

## THE EUROPEAN PARLIAMENT AND ENLARGEMENT: FROM 1973 to 2000

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Introductory remarks: from an informal parliamentary club to an anonymous powerful machine

When in the early 50's Jean Monnet sat together with a few friends discussing whether or not to include a parliamentary assembly in the new organisation which was to become the European Coal and Steel Community (ECSC), he certainly did not imagine what would become after 40 years of existence of this small club of delegated national Members of Parliament they finally suggested to instal. Since there was already the rather large assembly of the Council of Europe, the founding fathers of the new Community thought it might be safer to include a new parliamentary body in their plans, thus excluding all possible attempts from the Council of Europe Assembly to fill the gap and to exercise parliamentary control of the ECSC. What we might consider rather a tactical move than anything else had far-reaching consequences. Out of the original 78 members (which were by the way the same delegates from national parliaments as those sitting in the Council of Europe Assembly) a directly-elected Parliament has emerged composed at the beginning of 1995 of no less than 626 members.

This increase in numbers alone, combined with that in working languages from 4 to 11, has dramatically changed the working methods, the internal structure and coherence, and the possible political impact of the European Parliament (EP). In general, discussions on its evolution - certainly more profound than that of the Commission or the Council, which in comparison remained much closer to their original concept are generally held less in terms of size and resulting working methods but more in terms of powers and functions. Increases in the powers of the EP did not coincide with any of the enlargements, which results in a rather complicated CV (see annex 1): The running-in period covered the years 1953 until 1958, this was the setting-up of parliamentary club mentioned above composed of 78 members delegated from their national parliaments. With the coming into force of the EEC and Euratom together with the ECSC, three communities with three legal identities came into existence. The EP's composition was increased to 142, that is almost twice its former size. This encouraged the national parliaments to designate special delegations to the new assembly. But during the following years still quite a substantial part of the Members were both delegates to the Council of Europe Assembly and to the EP.

The next important landmark in the life of the EP and, as a matter of fact, the event which divides its whole existence into two separate parts, is of course the direct elections of June 1979. But before that, in 1973, the first enlargement took place and the United Kingdom, Ireland and Denmark joined the Community of the Six. Parliament's membership had increased to 198 members. With direct elections, a total of 410 members took up their mandate, again more than doubling the former number.

Greece joined at the beginning of 1981, adding 24 additional members, and Spain and Portugal became members in 1986, adding 84 members, resulting in a total of 518.

With German unification, 18 more Members were agreed upon, first as observers and then, by modification of the Treaties, as full Members starting with the latest direct elections in June 1994. Since the other Member States did not like to have an increase only of German Members, others were also adapted resulting in a total increase of 49 Members. Finally, in January 1995, Austria, Finland and Sweden joined the European Union (EU) bringing the membership in the EP to a total of 626.

Where should this evolution lead us to? A Parliament of 1,000 or perhaps 1,500 Members? The EP has said no and has adopted a resolution saying a total of 700 members would be a maximum in order to ensure efficiency<sup>1</sup>, if this figure were realised a new repartition of parliamentary mandates should be found.

The so-called Nordic enlargement of 1973:

During the life period of the non directly-elected EP, only one enlargement occurred, but one of considerable size and political importance - that of the so-called three Nordic countries, United Kingdom, Ireland and Denmark, Norway shying away at the last minute due to a negative referendum.

The most important impact on the activities of the EP was of course the adhesion of the U.K. The United Kingdom could have been a founding father both of the Coal and Steel Community and of the EEC, but after having participated in preliminary talks, the British Government lost interest in joining a continental grouping which it considered as potentially protectionist and interventionist. When the EEC came off the ground, rather successfully in its first years, the U.K. wanted to join, but General De Gaulle slammed the door; his successor Georges Pompidou renewed negotiations which resulted in the enlargement of 1973. In the meantime, it must be noted the U.K. had taken the initiative to found EFTA, which was clearly designed to be a competitor in organizing a free market in Western Europe. The radical change in British policy left the poorer EFTA countries, with the exception of Ireland, and the "neutral" ones on their own.

As far as the EP is concerned, it had favoured from the beginning British membership and had considered De Gaulle's veto - as had the Commission - a severe blow to the Community. When the first British Members arrived, it was quite a surprise and a major change for the life of the European Parliament. First of all, English words were heard in EP meetings, which was as uncommon as had a Russian or Chinese delegation arrived. It should be underlined that French was the absolute leading language up to then; e.g. joining the EP's secretariat as a secretary or as an administrator a very good command of French was essential and knowledge of English was taken into account as one of the many other languages like Swedish or Romanian. Both in the plenary and in political group meetings or in committees, the influential speaker was one who had dominant knowledge of the French language and was able to speak in the classic Romanic tradition. It must be said that at that time formation of political groups was not as rigid and well established as in later years especially after direct elections, and even more so when legislative work became abundant in the mid-eighties. As a result, a good speech could make an impact in Parliamentary deliberations. In addition, many issues were new to all participants and not just a repetition of earlier deliberations and votes as it has become the rule over the last years where relatively few major new issues are put on the agenda compared to the large bulk of amending previous legislation.

The arrival of the British had many other consequences which can only be described in sociological terms<sup>1</sup>. The author of this paper, who happened to be a relatively young committee secretary at that time, used to suffer, as did many of his colleagues and MEPs, from the high temperatures in committee meeting rooms in summer-time. These used to warm up during lengthy afternoon meetings with crowds of people coming in and out. Until 1973 there was a strict rule that never never were you allowed to take your jacket off. You had to do your work in a dark suit, with very likely a white shirt and an extremely orthodox tie. Now our young administrator received one of the major shocks of his professional career: the first meeting started in the Political Affairs Committee of the Parliament in which a substantial number of British MEPs including the Front Benchers of the new British delegation took part. It must be added that since the British Labour Party had boycotted sending Members from the British Parliament to Strasbourg - since we are still in the period of the non directly-elected Parliament - the Conservatives, who had to take into account the possibility of losing a vote in the Commons during a Strasbourg session, had consequently ..... the ..... from the House of Lords.

As a result, in our first meetings the British delegation included a considerable number of Lords, which very much impressed the participants from other European countries, both Members and staff. In our committee meeting on a sticky July day, certainly far above 30° centigrade, in the rue de l'Empereur in Brussels the Lords had been shown to their seats and the Chairman had just pronounced a few words of welcome. When the first of the Lords looked around uneasily, took off his jacket and loosened his tie. In a few minutes the whole British delegation did the same to the great shock of some of the leading

Members from other EEC States, to the astonishment of others, and to the great relief of other participants including our young assistant in the committee!

Another obvious factor of British participation was the transfer of British parliamentary procedures and, beyond that, the way of doing business in Parliament which surprised the MEPs from the other six countries. When learning about the British parliamentary tradition in our textbooks, we all assume that the British Parliament is one of extremely wise men and women who deal with each other in a nonchalant way - who behave like Britishers in some classical film. Those who were not au fait with the actual life in the British House of Commons were rather astonished when they were for the first time confronted with the aggressiveness of the two major parties - since 1975 when Labour finally sent a delegation - in the Strasbourg chamber, which quite often attacked each other in the rudest way and very often of course on home matters which were only rather weakly linked to Community affairs. A lot of shouting, mutual interruptions and point of orders as well as interventions and call for order from the Chair, were the result. It must be said that the British Members, who did not behave other than they were used to doing in London, were on their side to some extent puzzled by the extremely orderly way Parliamentary affairs were conducted in the EP. Of course it must be added that due to the fact that the majority of participants listen to a speech in interpretation, spontaneity is largely reduced. For example, if somebody tries to make a joke, it might be very successful in a national Parliament across his own political border lines, but in the EP, even in the seventies, at a time of only 6 languages, the resulting laugh would occur a few seconds, half a minute or even a minute later, depending on how fast the interpreter was following the speaker. At present with 11 languages the effect might even be worse because some interpretations are not done any more by language but through a pivotal language, i.e. Finnish might be translated into English and only then into Portuguese, so that for a Portuguese Member to get a Finnish joke, it would take twice the time needed for a Member following the English interpretation. In addition of course you would have twice the chance to miss the point anyway.

If we look at elements less of political culture than of direct concern for the activity and structure of the EP, we have above all to insist on the reinforcement of elements of parliamentary control of an executive. British parliamentary tradition, perhaps more than any other, is based on confrontation between Government and Opposition. In the absence of written procedures, and of an extensive system of permanent specialized committees as in most European countries and in the United States, this confrontation traditionally takes place in the plenary chamber. British Parliament to some extent is the transplantation of the ideal type of a debating society in government and, by the way, European political systems have great difficulties in imitating this exercise due to the lack of preparation in school and academic years<sup>1</sup>.

In the Community system a direct confrontation with "the Executive" is not possible and parliamentary supervision had to be adapted. Since in the '70s the Council did not honour the EP by frequent participation in its meetings, the Commission was the only possible institution which could fulfil in this respect to some extent the classical role of a parliamentary government. The Treaty itself gave a function of parliamentary supervision to the EP and it was exercised in general in plenary debates, through written questions and in parliamentary committees. The main addition resulting from British entry was the introduction of the classical instrument of Question Time in the EP. In the meantime Question Time has become a standard procedure of EP's activities and the Council has joined the Commission in its willingness to answer questions addressed to him.

Another interesting fact of British membership was its influence on the spectrum of political forces. With great difficulties, the major groups within the Parliament - the Socialists, the Christian Democrats and the Liberals - had started their journey towards closer cooperation of their respective parties resulting in confederations of parties and, more recently, in so-called European political parties. In doing this they had indeed to come a long way; for example, in the first years of the EEC no less than three political parties from the Dutch side sent delegates to the EP which were from outside considered as Christian Democrats but among themselves considered each other much more as foe than friend<sup>1</sup>. After some hesitation and first personal contacts established in Strasbourg, all three parties joined nevertheless the Christian Democratic Group and established a working relationship between their

Members. As a result, there was a feedback into the Netherlands itself and the three parties established much more closer relationship on the national level, leading in due course to their fusion.

When the U.K. joined, everybody assumed that of course the Labour Members would join the Socialist Group, as they did following the 1975 referendum, and that the Conservative Members might either join the Christian Democrats or at least establish a closer relationship with them. This was not the case and, after some hesitation, under the leadership of Peter Kirk, the British Conservatives chose to set up their own parliamentary group which promoted their chairman into the inner circles of parliamentary decision-making as a Group leader and accorded him an own secretariat. Only very much later, both under the continued impact of broader interests from their political parties and in that case more specifically from Margaret Thatcher seeking closer relationships with other Conservative parties all over Europe, and the direct influence of the coming into force of the Single Act and the large parliamentary majorities it required, the British Conservatives gave up their independence in the late '80s and joined finally the very large Christian Democratic Group, which in the meantime had been re-named as the Group of the European People's Party<sup>1</sup>.

### The Greek Enlargement of 1981

In the early sixties a number of countries became interested in establishing closer links with the Community of the six. The question was how this could be done and which policy the EC should pursue to that effect. The EEC Treaty provided two formulas, one for complete adhesion (Article 237) and one for a looser form of links called Association (Article 238). What adhesion meant was relatively clear: the candidate country had to sign the Treaty and agreed to all its obligations. What is now called the "Acquis communautaire" was of course at the beginning of relatively secondary interest except for the Common Agricultural Policy. In addition to economic requirement in order to fulfil the Treaty obligations, a number of political fundamentals evolved gradually; these included the respect of human rights and of minorities and the existence of a parliamentary pluralistic democracy. In addition only "European states" - whatever that meant - were qualified to apply for membership.

As far as association is concerned, the matters were much less clear. For example, a country like the United Kingdom which was qualified for full membership might prefer just to be an associate member. Should this be accepted? What about other States which might not fully qualify, either on economic or political grounds for membership? In 1962, the European Parliament took the lead and elaborated guidelines for a policy of establishing closer links with the Community beyond mere trade agreement<sup>1</sup>. The Parliament claimed that association should not be in a category of its own for links with the EC but should be considered in respect to adhesion: basically it should be mainly reserved for those countries which economically did not yet fulfil the conditions for full membership but were politically willing to do so. This meant that these countries should also fulfil the democratic conditions as an eventual member.

These guidelines which became rather important since they were followed by the Commission. Its subsequent opinions on membership or association applications had two immediate effects: it opened the way for a transitional association agreement for both Greece and Turkey and on the other hand, it blocked the possibility for the UK and other possibly interested states to apply for mere association.

As far as Greece is concerned, the association agreement, the first one of its kind, was established on the basis of complete legal equality an association council on ministerial level was created and on the parliamentary side, a mixed parliamentary committee which was given the right to examine the annual report of this Council on the progress of the association.

This rather weak mixed parliamentary committee, composed of an equal number of Greek members delegated from their national parliament and of MEPs became instrumental when the colonels took over in 1967 dissolved the Greek parliament and many of its members. Obviously, this fact was a breach of the unspoken rules that associate members should also respect pluralistic parliamentary

democracy and human rights. The European Parliament therefore called for an abolition of the association agreement. This was not followed, neither by the Commission and much less so by the Member States which claimed that the text of the agreement did not allow for such one-sided action. The Parliament then claimed that Greece by its one-sided action prevented the institutions of the association agreement from functioning because it had put an end to the functioning of the Greek parliament and thus the mixed committee was not operational. It was this argument - a rather marginal one it is true - which succeeded in at least freezing in the association agreement to the great concern of the colonels in power. They subsequently tried to instal a puppet parliament with nominated "parliamentarians" and to send them to the Joint Committee, an attempt which was rejected by the EP. The result - all through the seven years of the period of the colonels the association agreement was frozen and all financial aid was stopped.

The restoration of democracy in 1974 and the election of Karamahis which whom leading members of the EP had kept close contact during his years of exile restored the close links between the Greek parliament and the EP. Consequently, the EP became one of the most arduous advocates of early Greek membership mainly on political grounds in order to strengthen democracy. It is quite obvious that merely on economic grounds membership might have been further delayed.

To sum up, as far as the Greek enlargement is concerned, it is rather the period preceding it which is politically more interesting. The addition of 22 new members had less an impact compared to the former Nordic enlargement due to the fact that in the meantime in 1979 the EP had been elected directly and more than doubled its number to 412. In 1981 it counted now with Greece 434 members.

The Greek members integrated in the existing political groups but by doing so they certainly did not add to an image of easy-going Mediterranean people. On the contrary, many of them continued to show quite a personal profile to say the least.

#### Iberian enlargement

With the end of the non-democratic regimes in Spain and in Portugal, the question of membership of these two countries came on the agenda. Extremely lengthy and difficult negotiations took place before actual membership mainly due to the fact that the "Acquis communautaire" had been growing in importance over the years and that Spain was trying to get the best possible bargain on a number of economic issues. For Portugal once the turmoils of its transmission to democracy were passed, the main question was the rather overall poor state of its economy. Should the EC after taking in Ireland together with the UK and later on Greece more on political grounds than anything else, now add to its members a third country whose economic efficiency was by far lower than the average of the existing members? Or, was it politically feasible to decide otherwise? The answer is known.

#### German unification: a false enlargement?

When the Berlin Wall came down questions of a closer link of the still existing GDR with the Community arose very shortly. The EP had already established a parliamentary delegation with the Volkskammer, the East German parliament. The GDR transitional government was preparing first democratic elections to be held in March 1990 and tried to elaborate formulas for closer links with the Community. It was obvious that this process would have to be harmonized with the one of establishing closer links between the two parts of Germany themselves. For some months it was felt that following the example of other countries, the GDR could be given an associative status foreseeing a period of transition until full membership. This would have corresponded to the rather shaky condition of the East German economy including the pre-occupying situation of the environment. Some of the EC member states favoured such a gradual approach.

But all drafts to that end became obsolete when the German government bilaterally agreed with Gorbachov a very much accelerated solution resulting in a full economic and monetary union between the two Germanies as early as 1 July 1990. By all practical aspects the GDR ceased to be an independent state.

What about the European Community? Would a modification of the existing treaties be necessary signed by all Member States and to be ratified by all national parliaments? Finally a rather surprising solution was found: The German government referring to some secondary text annexed to the EEC Treaty declared that in future its territories would include the former GDR and this modification of her borders would not require any ratification from any side nor a change in the Treaty itself. In order to appease any possible preoccupations concerning a balance between Member States the German Government added that of course not the smallest modification of the actual balance and the repartition of influence in the EC institutional system was envisaged and this concerned not only the weighting of votes in the Council, the composition of the Commission but also the number of seats in the European Parliament.

The EP didn't like this approach at all and insisted that the new Bundesländer should have parliamentary representatives as well. After difficult talks a compromise was found adding 18 parliamentary "observers" to the total number of seats in the EP. These 18 members were members of the East German parliament, but officially designated by a vote from the Bundestag. These East German observers were given the right to sit in the chamber but not to take the floor nor to vote in plenary sessions. In parliamentary committees they could participate in discussions but not vote either.

This unsatisfactory transitional solution was supposed to find an end within the Maastricht negotiations but in the final round the German government did not succeed in having it included in the new treaty. That is why a special round of talks had to be arranged resulting in an increase in the EP for a number of Member States giving Germany 18 new seats (the former ) but adding six new seats to the other in "large" countries, that is France, Italy and United Kingdom as well as a few additional corrections<sup>1</sup>. As an indirect result from German unification total membership of the EC increased from 518 members to 567 (total number of MEP elected in the 1994 elections).

#### The adhesion of Austria, Finland and Sweden

As of 1 January 1995 Austria, Finland and Sweden are members of the EU increasing its total number of Member States to 15. The EP is now composed of 626 members. The three new Member States delegate during a transitional period which will not exceed two years members from their national parliaments. The immediate result for the EP from this recent enlargement is the increase of official languages from 9 to 11. The impact on interpretation and translation is tremendous: possible combinations between two official languages increase from 72 to 110, the percentage of direct interpretation or translation between

For the time being, the MEPs from the three new member countries are still in a period of acquainting themselves with the working methods of the EP. Due to their late arrival in a legislative period which has already started they have not yet taken functions in the official hierarchy of the Parliament either as vice-president, chairman of committee or otherwise. Only one of them has been nominated rapporteur and a total of eight draftsmen for opinions for various committees to other committees. Only when the next internal nominations are due at half-term of the present legislative period, at the end of 1996, we should expect more participation from these MEP at the Parliament's internal power structure.

In the meantime we'll see whether typical elements, especially of Nordic democracy in the field of protection of individual rights, of the ombudsman and others, will find their way into Parliamentary practice.

The MEPs from the three new Member States participated also in the hearings of the Members of the Commission which were held for the first time in application of the EU Treaty. Originally it was planned that after the nomination of Jacques Santer as the future President of the Commission, and the following designations by Member States of the various candidates for Commissioners, Parliament should give its final consent in December 1994 thus allowing the new Commission to assume during the first days of January 1995. The EP insisted that hearings in parliamentary committees and the final debate and vote in the plenary should only take place in January so that MEPs from the three new Member States could participate and in addition the three candidates for Commissioner from these countries could be questioned at the same time. The EP succeeded in this important modification of the agenda and organised a full week of hearings of the new 19 Commissioners - except President Santer, who already had been subject to scrutiny in July last year - with an astonishing result. Especially the Commissioner candidates from the three Nordic countries received bad marks from the parliamentary committees; this was mainly due to the fact that they strictly followed the orientations given to them by Commission officials saying they should not promise anything which might prejudice the future Commission policy and, above all, they should not promise to take over Parliamentary amendments or to withdraw Commission proposals if Parliament would veto them. The new Commissioners from Denmark, Finland and Sweden followed very strictly these recommendations and were not well received. In contrast, the candidate from Austria chose a rather "Mediterranean" approach. Since the conclusions of the various Committees were only considered as recommendations to the plenary, the Commission finally received a positive vote as a collegial body.

Another remarkable event in preparation of the latest enlargement took place in May 1994 in Strasbourg. EU governments had promised that adhesion of the EFTA countries would not take place without adjustment of the existing institutional mechanisms in order to increase efficiency. Now when negotiations with the applicant countries came to an end, it became clear that the present Members were unable for the time being to agree on an institutional reform. This was not well seen by the EP. Much worse was the fact that the UK made a major issue out of maintaining the blocking minority in the Council. Up to now 23 votes were sufficient to block a possible majority vote and it had been agreed that a mathematical adaptation should be applied lifting the blocking minority to 27. The UK threatened to veto any enlargement if that was the case. Under the Greek presidency, a compromise was agreed upon in Corfu: the Council stated that if Member States representing at least 23 votes declared that they could not agree to a proposal, the Council would continue its discussions during a reasonable time in order to reach an agreement. Only if that was not possible, at the end it would proceed to majority voting and in these cases, the final blocking minority would be 27 votes. The EP utterly disliked this so-called "Joannina compromise" and insisted very much on improvements. Failing to get satisfaction, the major political groups threatened to veto enlargement. Quite clearly, Parliament found itself in a major dilemma: it had a good case on internal institutional efficiency, but could it actually link this issue with the historic possibility to include three or four democratic countries in the EU which had expressed their wish to do so? Enlargement would certainly strengthen democracy in Western Europe, present no economic difficulties whatsoever and marginally improve the budgetary situation of the EU, the candidates being future net contributors.

It was evident that public opinion in the EU would not understand this rather complicated reasoning if it would result in a negative vote. But nevertheless one week before the decisive date most observers would have put their money on that outcome. Only during the very last days EP's mood changed: Members of the respective Governments and Party leaders had been constantly lobbying their political friends in the EP. In addition, Chancellor Kohl addressed a personal letter to EP front benchers insisting that Parliament should vote yes. Kohl indicated that Germany, who would be exercising the Presidency of the Council in the second half of 1994, strongly favoured a Parliamentary representation in the preparatory group of the 1996 Conference - this was another request from the EP - so that the EP would be directly involved in the discussion of future institutional reform. These initiatives were instrumental for the final outcome.

This example shows how tempting it may be to link completely different issues. The EP has done it in the past with success concerning "conditionality" in external trade relations and other matters. But in

this case it stepped back at the last moment and some cynical observers in the press wrote that this confirmed the EP's reputation as a dog that often barks but never bites.

### The Parliament and its electorate

If we look at past enlargements, the challenges they provided may look small compared to what is preparing in view of Central and Eastern Europe. As a matter of fact the whole institutional system of the EU might be put in question and there will be certainly no question adding just another piece to those already assembled. As a matter of fact a thorough reflection is going on which is much more fundamental than anything else that happened over the last 40 years.

Before we discuss these aspects in more detail it might be more useful to have a look at the Parliament as seen from outside, especially by the public in the various member countries. There are two main aspects of this: first public opinion on Parliamentary questions and the function of the EP and second, participation in the election to the EP since 1979.

### The EP and the challenge of future enlargements:

If we look at the 40 years of existence of the European Parliament, we can certainly conclude that it has dramatically changed both in its internal structure and in its importance as compared to other EC institutions, and, to some - but relatively less - extent, in its perception by the public.

Enlargements did certainly contribute, but were not the main feature in causing these fundamental changes. The increase in the overall role of the Parliament is to a larger degree due to an increase of powers in legislation and in other fields. We may refer to Parliament's role in the budgetary procedure, to its new perception towards the Commission and the procedures leading to the nomination of Commissioners, to its engaging in issues like human rights, environmental questions and many others which are perceived by the public at large. If during this process the EP has changed from an informal club of members of national parliaments to a somewhat anonymous machine, the efficiency of fulfilling its role depended very much on a parallel increase in leadership. This leadership is largely concentrated in the political groups but also, and to a larger extent than it is usually understood, in the offices of the President himself, and to some extent in the system of Chairmen of committees.

If we ask the question of what past enlargements have in common, one could say that at least they didn't challenge as such the functioning of the Parliament and they were not linked to a threat to the institutional system of the EU itself. This may dramatically change in the years to come.

As a matter of fact the forthcoming Intergovernmental Conference of 1996, which is foreseen by the EU Treaty itself, will have to deal with two major questions: i) how to increase the efficiency of the EU institutional system ii) which mechanisms to devise in order to ensure progressive enlargement of the EU mainly towards Central and Eastern Europe.

At the time of writing (April 1995) the general feeling is that the EU requires a major adaptation of its institutional system before additional members can join. The Commission has increased its membership with the last enlargement at the beginning of this year by three additional members, going from 17 to 20. This is far away from the Hallstein Commission of the early '60s which was composed of 9 members and could deliberate as a collegial body and in one language (French) without any interpreters. Can one imagine a Commission of 30 or 35 members? Only with great difficulties and only insofar as an internal hierarchy would be introduced. It is true that parliamentary governments exist which are composed of 20, 30 or even more ministers, but the more effective ones endeavour to have an inner circle if the overall number gets too high. In addition, a national government is held together either by a single strong leader, or by several leaders in the case of a coalition government.

These are generally in a position to discipline the other Cabinet members much more than any President of the Commission would be able to do so.

For the Council as well, future enlargement is a nightmare. Of course each new Member would have a seat on the Council, would have a number of votes according to its size if majority voting is required and, even more, be called to exercise the Council presidency for a six months period. In a Community of 20, France for example would have the presidency every 10 years, and in a Community of 30, every 15 years, if nothing is changed. Efficiency would call for longer periods of presidencies in the Council, at least one year but this can not be combined with the rule of having equal possibilities for the presidency for all Member States. At present, uncounted experts in the EU institutions and many outside in academic circles, political movements and elsewhere are busy in trying to work out formulae on how the future institutional mechanisms should work: The Commission could be split up in full Commissioners and in secondary ones (deputy Minister or Secretary of State type), while in the Council a given period of presidency could be given to a group of smaller countries while the larger ones would be given a preferential treatment.

Still a far more serious challenge stems from possible forms of differentiated integration. Whatever the possibilities of adaptation may be for the other institutions, the EP will have increased difficulties. A Member of Parliament is a representative of his constituents. It is against any parliamentary tradition of representation to split up the composition of a Parliament into first-grade and second-grade Members. In addition, if Parliament wants to increase its legitimacy it must try to bring to an end two major shortcomings: the differences in the actual electoral procedures and the representativeness of the parliamentary mandate.

On electoral procedures the EP has put forward a number of proposals but is still blocked by the Council who is unwilling to force the British Government to give up its objection towards harmonization, in other words to allow a kind of proportional voting system in the UK. It is not excluded that the EP will initiate formal action before the EC Court in order to force the Council to act on this important matter.

The second issue is the imbalance of representation resulting in the election of an MEP. A Luxembourg MEP is elected on the basis of roughly 60,000 citizens, while a German Member is elected in a theoretical district of about 800,000 citizens. It is extremely difficult to tackle this problem in a unicameral system: in the US, the principle of equal importance of the composing States is represented in the Senate, whilst the House of Representatives represents the population in the various States on a roughly proportional basis.

In the EC, all institutions try to reconcile the two conflicting elements within themselves: the Council by having weighted votes (ranging from 2 to 10), the Commission by according two Commissioners to the so-called larger countries and one each to all the others, and finally the EP being composed of national groupings between 99 (Germany) and 6 (Luxembourg) Members. But whatever the approximation is, the smaller countries get more than their share compared to a strictly proportional distribution. Of course they could argue that they get less than in an international organization like the UN where each country has one voice and all animals are equal. Accordingly, one could argue too that the present situation reflects the half-way situation of the EU between an international organization and a federal state. But concern is growing and proposals for changes are numerous.

An even more fundamental question concerns the unicity of the EU institutional system. All former enlargements have not questioned the fact that the EU institutions are competent for all EU matters. Even the opting-out clause on the Social Chapter in the Maastricht Treaty is closely linked to the Community system, and very far from a "Europe à la carte". In any case, it was agreed that basically Community rules should apply and that the EC institutions, including the Court of Justice, should be responsible. Still much closer to the classical paradigm of unicity is the Chapter on Monetary Union where not only the goal is defined in the EU Treaty, but also and very clearly so the prerequisites for reaching it. All Member States agreed in this case on common fixing of the objectives and on defining the various steps and the criteria which would lead from one phase to another. It is important as well

that all Member States are obliged when they fulfil the criteria to move on to the next phase. This is far away from a system where you would allow a number of Member States to arrange among themselves common programmes let's say on high tech, on protection of the environment, on common actions outside the Union, etc. Perhaps some of these arrangements would be discussed among only a few interested Members, the others not even being invited to join in. Or if they were interested they might be invited to participate later when they would be capable of doing so. If the EU enters this dimension of differentiated integration which would clearly be beyond anything that has occurred so far, then it would have major repercussions for the institutional system.

The main question in that respect is how the various EU institutions could handle programmes or activities which would still be qualified as Union activities, but in which only a limited number of Member States would actually participate. Could the Commission play its role drafting such programmes and in administering them? Would the full Commission as a collegial body be responsible, including those Commissioners who are citizens of Member States not participating?

While for the Council a selective composition seems possible, where respective majorities would have to be fixed and the administrative committees would have to be recomposed accordingly, the general problem is much sharper and much wider for the European Parliament. Can one imagine that the EP when it meets for one week in Strasbourg, perhaps plenary discussions would start on a Monday afternoon where only those MEPs would be asked to be present who had been elected in Member States participating in a given subject?. We would then have over the week other debates with differently composed participations, and only a number of points on the agenda would be common for all. This structure recalls the ideas of the Common Assembly of the Council of Europe when the ECSC was created, namely to be a sort of "mother of parliaments". At that time the parliamentary assembly of the Council of Europe tended to be the common meeting ground, to some extent the embodiment of parliamentarism in Western Europe and each subregional grouping would have their own parliamentary body composed of national delegations of the respective countries of the parliamentary assembly of the Council of Europe itself. The whole structure would be like a chest of drawers, the Council of Europe being the chest and the respective subregional organisations being the drawers.

In the early '50s these ideas were rejected by Jean Monnet and his fellow founding fathers of the Community of the Six. They insisted that the Common Assembly was a completely separate parliamentary body. What might have been feasible in the early '50s on the understanding that these were not real policy???? but rather assemblies of ..... parliamentarians - as De Gaulle has always pretended - is rather difficult to imagine such a solution now. The EP has become a real working Parliament over the last 10 or 15 years with more obligations for its Members to participate in plenary sessions, committee or group meetings, than many national parliaments. And it is difficult to see how this highly complex machine could be restructured internally in order to respond to differentiated integration initiatives of the above category.

In addition, the Maastricht Treaty has opened the way for a Political Union, important elements of citizenship have been introduced which should be strengthened in the next ... round of 1996. Already now EU citizens can vote or be elected in countries of their residence and not only of their passport. Many initiatives are taken to strengthen a common feeling among the citizens of Member States in order that they might in the long term develop a loyalty not only to their region or to their country, but to the EU as well. Now it is already difficult to get this new dimension growing with all the repercussions it will have on the organization of political parties, of socio-economic organizations, of the media, and others. If the citizen is asked to consider himself as a European citizen in addition to his existing loyalties. It is certainly out of the question to ask him to split this new dimension up in a general union citizenship, a specific programme citizenship, or what have you. Legitimacy is not just a notion which is connected with the exercise of elections. It goes far beyond that and requires a permanent possibility of identification between the citizen and the decision makers. There we are afraid the EP will still have to choose a policy line on its future role if - as it is likely - further enlargement will include some kind of differentiated integration.

Two MEPs will participate in the reflection group preparing the next Intergovernmental Conference. This preparatory group will start its work in June 1995. It is obvious that the EP as a whole is very



