Community policy-making there are quite a few which hardly make an effort to study the domestic politics of the member states. Here, the argument is that such analyses will often be inadequate.<sup>11</sup> The state actors are not as isolated from the societal forces as many state-centric models assume.<sup>12</sup> Public opinion, pressure groups and national parliaments play important political roles, also in Community politics. In comparison to realism the domestic politics model presupposes a small degree of isolation of national decision-makers.<sup>13</sup> According to Theodore Lowi, only in crisis situations are those who decide on foreign policy 'truly separated and insulated from broad publics'.<sup>14</sup>

To Stanley Hoffmann, international integration requires national entities to be integrated: 'Cleavages that divide the population into separate communities will prove to be a decisive obstacle to trans-state integration'.<sup>15</sup>

Donald Puchala studied how national public servants, ethnic groups and economic groupings can stop and slow down regional harmonization. He concluded that policy-making and implementation depend to a great extent on the political and administrative capability at the national level. He put it as follows:

... Lack of political capability at the national level is reflected in the government's stalling on Community programs in the face of contrary domestic pressures. Not infrequently, local resistance has the effect of sapping national political will, which often means that governments come to perceive the costs to themselves - in terms of tenure in office, support among elites, and impediments to accomplishing higher priority goals - as outweighing any benefits that might accrue from implementing Community programs or otherwise pushing toward European unity.<sup>16</sup>

National governments often have to engage in two-level negotiations, internationally with other Community member states or institutions, nationally with political parties and various interest groups. The 'reason of state' then may come into conflict with the domestic political calculations. Puchala put it as follows: 'A government facing the alternatives of cooperation in the EEC on the one hand and domestic crisis on the other most naturally and most often bows to domestic pressures'.<sup>17</sup>

Subnational groupings sometimes exert disproportionate influence on Community policy, because the legitimacy of the system is based on the following sequence: voters ---> national

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<sup>11</sup> Concerning this subject, see also Simon Bulmer, 'Domestic Politics and European Community Policy-Making', Journal of Common Market Studies 21 (June 1983), pp. 349-63.

<sup>12</sup> For a more detailed critique on neorealism than the one formulated here, see Richard K. Ashley, 'The Poverty of Neorealism', International Organization 38 (Spring 1984), pp. 225-86. See also John A. Vasquez, The Power of Power Politics: A Critique (London: Frances Pinter, 1983).

<sup>13</sup> See also Norman J. Ormstein and Shirley Elder, Interest Groups, Lobbying and Policy-Making (Washington D.C.: Congressional Quarterly Press, 1978), pp. 14-16.

<sup>14</sup> Theodore J. Lowi, 'Making Democracy Safe for the World: National Politics and Foreign Policy', in James N. Rosenau (ed.), Domestic Sources of Foreign Policy (New York: The Free Press, 1967), pp. 295-331, on page 324.

<sup>15</sup> Hoffmann, 'The Fate of the Nation-State', pp. 904-5.

<sup>16</sup> Donald Puchala, 'Domestic Politics and Regional Harmonization in the European Communities', World Politics 27 (1974-75), pp. 496-520, quotation p. 507.

<sup>17</sup> *Ibid.*, p. 511.

parliaments ---> national governments ---> Council of Ministers/European Council. The European Parliament still has only limited influence. The legitimacy of the Commission is indirect. National governments normally have the last word and their survival depends on domestic politics. The limited influence of the European Parliament and limited role of the Commission apply in particular to institutional reforms such as the SEA and Maastricht treaty.

Probably domestic politics are particularly important for understanding the UK positions during the IGC. The resignation of Margaret Thatcher in 1990 led to some change in UK policy towards the Community, at least in style. But the government of John Major still had to be extremely careful about what it accepted. In particular, it would have had problems with backbenchers, including the former Prime Minister, if it had accepted the social policy chapter wanted by most other member states. Changes in UK domestic politics, including a more pro-European Labour opposition, explains that the UK could go further than when the SEA was negotiated, but domestic politics still made the UK the most minimalistic EC member.

Denmark was another country where domestic politics played an important role. The changing attitudes to European integration in the Social Democratic Party and Radical Party gave the Danish government more freedom than it had had during the SEA negotiations. Domestic politics pushed Denmark to seek strong environmental and social policy sections in the Maastricht treaty. The most important constraint, also imposed by domestic politics, was in the area of CFSP. In the end only modest reforms were adopted in this area, so the Danish government could be satisfied with the outcome.

Whether national interests were based on 'realist' calculations by central decision makers or imposed by domestic politics, however, it looks as if many member states ended up accepting things that do not correspond with stated national interests. Also, the rather crude concepts of national power that one finds in the classical realist theory does not allow us to understand why the small member states of the EC can sometimes be rather influential. To understand the EC one also needs to look at the EC as a system with its own dynamics.

### **Endogenous Community Dynamics: The Role of Spill-Over**

Efforts to understand the special dynamics of the European integration process started in the 1950s. Ernst Haas' work, The Uniting of Europe, published in 1958, studied the European Coal and Steel Community (ECSC) up to the formation of the European Economic Community (EEC). Its main theoretical contribution was the development of the concept of spill-over. Once you start cooperation in one area you will often find that you need to do more together to do what you wanted to do at the outset. Societal areas are interlinked. Built-in forces will lead to task expansion. The scope of cooperation will increase.<sup>18</sup> The concept of spill-over was applied by another American scholar, Leon Lindberg, in an early study of the EEC.<sup>19</sup> According to Lindberg,

... "spill-over" refers to a situation in which a given action, related to a specific goal, creates a situation in which the original goal can be assured only by taking further actions, which in turn create a further condition and a need for more action, and so forth.<sup>20</sup>

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<sup>18</sup> Ernst B. Haas, The Uniting of Europe: Political, Social, and Economic Forces 1950-1957 (Stanford: Stanford University Press, 1958).

<sup>19</sup> Leon N. Lindberg, The Political Dynamics of European Economic Integration (Stanford: Stanford University Press, 1963).

<sup>20</sup> Ibid., page 10.

Haas saw the EEC and Euratom as spill-over from the ECSC. He talked about "the expansive logic of sector integration." He predicted that the process would continue in the EEC. Liberalisation of trade would lead to harmonization of general economic policies, and, he added optimistically: "The spill-over may make a political community of Europe in fact before the end of the transition period."<sup>21</sup>

As the EC experienced problems in the 1960s the concept of spill-over fell into disrepute. However, it seems that the process of spill-over did continue in the EC, contrary to some pessimistic predictions at the time.<sup>22</sup> More recently the concept has again been applied by distinguished American scholars.<sup>23</sup>

To what extent can spill-over then help us understand why the Maastricht treaty took us some further steps on the road of integration?

The Economic and Monetary Union (EMU), which is an important part of the Maastricht deal, can clearly be seen as spill-over from the internal market. 'One Market, One Money' was the title of a Commission study published in 1997. In a single market it will surely have costs to have different national currencies. So, if you want to realize all the economic benefits of a single market you need a single currency. As one student of the Community has put it, '... a single market implies economic and monetary union. It is the logical next step.'<sup>24</sup>

Spill-over thus was clearly a part of the process in the economic and monetary area. But was it also important for the political reforms that were adopted? This question is more difficult to answer. At least indirectly spill-over was part of it, because of the linkage between EMU and EPU. The way Germany in particular linked the two must be taken into consideration. Without such a linkage it would be difficult to understand the introduction of co-decision for the European Parliament, which a number of member states, including France, were not happy about.

One can also ask whether particular political reforms such as the concept of European citizenship introduced by the Maastricht treaty can be seen as spill-over? It can be argued that it follows logically from the Treaty of Rome which included the four freedoms, including free movement of people. If people can move freely, shouldn't they have certain rights, including political rights as well as social rights? If people lose their political rights by moving to another EC country the concept of free movement in this area starts being undermined. The same applies to the social area, including for instance pension rights. The fact that 11 member states insisted on moving ahead in the area of social policy suggests spill-over. The fact that the UK could not join this part of the process only suggests that domestic politics can put brakes on spill-over, as we knew from earlier periods of European integration, including the 1960s, when General de Gaulle's France similarly put brakes on the spill-over process.

In general, it seems that the Maastricht reforms which are linked with the internal market can be explained as spill-over.

What then about the Common Foreign and Security Policy (CFSP) and the defence dimension. To the extent that one can talk about spill-over here it has to do with the difficulty of separating economic and political aspects of foreign policy. Sanctions that can be thought of as foreign policy

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<sup>21</sup> Haas, The Uniting of Europe, p. 311.

<sup>22</sup> See Finn Laursen, L'Europe bleue (Amsterdam: Institute of Global Policy Studies, 1986) and Finn Laursen, 'Explaining the EC's New Momentum,' in Finn Laursen (ed.), EC and EFTA: Implications of 1992 (Maastricht: EIPA, 1991).

<sup>23</sup> Robert O. Keohane and Stanley Hoffmann, 'Institutional Change in Europe in the 1980s', in Robert O. Keohane and Stanley Hoffmann (eds.), The New European Community: Decisionmaking and Institutional Change (Boulder: Westview Press, 1991), pp. 1-39.

<sup>24</sup> Shirley Williams, 'Sovereignty and Accountability in the European Community,' in Keohane and Hoffmann (eds.), The New European Community, pp. 155-176, at p. 167.

measures use commercial policy means as long as they are or include economic sanctions, which is usually the case. The distinction between low politics and high politics, therefore, can be rather blurred. But the forces that have pulled the EC towards developing a CFSP are wider than spill-over. You need to look at the EC as a component in the international system, too.

### **Exogenous Systemic Forces: Externalization and External Events**

When the early integration theory of the 1950s was being revised in the 1960s Joseph Nye suggested the importance of external events for integration. He talked about 'perceptual conditions,' which included the perception of external force. He defined it as follows: 'The way that regional decision-makers perceive the nature of their external situation and their response to it.'<sup>25</sup>

Another American political scientist Philippe Schmitter developed the concept of externalization:

Once agreement is reached and made operative on a policy pertaining to intermember or intraregional relations, participants will find themselves compelled ... to adopt common policy toward ... [non-members]. Members will be forced to hammer out a collective external position.<sup>26</sup>

Externalization is closely linked with spill-over. As the EC develops common policies these will affect non-member countries in various ways. This is obvious when we look at the customs union. But the CAP is another example of a policy that affects other countries, which will therefore make demands on the EC. We have seen this in various GATT negotiations, including the Uruguay Round, where the CAP has caused serious problems with the EC's trading partners.

In general, it is clear that the success of the internal market programme is making the EC a magnet in Europe. The member states of the European Free Trade Association (EFTA) have become increasingly worried about the costs of non-membership. They have tried through negotiations since the mid-80s to assure access to the internal market.<sup>27</sup> Recently the negotiations about a European Economic Area (EEA) comprising the 12 EC and 7 EFTA countries was supposed to assure such access to the four freedoms (free movement of goods, services, capital and people) and participation in various flanking policies, including research and technology, environment policy, etc. But, at the moment Austria and Sweden have applied for membership, thus concluding that the EEA is an insufficient guarantee. Finland is expected to follow early in 1992, and Switzerland may be the next.[add \ref. to FLA JCMS art.] Outside the EFTA group there are three Mediterranean applications for membership: Turkey, Cyprus, and Malta. Add to that the expressed wishes of the new political leaders of a number of Central and Eastern European countries to be allowed to join as soon as possible.<sup>28</sup> These external expectations are obviously

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<sup>25</sup> J.S. Nye, Peace in Parts: Integration and Conflict in Regional Organizations (Boston: Little, Brown, 1971), p. 84.

<sup>26</sup> Philippe Schmitter, "Three Neofunctional Hypotheses About International Integration," International Organization 23 (Winter 1969), pp. 161-166. For a recent discussion of "externalization," see Roy H. Ginsberg, Foreign Policy Actions of the European Community (Boulder: Lynne Rienner Publishers, 1989).

<sup>27</sup> See for instance Finn Laursen, 'The Community's Policy Towards EFTA: Regime Formation in the European Economic Space (EES),' Journal of Common Market Studies 28 (June 1990), pp. 303-325.

<sup>28</sup> See also Finn Laursen, 'The EC and its European Neighbours,' International Journal 47



putting pressures on the EC system in increase its capacity to respond.

These pressures must be seen in a wider context, where the year 1989 was decisive. That was the year that witnessed the collapse of the Soviet empire in Central and Eastern Europe, including Eastern Germany. The revolutionary changes of that year were well symbolized by the fall of the Berlin wall in November 1989. The following year Germany was united, much faster than any one had predicted. These events played on a double front. The new regimes in Central and Eastern Europe all turned to the West, especially the EC, for assistance for modernization, including development of market economies and pluralistic political regimes. Given the decreased US capacity to assist a new duty fell on the shoulders of the EC, which was given the role of coordinator of the aid from 24 Western countries.

The other front was internal. German unification had profound effects in most EC member countries in their way of thinking about the role and importance of the EC. In a way, the original political rationale of European integration, stated explicitly in the Schuman Declaration in May 1950, namely that of integrating the Federal Republic into a wider system, thereby making adventurous German policies impossible, returned. Fear of an independent role of a strong united Germany in the future led integration sceptics to see further integration as the only guarantee of peace, security and cooperation in Europe. In the post-cold war Europe the EC had become the only guarantee of peace and stability. To make sure that the EC could continue to play that role further deepening of integration was deemed necessary by a growing number of political actors. Overall, this may have been the most important factor, that explains the institutional reforms of the Maastricht treaty. Wider international systemic forces thus affected the EC profoundly.

## **Leadership and Bargaining Dynamics**

When the early integration theory of the 1950s was found inadequate to fully explain the halt to integration in the 1960s various scholars tried to revise it to improve its explanatory power. Lindberg and Scheingold, in the book Europe's Would-Be Polity, suggested a more voluntaristic model that put emphasis on bargaining processes and leadership.

They analyzed the European Community as a political system. Inputs of demands, support, and leadership are transformed by the system to outputs in the form of decisions and actions, which in turn influence future inputs through a feed-back process. Lindberg and Scheingold had borrowed the concept of 'system' from David Easton,<sup>29</sup> but added leadership among inputs to arrive at a dynamic analysis of the EC. Supranational leadership can be provided by the Commission, and national leadership can be provided by national governments.

The authors mentioned four mechanisms as important in a process of integration: (1) Functional spill-over, (2) Log-rolling and side-payments, (3) Actor socialization, and (4) Feedback. Log-rolling and side-payments are bargaining exchanges designed to "gain the assent of more political actors to a particular proposal or package of proposals."<sup>30</sup> Log-rolling refer to bargaining exchanges in the same area, while side-payments are bargaining exchanges between different policy areas.

Lindberg and Scheingold concluded that integration is a function of the system and the support for the system multiplied by changes in demands and leadership. This makes leadership and demands to the system the decisive variables.

Integration is a political process in the sense that bargaining and coalition formation are central

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(Winter 1991/92), forthcoming.

<sup>29</sup> David Easton, A Systems Analysis of Political Life (New York: Wiley).

<sup>30</sup> Lindberg and Scheingold, Europe's Would-Be Polity, pp. 118-19.

aspects of the process. To get decisions through the system you must have the support of various groups and individual decision-makers. This is where the role of the Commission is important in normal Community business. It can actively try to build coalitions to overcome national resistance to new policies and decisions. The classical example studied by Lindberg and Scheingold was the way Commissioner Sicco Manshold got the Common Agricultural Policy (CAP) adopted in the beginning of the 1960s.

Lindberg and Scheingold distinguished between two kinds of obligations in the EC, viz. the development of new policy and the implementation of agreements. In both cases you can succeed or fail. This gives four cases of processes, referred to as forward linkage, output-failure, equilibrium, and spill-back. A fifth case of process is that of system transformation. Cases of these kind of processes studied by Lindberg and Scheingold were: the development of the CAP (forward linkage), transport policy (output-failure), the customs union (equilibrium), coal (spill-back), the birth of the common market and British entry (systems transformation).

Forward-linkage and systems transformation are both growth models in the sense that they lead to an increase in scope and/or capacity of the system. The difference is that the former is incremental while the latter is "step-functional" change:

**Forward linkage** describes a sequence whereby commitment to participate in joint decision-making has initiated a process that has led to a marked increase in the scope of the system or in its institutional capacities.

About systems transformation the authors had the following to say:

**System transformation** means an extension to specific or general obligations that are beyond the bounds of the original treaty commitments, either geographically or functionally. It typically entails a major change in the scope of the Community or in its institutions, that often requires **an entirely new constitutive bargaining process** among the member states, entailing substantial goal redefinition among national political actors.<sup>31</sup>

It follows from the study by Lindberg and Scheingold that systems transformation is a system-wide rather than sectoral change which involves a significant change in the goals of the participating actors. It has also been suggested that national leadership plays a greater role and that supranational leadership and functional spill-over play a lesser role in system transformation than in forward linkage. Finally, although there may be some ambivalence on this point, external factors play a greater role in systems transformation than in forward linkage.<sup>32</sup>

Questions which can be asked then include whether the reformulated neo-functionalist framework developed by Lindberg and Scheingold can be used to explain recent changes in the process of European integration. Can the internal market usefully be studied as a case of forward linkage? Can the Single European Act (SEA) and Maastricht treaty be studied as cases of system transformation? What kind of demands were developed? What kinds of leadership - supranational and national - were exercised? What kind of bargaining exchanges took place? Were especially national leadership and external events as important as suggested by the theory?

Many observers have noted the importance of the leadership of the Delors Commission in recent years. The vision of the Commission in 1985, which linked the 1992 Internal Market programme with the institutional reforms of the SEA, including increased use of qualified

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<sup>31</sup> Ibid., p. 137.

<sup>32</sup> For a useful discussion, see Stephen J. Genco, "Integration Theory and System Change in Western Europe: The Neglected Role of System Transformation Episodes," in Ole R. Holsti et al. (eds.), Change in the International System (Boulder, CO: Westview Press, 1980), pp. 55-80.

majority voting in the Council, contributed to giving the EC the new momentum, which has characterized it in recent years. Delors contributed to the study on EMU that carries his name. He was also among the first to suggest that time had come for further institutional reforms. He did so, *inter alia*, in his annual speech to the European Parliament in January 1990. So the Commission has played a role of supranational leadership.

The IGC, however, was, as its name suggests an event among governments. The Commission was allowed to make proposals, which it surely did.<sup>33</sup> But it did not play the role it does in normal Community business under the Treaty of Rome, where decisions must be based on a Commission proposal.

In the IGC the Presidency played an important role, first Italy up to the start in Rome, then Luxembourg during the first half of 1991, and finally the Netherlands during the second half of 1991 up to the fish line, the meeting of the European Council at Maastricht. The first important draft treaty appeared during the Luxembourg presidency. It was written in close cooperation with the Council Secretariat, which increasingly assists the presidency in finding acceptable compromises.<sup>34</sup> Although the Dutch were criticized for the way they initially handled the presidency, including the new draft treaty they put forward in September, Prime Minister Ruud Lubbers is seen as having played an important role in the final stage of the negotiations. When he entered the negotiations in mid-November he toured the EC capitals and listened to all sides. The Financial Times writers described it this way:

The last hours of the summit had all the hallmarks of negotiations in the "Binnenhof", the medieval government complex in the Hague where Mr Lubbers presides over a domestic coalition...

As is his wont during tortuous budget talks at home, Mr Lubbers took key players aside, such as Mr John Major, the UK prime minister, and Chancellor Helmut Kohl, at critical moments in the negotiations and extracted their "bottom-line" positions in one-on-one talks.<sup>35</sup>

In the Netherlands this tactic is known as the "Lubbers confessional".

According to the same writers, Lubbers had two important advantages. First, his basic federalist credentials, which go unquestioned among continental EC leaders. Second, a traditional Dutch sympathy for Britain. The latter point meant that 'when Mr Major insisted he could not compromise on social policy, the Dutch prime minister took him at face value.'

Lubbers stayed cool during the negotiations, and timed them in such a way that when the summit got to the most difficult issue, that of social policy, enough agreements had been reached, including EMU and CFSP, to raise the stakes for everyone.

But other member states could also contribute actively. It was a joint initiative of President Mitterrand and Chancellor Kohl that led to the decision at the Dublin summit in June 1989 to call the second IGC on Political Union. Later on there were other joint initiatives by Germany and France that were important. As so often seen in the history of European integration the Paris-Bonn axis played a very important role. But even less important countries could get some of their ideas accepted during the process of negotiations. As such the IGC was a process of give and take, and the final outcome, the Maastricht treaty, can be seen as a package deal. Through log-rolling and

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<sup>33</sup> EC, Commission, 'Intergovernmental Conferences: Contributions by the Commission,' Bulletin of the European Communities, Supplement 2/91.

<sup>34</sup> For a general analysis, see Peter Ludlow, 'The European Commission,' in Keohane and Hoffmann (eds.), The New European Community, pp. 85-132, at pp. 114-115.

<sup>35</sup> Ronald van de Krol, David Buchan and Philip Stephens, 'Cool hand Lubbers scales his summit,' Financial Times, December 14/15, 1991, p. 6.

sidepayments a political bargain was eventually reached.

One cannot understand the final outcome without taking a special look at the role of the UK. Although the UK had its allies on various issues - or some countries may have been free-riding on UK positions - the situation did become eleven against one on some important issues. The UK was clearly the most minimalistic among the Twelve, and we have suggested that domestic politics can explain that.<sup>36</sup> The UK only accepted EMU on the basis of an opt-out clause in respect to the start of the third phase in 1996 or 1999, and the UK stubbornly resisted taking part in the social policy chapter of the Treaty, which led to a last moment innovation by the Eleven going ahead alone on a Community basis, i.e. giving the normal role to the Commission and accepting majority voting, meaning in this case 44 votes out of 66 (instead of 54 out of 76). But the attitude of the UK also contributed to limiting the deal on CFSP. Here, however, some of the UK positions were shared by Ireland, Denmark, Portugal, and even Italy and the Netherlands. Those, in particular France and Germany, which had wanted to go further on these points, therefore had to accept a minimalistic solution. But the UK did give something in the process, too. First of all the UK accepted an enhanced role of the European Parliament, which, through the new co-decision procedure, will have a real veto on legislation in a number of areas. This is an enhancement of the Parliament's role in relation to the cooperation procedure introduced by the SEA, which will continue to be used for some legislation. Especially Germany, and other federalist oriented countries, such as Italy, had sought a strengthened role of the European Parliament. In general, there will also be increased use of majority voting in the Council outside areas covered by the new co-decision procedure. And the Community will have new powers in a number of areas, including consumer protection, health, education and trans-European networks. So, it looks as if a step has been taken to increase the decision-making capacity of the EC in a number of areas. These changes may turn out to be more important than early comments and evaluations may suggest. And of course they were accepted by all of the Twelve, including some that were not in favour of some of these changes at the outset. It suggests that the Maastricht treaty is more than the lowest common denominator. The IGC was indeed a bargaining process of give and take. The EC has become sufficiently integrated for member states not seriously to contemplate withdrawal. And no member states have bargaining power to resist all new ideas. Even in the area of the CFSP the possibility of some majority voting during implementation will exist in the future. This was not as much as France and Germany - and federalist oriented countries in general - had wanted, but they got a foot in the door.

France also got the defence dimension into the treaty. The Western European Union (WEU) will be an 'integral part of the development of the European Union.' It can be requested 'to elaborate and implement decisions and actions of the Union which have defence implications.' The UK, however, got the treaty to say that defence arrangements should be compatible with NATO. So, again, both sides got something.<sup>37</sup>

The same can be said about industrial policy. Franco-Italian pressure led to the inclusion of industrial policy among the new competences of the EC. But the UK and Germany succeeded in limiting the impact by requiring a unanimous vote to adopt measures in this area.<sup>38</sup>

During the process there were specific *quid pro quos* for specific actors. The cohesion countries, in particular Spain, but also Portugal, Greece and Ireland, received assurances of budgetary reforms in a Delors II package to be developed in 1992. This will transfer more money to the poorer member countries than is already the case through the existing structural funds,

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<sup>36</sup> See also 'On to the next campaign,' The Economist, December 14, 1991, pp. 39-40.

<sup>37</sup> See also 'The deal is done,' The Economist, December 14, 1991, pp. 29-32.

<sup>38</sup> See also 'Maastricht and businessmen: Financially sound, socially insecure,' The Economist, December 14, 1991, pp. 68-70.

which were doubled through the first Delors plan in February 1988, and which may now be doubled again. A new cohesion fund which will make financing available for environmental and trans-European network projects will also be created. This was an important side-payment.

The new chapters of the treaty dealing with home affairs and judicial cooperation, including asylum and immigration policy, was especially wanted by Germany. It did become a special column of intergovernmental cooperation, this limiting the role of the Commission, which was not what Germany wanted. However, visa policy was put into the EC column, and the possibility of moving asylum policy into the EC column in 1993 is foreseen.

More specific *quid pro quos* included the promise to Greece that it will be able to become a member of the Western European Union (WEU), a step so far denied Greece because of opposition from the UK. And Denmark will be able to retain its legislation that does not allow non-resident foreigners to buy secondary homes in Denmark.

## Conclusions

We have suggested in this chapter that various elements account for the Maastricht treaty. No single theory or model can fully explain it.<sup>39</sup> External events - the revolutionary changes in the all-European system in 1989 - were of decisive importance. But there was an internal built-up, viz. the internal market programme and the SEA, which had given the EC a new momentum. This had various spill-over effects, first of all EMU, which had been considered by Delors as a possibility in 1985, but ruled out then because there was insufficient support for such a plan at the time. But only 3-4 years later the EC's new momentum had made the plan a realistic proposal. Spill-over, declared dead by scholars and observers in the 1970s, was and remains a powerful force in the EC. In many ways the political reforms can also be seen as spill-over, especially those related to the four freedoms of the internal market, whether they be seen as flanking policies, or political or social rights that should complement internal market legislation to make it fully operational.

However, both external events and internal developments have to be perceived by political leaders, and interpreted in certain ways, to have the effects, which they have had. The role of those who argued the case for the second IGC on Political Union in 1989/90, from Delors to Mitterrand and Kohl, therefore is clearly part of the story. Political leadership thus should not be underestimated. If Europe had had to rely on British leadership there would have been no Maastricht treaty (or SEA or Treaty of Rome, for that matter). But in the end even the UK went along and accepted most of the outcome of the IGC. Who knows, after further learning and integrative pulls the UK may join the third stage of EMU and possibly 'opt in' on social policy. The latter will certainly happen if Labour wins the elections in 1992.

Another way to look at the Maastricht treaty and the negotiations that preceded it is to say that John Major may have had a tactical success, but the French and Germans, who 'think big and plan long' still have a strategic hold over Britain. Next time Britain may not be allowed to do so much watering down and opting out as this time.<sup>40</sup> The British surely used up a lot of political good-will

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<sup>39</sup> This would include Moravcsik's intergovernmental institutionalism applied to the SEA. In the SEA, he noted, 'majority voting is restricted to internal market policy, the power of the Parliament is limited, and the future spillover to areas such as monetary policy is blocked.' See Andrew Moravcsik, 'Negotiating the Single European Act,' loc. cit. p. 69. If this confirmed the theory then it is surely worth noting that half a decade later majority voting was extended to many new areas, the Parliament given new powers through the procedure of co-decision, and Economic and Monetary Union adopted. If one accepts that explanatory power implies predictive power then the Maastricht treaty raises serious questions about realist inspired efforts to explain European integration!

<sup>40</sup> Bagehot, 'The other side,' The Economist, December 14, 1991, p. 43.

this time. The possibility of a two-speed Europe is very much alive, and thus the risk of marginalization of Britain.

Political leaders like Kohl, Mitterrand, and the Dutch prime minister Lubbers, who chaired the concluding European Council, have been eager to make the European integration process irreversible. It increasingly looks as if they are succeeding. But the road of the future is not without risks. Economic down-turns can put pressures on a system that remains fragile. A rush to accept new members could put further strains on the system. The question of 'deepening vs. widening' will be one of the most important questions for the new European Union in the next decade. Let us hope that our leaders will have the knowledge and political courage to make the right strategic decisions. It is our conviction that this implies further steps towards a federal Europe.

Everybody seems happy to have a reference to the principle of subsidiarity in the Maastricht treaty. The EC shall act 'only if ... the objectives of the proposed action cannot be sufficiently achieved by the member-states and can therefore, by reason of the scale or effects of the proposed action, be better achieved by the Community.' But subsidiarity is one of the central principles of federalism.<sup>41</sup> It can therefore seem odd that references to a federal goal for the Community had to be taken out at Maastricht to allow the British to accept the new treaty. But the F-word may be back to haunt the anti-federalists again at the next IGC in 1996, where especially the CFSP policy part of the Treaty will be up for review.

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<sup>41</sup> See for instance Henri Brugmans and Pierre Duclos, Le fédéralisme contemporain: Critères, Institutions, Perspectives (Leyde: A.W. Sythoff, 1963), pp. 39-45; Guy Héraud, Les Principes du fédéralisme et la fédération européenne (Paris: Presses d'Europe, 1968), pp. 48-51; Henri Brugmans, La pensée politique du Fédéralisme (Leyde: A.W. Sijthoff, 1969), pp. 65-81.