

European Community Studies Association
Fifth Biennial International Conference
May 29 - June 1, 1997
Seattle, Washington, USA

Foreign Policy and Democracy in the EU at the
Turn of the Century:
Whose *demos* is it anyway?

by

Dr Stelios STAVRIDIS
(The University of Reading)

Paper to be presented in the Panel on EU Democracy in Global Perspective, chaired by Professor ATTINA, and scheduled for Thursday 29 MAY, 10.30-12.30pm.

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COMMENTS WELCOME- email: s.s.stavridis@reading.ac.uk

or: Politics Dept., The University of Reading, PO Box 218, Reading RG6 6AA, United Kingdom

Introduction

In late 1996, the debate over the lack of a common European Union (EU) position on the dramatic events in Eastern Zaire¹ or on the fast-changing situation in the Middle East² are yet more examples of the EU's inability to come up with clearly identifiable principles in world politics.

The EU has tried to achieve a common position in world affairs in the past via the EPC (European Political Cooperation) with some success but also many failures.³ In particular the events in ex-Yugoslavia have been almost unanimously considered as a major foreign policy disaster for EPC and its successor, the ambitiously re-named Common Foreign and Security Policy (CFSP) of the also re-named European Union.⁴ The CFSP provisions were meant to prevent such a situation from occurring in the future, but, to date, and despite some progress in some areas, the EU has been unable to come up with clear and realistic decisions on international issues especially in areas where time is of the essence/ that deserve urgent attention.

Democracy is really the dominant theme at the IGC (this approach also has the merit of conforming to the rhetorical view that can be found in most EU treaties, texts and declarations, namely, that the diversity of Europe is its strongest point, and should, therefore, be protected⁵): the question that the EU really faces at the turn of the century is how to design a decision making system that can reconcile satisfactorily the following two seemingly opposing challenges:

1. on the one hand, how to create a more efficient and functional decision making system for a Union that is likely to expand fairly soon to embrace the emerging democracies of Central and Eastern Europe, plus the Mediterranean islands of Malta and Cyprus.
2. on the other hand, how to achieve the first objective without ignoring

fundamental democratic principles such as fair and meaningful representation, democratic accountability and political legitimacy, i.e. how to bridge the existing 'democratic deficit'.

However, it seems that too much attention is being paid to the institutional reforms of the CFSP. This debate is undoubtedly necessary but not sufficient. Although this is an important issue in the overall debate, the related, and in essence, more crucial question of the desirability and feasibility of a European public opinion (a *demos* in recent EU parlance) has been largely ignored. It is true that a number of articles and books have appeared over the last few years, but they tend to argue that either a European *demos* is emerging, or that it is not incompatible with the existence of national *demos*, or that it will eventually replace them. This paper takes the alternative view that, as the then European Parliament (EP) President (K. Hänsch) put it recently, 'the emergence of a European *demos* is neither feasible nor desirable'.⁶

European foreign policy is a particularly relevant example of the democratic dilemmas that the EU is facing today as it brings to the fore the most entrenched and emotional elements of public policy. Foreign policy raises clear questions of sovereignty and accountability.⁷ As national decision-making in foreign policy issues remains predominant despite 25 years of institutionalised cooperation among the EU member states, it is particularly useful to illustrate the current debate over who controls policy in the EU by a study of the Common Foreign and Security Policy in post-Maastricht Europe.

The main argument in this article is that what is really missing from the whole debate is a strong dose of real democracy: what happens until such a *demos* is created, or, more importantly, what happens if such a *demos* is never created?⁸ That is to say, what happens now and in the near future. How do we deal with

the fact that there are different, sometimes converging but often diverging, national interests in foreign affairs? This situation cannot be changed by *simply* changing procedural norms, e.g. by introducing weighted majority voting. To a large extent, this debate is phoney because the real question is why the provision for majority voting that already exists in the CFSP for the implementation of Joint Actions has yet to be used.

Thus, the reason why the EU has not come up with a common position on Eastern Zaire is not because of the lack of the slight of hand of a majority vote, but because the various governments of the member states have different constituencies with different views⁹ and different interests to respect, defend and promote. This is called democracy, and, until the EU can come up with a superior level of democratic control and accountability to those existing at the national level (whatever their own limitations), the question of what institutional arrangements there are for the CFSP will remain of secondary importance.

This is not to argue that the national foreign policy decision process of the EU member states is perfect. Far from it,¹⁰ but these systems of governance have the merit of possessing (at various degrees, both in scope and in time) the legitimacy that is required for any decision to be seen as such by the electorate. After all this is a key requirement in any democratic state.

In that perspective, the paper argues that more thought should be given to the question of how to devise a decision-making system that is both efficient and democratic in a Union that is still made of sovereign states. This should not be seen as a justification for the continuation of the state in Europe, but simply as an observation based on facts that confirm the view that states continue to be the main form of political organisation in the late 1990s and for some time to come (not only in Europe as the expansion in the numbers of UN membership clearly

shows). The questions of integration, interdependence, globalization and westernization are of course relevant but there is no clear evidence whether such phenomena *only* weaken the nation-state. Moreover the introduction of the notion of 'subsidiarity' in the Maastricht Treaty and the setting up of the Committee of the Regions (COR) reflect a much more complicated picture, but these developments - which fall outside the scope of this paper - should not divert our attention from the fact that some of the regions involved (in fact the most active ones in the COR) aspire to become independent states. Most importantly perhaps such an approach is more constructive than the traditional view which insists on ignoring the issue in the forlorn hope that it will just go away.

1. Democratic dilemmas

Irrespective of the question of how to engage in yet another wave of enlargement, the key question of how to reconcile 'efficiency and accountability' in the EU is not new but has gained greater urgency and visibility ever since 'the democratic deficit' hit the headlines following the Danish referendum of 1992. Indeed, all democracies have to face that problem, and, as a collection of democratic states, the EU can no longer escape from addressing that dilemma either, especially after the Danish result. The anti-Maastricht vote in Denmark was correctly interpreted as evidence of general public apathy towards politics (be it national or European), or/and clear (cynical?) despondence towards the process of European integration. The latter point has been strengthened by a number of events that followed the Danish result: the French referendum result in September 1992, the low turn-outs in the 1994 Euro-elections, and opinion polls over the Euro and other elements of European integration in recent years. Indeed some recent polls on the single currency and related matters sharpen this point

further.¹¹

Another relevant development is a similar Euro-skeptical trend in the applicant countries in Central Europe where, for instance, 'a positive image of the EU has declined over the past five years, while more Czechs are now inclined to take a neutral position on the Union rather than actively supporting it'.¹²

The key questions that the IGC needs to answer in its effort to produce a more efficient and democratic decision-making process can therefore be summed up as follows:

- how would it be possible to extend the use of majority voting in order to get more (and quicker) decisions in a Union of say 27 to 30 states?
- how is it going to be possible to do that without ignoring one of the most fundamental of democratic principles, namely, that the rule of the majority cannot become the dictatorship of the majority?
- and, subsequently, how to make sure that a minority of member states cannot prevent the majority of them from taking decisions: in other words, how a dictatorship of the minority be avoided too.
- finally, how to organise the voting rights in a Union where the members will increasingly be small states.

In brief, the IGC needs to find a satisfactory answer to the question of 'who should make decisions in the EU and who should exercise a proper democratic control over them?'.

Of course, there are no easy answers to this question because the whole process of integration in Western Europe since the end of WW2 has created a system of governance that is quite unique in the world: more than an international organisation and less than a state, but not a federation yet, nor for that matter

necessarily a federation in the making (to paraphrase the Wallaces), despite the twin effects of regionalisation and globalisation-interdependence.¹³

Herein lies the main shortcoming that the EU needs to consider in one form or another: there is no European *demos* as yet and therefore there is little prospect of engaging in traditional majority voting procedures in areas where national sovereignty remains predominant, be it at the economic, political, foreign policy, or security and defence levels. That is to say in all the areas that the IGC must find a solution later this month (June 1997) if it is really to succeed in its task, and not just pretend to have done so ('cosmetic changes').¹⁴

Of course, it can be argued that there is an emerging European *demos*, that it is possible to belong to more than one entity, and that the whole process of European integration has shown that, given time, all areas of public policy, including those closer to the heart of national sovereignty, will eventually be included within the EU framework.¹⁵

Such optimism flies in the face of two key developments in recent years that simply cannot be ignored any longer:

- as was noted above, the clear chasm that has emerged between politicians and public opinions on the importance of integration;
- economic and political developments in the Europe of Fifteen have achieved such a level of, and such a scope in, integration that any decisions taken from now on will have a direct effect on all aspects of public life, including the controversial fields of monetary, foreign and security policies. In other words, the usual fudge - that consisted of postponing important decisions on controversial issues to a later date - cannot go on for much longer.

All this is, as already noted, further reinforced by the disillusionment that seems

to affect increasingly the public opinions in the member states but also in the applicant countries especially in Central Europe.

Therefore, it could be argued that, short of finding a way of reconciling the obvious non-existence of a European *demos* that would have legitimised the use within its midst of 'majority voting', the EU will not be able to make any really important decisions in the future without running the risk of ignoring its most fundamental *raison d'être*, namely the protection and promotion of democratic principles in Europe and beyond.¹⁶

2. European foreign policy

If the current system of foreign policy cooperation in the EU is neither efficient nor democratic,¹⁷ what can be done in view of the fact that a simple institutional change cannot possibly deal with the real problem: the absence of a common European view on international affairs, despite efforts in that direction over the past quarter of a century?

One useful starting point could be to look at other theoretical approaches to integration in Europe (i.e. not the dominant approaches of federalism or functionalism) which have the double benefit of representing reality better and of offering simple and realistic solutions to the existing problems. Such an approach is available in the literature on Consociationalism and on Confederal Consociation, the former so masterly discussed by Paul Taylor in recent years.¹⁸...

The main elements of Consociationalism as applied to the EU in the 1990s can be summed up as follows¹⁹:

- autonomous segments (segmental autonomy);

- elite-driven process of decision making (grand coalition/elite cartel);
- veto right at all stages (mutual veto);
- proportional representation at all stages in the central decision-making institutions.

What is important is the fact that this is a much more convincing interpretation of the way European integration has occurred since the end of WW2 especially in the field of foreign and security policy. Such an approach also explains why there is clearly now not only a democratic deficit at the institutional level but more importantly a disjunction [or discontinuity/discrepancy] between the views of the elites and those of the public opinions in the EU. An excellent example of this phenomenon in recent years has been the huge gap between the elites and the publics in those countries where a referendum was held for the ratification of the Maastricht Treaty. As Weiler has noted 'At a minimum, Europe is no longer part of consensus, non-partisan politics in many Member States, not least the new ones'.²⁰

In my view, an even more important point in the Consociational approach is the fact that the use of the veto in its decision-making process is seen as a guarantee of success and not as a failure.²¹ In other words, it is recognised that if one member state cannot agree with the rest on a particular point that is of great importance to that state, it is better to postpone a decision on that specific issue until a consensus can be found (rather than use majority vote and isolate the dissenting member further). Of course such an approach can be criticised as not very efficient when urgent-decisions need to be taken. But it does have the merit of respecting the democratic right of a minority in a situation when there is still no real acceptance - in any of the members - that a majority view must always prevail. Such an approach also has the added advantage of forcing the majority view to take into consideration the view of the minority because *de facto* a state

that is in a majority one day could well be in a minority the next. Or as J.H. Hallowell has put it, 'The faith of democracy [seems to be lying more in a] belief in the principle of compromise itself, [rather] than in the majoritarian model of decision-making'.²²

As an illustration of the 'false' debate about QMV as the only possible democratic device, I would like to refer to the use (or non-use) in recent years of the famous Luxembourg Compromise.²³ There are at least two ways for arguing that the Compromise is still valid, both of them having important implications for the argument of this paper:

- First, it can be said that the overwhelming emphasis to date has been given to the disruptive element of the Luxembourg Compromise from the perspective of the efficiency of the EU decision making in the Council. Little attention has been paid to the usefulness of the Compromise from a democratic perspective, i.e. in areas where the use of the national veto reflected the fact that some EU decisions cannot be taken *because* there is no European *demos*, irrespective of what the treaty, and any subsequent amendments to it, may say about majority voting.
- Second, the very examples used in the existing literature to 'prove' the death of the Luxembourg Compromise seem to ignore:
 - [1] the very special circumstances under which the oft-quoted example of the 1982 agricultural prices in which the British veto was overturned at a time when the main problem for that country was the conflict in the Falklands;²⁴
 - [2] the French who were active in overturning the British veto then, immediately issued a declaration explaining that, on the one hand, the question of agricultural prices could not be a matter of vital national interests as they are negotiated every year, and, on the other hand, that this did not affect the Luxembourg agreement in any way;²⁵
 - [3] the fact that the very authors who claim that the veto is dead do present

new cases where the national veto was exercised after the 1982 incident, hence undermining their own thesis;

[4] the fact that the Compromise is not a legal document but a political understanding that is vital for the future of European integration. Indeed it could be argued that the UK would have never joined the EC without the result of the 1965 Crisis, and that the new members who joined in 1995 (and for that matter those that will be joining in the future) see the prerogative of the national veto as a guarantee for giving up national sovereignty in a number of areas.

- Furthermore it can be argued that the series of opt-outs accepted in Maastricht (UK) and its aftermath (Denmark, Germany) and the subsequent monetary saga (UK, Italy, Spain) represent a form of institutionalisation of the Compromise. A similar example can be found in non-EU affairs such as the Schengen Agreement on trans-border cooperation which does not cover all EU members and has been frozen by a unilateral French decision.

My own approach [i.e. the national veto as a guaranteeing device for democratic practice in the EU and not as an obstacle to further integration] does not therefore consider the introduction/implementation of majority voting in the CFSP as the panacea for all problems. It contradicts the current position of the German government (and in particular that of its foreign minister, the leader of the minority party in the Bonn coalition, Klaus Kinkel) on that matter. It is interesting to note at this stage that the Germans, who propose the extension of majority voting not only to foreign affairs but also to areas of defence and security policy,²⁶ have never accepted the principle of majority voting on the Deutsche Mark or German reunification in the past.

If one goes one step further in that line of argument, the next logical step is to suggest ways round this problem, or more accurately, ways to overcome that problem at the right time, i.e. at the time when there will probably be a European *demos* or something closer to that.

The following suggestions in the current debate deserve our attention:

- the setting up of a planning cell with Commission and Council officials to define European interests;
- the protection of EU borders.

1. The setting up of a planning cell with Commission and Council officials to define European interests which go beyond the interests of a majority of states (however big that majority), beyond the Commission's own interests, and beyond the European Parliament's own views. This is not to argue that the Commission's views or those of the EP are not important. It simply means that these views do not represent the views of the European citizen whatever the Commission and the Parliament may say. Going beyond the present situation by creating this planning cell would possibly include the views of the Commission and the EP, and not necessarily exclude them.

It might be useful to include in this new cell - formally or informally - a number of MEPs from the relevant EP Committees (especially if they reflect more than the views of the two dominant groups -Socialists and Christian Democrats- and if they reflect the national 'mood' in a state and from a public opinion perspective). Moreover, a formal link with the many national committees on foreign affairs, defence, or simply EC issues should also be sought. As should indeed links with the WEU Assembly and the European members of the NATO Assembly. Finally the Council officials on that planning cell should not spend too much time in Brussels, as this is already done by Commission officials who - whether one likes

it or not - also represent their own states whatever the Treaty might say about their impartiality.

2. The extension of the rule of protection for all EU citizens to their current borders will be a logical addition to the concept of European citizenship. Indeed it seems quite extraordinary to refuse protection of EU citizens within their borders but to accept the same principle outside those borders. Of course, this is a difficult subject because of the number of border disputes and of ethnic minorities in the EU as it currently stands, and even more problems in the vast majority of potential and actual applicant states. In other words, the introduction of a NATO-type or WEU-type Article 5 *without* any restrictions will have in our view a more substantial effect on creating a sense of belonging to a European entity, even if it does not produce a European *demos* right away or in the distant future. Such an approach would extend fully the concept of a 'security community', as first argued by Karl Deutsch for the Euro-Atlantic relationship after WW2 and further expanded in the literature on 'civilian Europe' by François Duchêne and others since the early 1970s.²⁷ Otherwise, what would be the difference between the EU and, say, OECD countries?²⁸

All these suggestions are of course controversial but they present a better chance for the successful emergence of a European voice in the world than the rather unconvincing talk of a Mr/Mrs CFSP or the 'barmy' suggestion of new (and old?) members accepting not to have a Commissioner.

As for the question of having or not having a 'Mr or Mrs CFSP', it is a diversion in at least two ways:

- it will not solve anything and it will add to the current confusion of who represents the EU on the world stage (Presidency of Council and of the European Council, of Commission, Secretary General of Council, of Commission, or even

of WEU and NATO);

- it is an unnecessary 'carrot' for the French²⁹ that will create confusion in the future as the unexpected changes at the level of NATO Secretary General have shown in the past with the death of Wörner and the resignation of Claes. A similar argument can be made about the future appointment of the President of the Commission following the events surrounding that selection last time round (Dehaene-Santer) and now that the EP has a say in the whole process.

Similar complications would follow from the current debate over the numbers of Commissioners and the possible link to Director Generals in the Commission bureaucracy but this discussion falls beyond the scope of this article.³⁰

The only -and vital- point that does affect this paper is that any alteration to the current system that does not allow full representation of all members at all levels admittedly in a proportional way (at both state and population levels - the so-called *double concurrent majority*) is a guarantee for disaster as it would neither allow the emergence of an EU voice in world affairs, nor be democratic.

Conclusions

This paper has tried to illustrate some of the current democratic dilemmas that the EU is facing by specifically addressing the question of a European *demos* and European foreign policy.

Its main objective was to show that, unless and until such a *demos* develops, it is unlikely that a European foreign policy that respects fully the requirements of a truly democratic decision-making process will emerge.

It was also stressed that the emergence of such a *demos* is unlikely and

problematic. It is also undesirable in many ways, not least because it would probably damage the survival of the rich diversity of cultures, traditions, languages, interests that can be found in Europe. The latter has become even richer following the collapse of dictatorial regimes in Southern Europe in the mid 1970's and that of Communism in Central and Eastern Europe in the late 1980s.

The question of who should control European foreign policy is particularly important now that the 1996 IGC is trying to improve the efficiency of the existing CFSP provisions of the Maastricht Treaty. My main conclusions can be summed up as follows:

- it is counter-productive to try and forge a common foreign policy that does not take into consideration different national perspectives on foreign affairs;
- from a democratic perspective, a truly European foreign policy cannot be achieved if it forces a minority view into the view of the majority, unless and until there is a true European *demos*;
- differences in national foreign policy should be seen as legitimate. Such an approach would have the added benefit of preventing inconsistencies in attempts to explain the foreign policy behaviour of member states which often simply amount to nationalistic or ideological justifications under the guise of academic analysis. To name but one case, this was the unfortunate situation over the recognition of the republics that came out of the old Yugoslavia when Croat refugees' pressure in Germany was seen as an acceptable and reasonable explanation for German decisions, whereas Greek public opinion was not deemed to do the same for the decisions taken by the Greek government.³¹
- consociational arrangements in the decision-making process of the EU in general and of the CFSP in particular, and the survival of the national veto (based on the Luxembourg Compromise) should prevail because the legitimacy of national representatives does not depend on the number of people they

represent, but on whether they were elected democratically'.³² It seems quite clear that, to date and for some time to come, the national political systems command more legitimacy than the EU.

- otherwise, a re-nationalisation of European foreign policy will gather pace.³³

** Dr Stelios STAVRIDIS holds the Jean Monnet Chair in European Political Studies in the Department of Politics at The University of Reading. He is also the Director of the Centre for Euro-Mediterranean Studies in the Graduate School of European & International Studies, also at The University of Reading.*

The author would like to thank Dr Dimitris N. Chrysochoou (University of Portsmouth) for comments made on an earlier draft; the usual proviso about responsibility applies here too.

NOTES & REFERENCES

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- 1 Initially France pushed for action whereas the UK (and the USA) were less enthusiastic. The main debate took place at the United Nations Security Council which had to sanction such a military intervention. In Brussels, Emma Bonino, the European Commissioner responsible for humanitarian affairs, openly voiced her anger and frustration at the lack of progress which was partly due to the absence of a common European stance in the first place. See *The Independent* (11 November 1996).
 - 2 President Jacques Chirac trip to the Middle East in late October 1996 revived within the EU the same criticisms that the French Foreign Minister's trip to the same region in the spring of 1996 had already started.
 - 3 For more details see my 'The CFSP of the EU: why institutional arrangements are not enough', in Stelios Stavridis, Elias Mossialos, Roger Morgan, Howard Machin (eds): *New Challenges to the European Union: Policies and Policy-Making* (Dartmouth, Aldershot, 1997, pp 87-122.
 - 4 The vast majority of writers dealing with this issue support this view. A similar approach was consistently taken by MEPs in the European Parliament: for more details see my *The European Parliament and the Conflict in ex-Yugoslavia* (Report to the European Commission, December 1996). This critical view was also predominant in all EU states where a 1991 Eurobarometer poll showed clear dissatisfaction with EC initiatives. See *Eurobarometer no.36*, 1991, figure 3.4, p.40.
 - 5 The list of declarations and treaty provisions to that respect is too long to enumerate. Moreover, the voluntary basis of post-WW2 integration in Western Europe should be contrasted to prior authoritarian attempts (from the Roman Empire to Nazi Germany) and to communist integration in Eastern Europe from 1945 to 1989.
See also P. Taylor: *The European Union in the 1990s* (OUP, Oxford, 1996), pp.146-147 and p.158 reproduced in appendix 1.
 - 6 IPSA Research Committee on European Unification Conference on *The European Parliament, the Commission and the Intergovernmental Conference 1996* (Brussels, 3-5 July 1996).
 - 7 It is important to note the similarity in the arguments used both in the economic/monetary debate and in the foreign/defence debate. This should not be surprising as the question of who controls a currency and an army ("money and blood" in a blunter way) is at the core of national sovereignty, independence, and identity.
 - 8 For more details on the definition of a 'demos', see D.N. Chrysochoou: 'Europe's Could-Be Demos: Recasting the Debate', in *West European Politics* (Vol.19, No.4, October 1996), pp 787-801. He defines a *demos* as 'a community of citizens capable of directing their democratic claims to, and via, the central institutions'.

9 Just to illustrate this point further, the following lists a number of important foreign policy issues that have regularly put one of the member states in a minority of one (the list is indicative only):

- Slovenia on compensation for forced population movement after WW2 (Italy)
- military interventions in Africa (France)
- East Timor (Portugal)
- Western Sahara (Spain)
- FYROM (Greece).

To the above, one should add bilateral issues that do not come under EPC/CFSP at the request of the states involved: e.g. Gibraltar, Northern Ireland, and international disputes between one EU state and a third country (e.g. Greek-Turkish relations).

10 For a review of the lack of democratic accountability in the foreign policy making process of European Community states see my unpublished PhD thesis: *Foreign Policy and Democratic Principles: The Case of European Political Cooperation* (LSE, 1991), esp. pp 97-133.

11 OPINION POLLS:

- on the single currency:

* UK: 64% opposed, 29 % in favour

* Germany: 70% - 29%

* France: 55% - 43%

* Belgium: 50% -40%

- should the EU take key decisions on monetary and financial matters:

	Belg	F	Ger	UK
Yes	40	43	29	18
No	50	55	70	78

- should the EU or the national governments take key decisions about employment policy:

	Belg	F	Ger	UK
Gvt	59	79	80	76
EU	29	19	19	19

The Independent 9/5/96 and 19/6/96. Similar results can be found in EC surveys, See C. Anderson, K. Kaltenhaler: 'The Dynamics of Public Opinion toward European Integration, 1973-93', in *European Journal of International Relations*, vol.2 (2), 1996, pp 175-199, esp. p175. See also M. Franklin, M. Marsh, L. McLaren: 'Uncorking the Bottle" Popular Opposition to European Unification in the Wake of Maastricht', in *Journal of Common Market Studies* (Vol.32, No.4, December 1994), pp 455-472.

Of course support and legitimacy for the process of European integration should not be confused; see J. Lodge: 'Loyalty and the EEC: The Limitations of the Functionalist Approach', in *Political Studies* (Vol.26, No.2, June 1978), p.243.

12 'European Dialogue-Indicators', in *European Dialogue* (Vol.1, Issue1, March/April 1995), p.28.

13 See Fig 2.1 in H. Wallace: 'The Institutions of the EU: Experience and Experiments', in H. Wallace, W. Wallace (eds): *Policy-Making in the European Union* (OUP, Oxford, 1996), p.40. See also W.Wallace: 'Government Without Statehood: The Unstable Equilibrium', in *Ibid.*, pp 440-460; In particular contrast the overall approach of the editors to the more optimistic assessment available in the 1983 edition of the same book: H. Wallace, W. Wallace, C. Webb: *Policy-Making in the European Community* (John Wiley & Sons, Chichester, 2nd ed., 1983).

14 Of course, a somewhat defeatist and cynical view would be to argue that the member states can fudge the issue again. But this seems to be a minority view nowadays as

the process and scope of integration (and pending enlargement) have made such a fudge extremely difficult: see (unpublished) lectures by Simon Serfaty and by Philippe Schmitter at The University of Reading (respectively 17 February and 6 May 1997).

- 15 See G.Marks, L. Hooghe, K. Blank: 'European Integration from the 1980's: State-Centric v. Multi-level Governance'; R. Münch: 'Between Nation-State, Regionalism and World Society: The European Integration Process', in *Journal of Common Market Studies* (Vol.34, No.3, September 1996), respectively pp 341-378 and pp 379-401.
- 16 see note 5.
- 17 On the former see note 3. On the latter see my 'The 'second' democratic deficit in the European Community: the process of European Political Cooperation', in F. Pfetsch (ed.): *International Relations and Pan-Europe*, (Lit Verlag, Münster, 1993), pp 173-194; 'The Democratic Control of the CFSP', in M. Holland (ed.): *Common Foreign and Security Policy: the record and reforms* (Pinter, London, 1997), pp 136-147.
- 18 P. Taylor: *The European Union in the 1990s*, op.cit., and D.N. Chryssochoou: 'European Union and the Dynamics of Confederal Consociation: Problems and Prospects for a Democratic Future', in *Journal of European Integration* (Vol.18, No.2-3, Winter/Spring 1995), pp 279-305.
- 19 See P. Taylor: 'Consociationalism and Federalism as Approaches to International Integration', in A.J.R. Groom, P.Taylor (eds): *Frameworks for International Cooperation* (Pinter, London, 1990), p.174.
- 20 J.H.H. Weiler: 'The Reformation of European Constitutionalism', in *JCMS* (vol.35, no.1, March 1997), p.107. See also my 'Democracy in Europe: West and East - The democratic disjunction in the European Community and the process of democratisation in Eastern Europe', in *Proceedings of the UNESCO Conference on Peoples' Rights and European Structures* (UNESCO Catalunya, Barcelona, September 1993), p.130.
- 21 For a different approach, see: '(...) il est évident que le progrès de la démocratie, au sein de l'Union européenne, est indissociable des progrès du fédéralisme', G. Soulier: 'Union européenne et dépérissement de l'Etat', in G. Duprat (ed.): *L'Union européenne - droit, politique, démocratie* (PUF, Paris, 1996), p.313 (emphasis added).
For another view, see G. Howe: 'Bearing more of the burden: in search of a European foreign and security policy', in *The World Today* (Vol.52, No.1, January 1996), p.24. Lord Howe argues that 'the five largest EU states - Germany, France, Britain, Italy and Spain - should each continue to enjoy a unilateral right of veto in all CFSP decisions [...] in order to make sure] that only a wide coalition of small states could block a position on which all the five largest states agree'
- 22 J.H. Hallowell: *The Moral Foundation of Democracy* (University of Chicago Press, Chicago, 1954), p.29 as quoted in D.N. Chryssochoou's unpublished PhD thesis, *From Democracies to Democracy: The Case of the European Community* (The University of Reading, Department of Politics, 1996), p.203.
- 23 A.Teasdale: 'The Life and Death of the Luxembourg Compromise', in *Journal of*

Common Market Studies (Vol.31, No.4, December 1993), pp 567-579.

- 24 For European relations with Britain on the Falklands, see S. Stavridis, C. Hill (eds): *Domestic Sources of Foreign Policy: West European Reactions to the Falklands Conflict* (BERG, Oxford, 1996).
- 25 See my 'France and the Falklands Conflict', in *Ibid.*, pp 57-69.
- 26 *The Independent* (5 November 1996).
- 27 See H. Bull: 'Civilian Power Europe: A Contradiction in Terms?', in L. Tsoukalis (ed.): *The European Community - Past, Present & Future* (Blackwell, Oxford, 1983), pp 159-164.
- 28 Russett and Starr: *Worldpolitics: the menu for choice* (Freeman, 1992), p.377.
- 29 Valéry Giscard d'Estaing, the former French President and the co-founder of the EMS (with German Chancellor Helmut Schmidt) had been suggested for the job, but this was before his recent comments on the Franc-DMark parity in November 1996.
- 30 For more details, see The Philip Morris Institute for Public Policy Research (PMI) Paper: *In a larger EU, can all member states be equal?* (April 1996), especially French MEP J-L. Bourlanges' contribution, pp 26-36.
- 31 D. Hurd: *The Future of Europe* (speech to the German Society of Foreign Affairs, Berlin, 28 February 1995): 'to suppose ... that Greece could have been forced to change her treatment of Macedonia by outvoting her on this issue is an illusion ... [T]hat proposal [to have QMV in CFSP] is a good example of how constitutional theorists can in good faith produce ideas which collide with reality'; M. Rifkind: *Europe: Which Way Forward?* (speech to the Konrad Adenauer Stiftung, Bonn 19 February 1997): 'I do not think that the Greeks would consider it legitimate or democratic if they were overruled over Macedonia or that the Portuguese would accept it in East Timor. German recognition of Croatia would have been another example'. See also my 'The Democratic Control of the CFSP', in Holland (ed.), *op. cit.*
- 32 M. Loblowicz: 'Legitimacy or efficiency: the IGC's dilemma', in Philip Morris Paper, *op. cit.*, p.50.
- 33 See J-P. Gougeon: *Où va l'Allemagne?* (Flammarion, Paris, 1997), pp 247-294; P. Tsakaloyannis, D. Bourantonis: 'The Converging National Reactions (I): The Smaller States - Greece', in Stavridis, Hill (eds), *op. cit.*, p.97.

APPENDIX 1

P. TAYLOR

THE EU IN THE 1990's

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NATIONAL IDENTITY IN THE EUROPEAN UNION

Identity and the Allocation of Competence

The Editors of *Eurobarometer* 38 summarized the views of the European publics towards the European Union after the Maastricht Debate as follows. They wrote that:

A notable part of the public is in favour of European unification but against a certain type of Europe which they believe is represented by the Maastricht Treaty and even by the current EC as they perceive it.

They are against a Europe:

- which threatens national identity and cultural diversity;
- which gives citizens insufficient democratic influence;
- which gives their country and its governments no say in European decision-making;
- which centralises 'everything' in 'Brussels'; and
- which is run by an enormous Brussels bureaucracy that is out of touch with the real world of citizens.

They are, however, in favour of a United Europe

- where national and regional identities and cultural diversity are respected, protected and defended;
- where democratic channels of citizen influence exist and visibly function;
- including their democratically established national government having an important role in common decision-making
- where sovereignty is pooled and exercised through common institutions only in such policy areas, where national or regional governments can no longer solve problems effectively;
- where such policies are prepared and executed by an administration of adequate, limited, size which is directed by a body (the Commission, or later European Government) responsible to a powerful democratically elected European Parliament, and to the European Council consisting of the democratically established national Heads of State and Government.

The type of Europe rejected clearly is neither foreseen in the Maastricht Treaty nor is it represented by the current EC in spite of many a shortcoming.

The type of Europe favoured, acceptable and supportable, on the other hand, is the very Europe designed by 'Maastricht' and in many respects already existing and functioning as the European Community. But the public, and the Euro-sceptical part of the public in particular, *does not know*.¹⁶

¹⁶ *Eurobarometer*, 38, pp. ix-x.