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German Politics and the European Community

1. *The Federal Republic and the European Community - a historical overview*

1.1. *The establishment of the Federal Republic as a decision in favour of Western integration*

Developments in post-war Germany, as well as in post-war Europe, were dependent on the constellation of the international System which had been determined by the antagonism between the two super-powers which at the same time were (together with France and the United Kingdom) Occupying Powers and held supreme authority in Germany. The Cold War as a conflict between two totally incompatible types of political Systems had its effects on the policies the Big Four pursued in Germany - they could not reach consensus in basic questions concerning Germany's future - and their dissent as Occupying Powers contributed to intensifying the Cold War. East and West (the French joined, after some hesitation, the course favoured by the Americans and the British since 1946/47) seemed to be determined to consolidate their respective areas by setting up a coherent Organization of states and to include their Occupational Zones into these adverse organizations, or better: blocs.

The three Western allies, together with the Benelux countries, came in June 1948 to the conclusion, »that for the political and economic well-being of the countries of Western Europe and of a democratic Germany, there must be a close association of their economic life.« And »this close association, which will enable Germany to contribute to and participate in European recovery, has been ensured by the inclusion on April 16 of the combined (= American and British, R. H.) zone and French zone in the Organization for European economic Cooperation as full members.« In this context they considered »the problem of the evolution of the political and economic Organization of Germany« and recognized »that it is necessary to give the German people the opportunity to achieve on the

basis of a free and democratic form of government the eventual re-establishment of German unity at present disrupted«.¹

As a consequence, the Military Governors did »authorize the Minister-Presidents (= Prime Ministers, R. H.) of the states of their respective zones to convene a constituent assembly . . .«; they declared: »The constituent assembly will draft a democratic Constitution which will establish for the participating states a governmental structure of federal type which is best adapted to the eventual reestablishment of German unity at present disrupted, and which will protect the rights of the participating states, provide adequate central authority, and contain guarantees of individual rights and freedoms«. The new German State should, according to these Statements, have a Western type political System and become an integral part of the emerging Western Community.

The (West) Germans not only accepted these guidelines, they regarded them as being in line with their own preferences. As far as the character of the political System was concerned the constitutions for Single West German Länder² provided the democratic quality of society and State Organization and served as model for the Basic Law, the Constitution of the West German State. And as far as its place in the international System was concerned, the constituent assembly decided in favour of integrating the Federal Republic into Europe (what under the conditions of Cold War and a divided Europe meant Western Europe).³ Not only was the perspective of belonging to a Western European Community implied in the decision to establish the Federal Republic, all major political forces - with the exception of the Communists⁴ - supported the respective constitutional provisions. The basic decision to join a Western European Community and to contribute to its construction had been taken as early as 1948/49.

1 Recommendation of six powers concerning the development of Germany's political and economic Organization, of June 2, 1948; text of Communique.

2 Frankfurt Document No. 1, concerning a Constituent Assembly, of July 1, 1948, issued by the Military Governors of the US, UK, and French Zones of Occupation in Germany.

3 They had been issued in November/December 1946 in the Länder of the US zone, in May 1947 in the Länder of the French zone; in the Länder of the British zone following the British tradition of no formal written Constitution, constitutions were proclaimed not before the Federal Republic came into existence in 1949.

4 Cf. the preamble and Article 24 of the Basic Law.

5 Only 2 out of 65 members of the Constituent Assembly (»Parlamentarischer Rat«).

1.2. *Steps towards integrating the Federal Republic into a Western European Community*

From the very beginning the Federal Republic participated actively in efforts to build up a West European Community. She did belong to the group of six countries (together with France, Italy and the Benelux countries) which were ready to enter a totally new type of international Organization, characterized by some sort of supranationalism, and transfer part of their sovereignty to the new Community and its institutions:

- The European Coal and Steel Community (ECSC) was the first of that kind of international organizations with a supranational agency.
- The European Defence Community (EDC) together with the project of a European Political Community (EPC) were attempts to continue the approach of the ECSC. Both projects failed in 1954.⁶
- The Rome Treaties established in 1957 the Common Market (= European Economic Community) and the European Atomic Energy Community which were later fused - together with the ECSC - into the European Communities, or Community.

The attacks of the SPD Opposition against the first project »were never directed against integration or Europeanization as such . . . The core of the SPD's criticism was that the ECSC treaty represented a regional alliance organized by reactionary elements who sought to perpetuate capitalism and lay the groundwork for the economic and political control of Western Europe. Socialist spokesmen argued that the Schuman Plan was in effect an attempt to continue occupation policies and that it was designed to decisively shape the development and ultimate characteristics of Germany's economic and social order«. And they »attacked French attempts to seek admission of the Saar as an autonomous entity, and depicted the Schuman Plan as an international conspiracy to impede German unification and to handicap German industry's ability to compete with France on world markets«. So the SPD's argument was not against integration but against a wrong step: the envisaged ECSC would violate severely national interests.

6 The refusal of a majority in the French parliament (Assemblée Nationale) to decide in favour of EDC as one version of West German rearmament and the inclusion of this German potential in an integrated Community stopped the ambitious attempt of accelerating and deepening integration.

7 *Wolfram F. Hanrieder, West German Foreign Policy 1949-1963, International Pressure and Domestic Response, Stanford 1967, p. 120.*

West German membership in the EDC - and West German rearmament as such - was opposed by the SPD for the following reasons: »it would render unification more difficult, if not impossible, by attaching West Germany too closely to one of the Cold War camps; it would increase world tensions and antagonize the Soviet Union without substantially improving the Western defense posture; it was dangerous for the fledgling German democracy because it would bring to the fore militarist elements and other objectionable remnants of the old order; and finally, it paved the way to Germany's integration in a Western European group that threatened to split free Europe and showed conservative-clerical tendencies«. ⁸ The SPD's principal concern was to avoid definite Steps towards military integration before an attempt of overcoming the division of Germany (and Europe!) via East-West negotiations had been made. There was no hesitation concerning economic integration which the party considered as useful and necessary.

The Rome Treaties, therefore, were supported by both big parties, and the SPD Opposition did welcome them expressively as an important step towards a comprehensive economic, and later political European Community on a constitutional basis. The party considered this project of economic integration - including its perspective towards developing a political community - as compatible with attempts to bring about German reunification. This attitude adopted by the Social Democratic Opposition in 1957 marked the beginning of a bipartisan foreign policy, which was agreed upon »formally« with Statements of SPD spokesmen in the parliamentary debate on June 30th, 1960.

1.3. *Federal Republic and EC-development since the sixties*

John Pinder makes a distinction between two periods of EC development: »negative« and »positive« integration.⁹ The term »negative integration« refers to a period, in which the EC was primarily concerned with replacing obstacles and barriers on the way towards establishing a common market with free flow of goods, capital, labour and Services: the so called transitional period which ended with the summit in The Hague in

⁸ Wolfram F. Hanrieder, pp. 101/102.

⁹ See his article »Positive Integration and Negative Integration: Some Problems of Economic Union in the EEC«, in: *The World Today* 24 (1968), pp. 88-110.

December 1969. The label »positive integration« refers to the following period with its endeavours of formulating and implementing common policies in different fields: proposals, plans and attempts aiming at the establishment of a common economic and monetary, welfare and regional policy can be regarded as characteristic for that period. The EC should and would be made the framework and »actor« in which and by whom major issues with highest saliency would be dealt with. The perspective - and ambition - has not been directed at replacing the nation states but at developing the EC towards a complementary political unit. The Federal Republic did engage in both periods and tried to contribute to integration progress. In the first period integration was going »calm« and steadily which means a process dominated by national governments and their administration, as expert knowledge was asked for. Not only the broad public but political actors - parties and pressure groups - as well were more or less mere observers of that process. The term »permissive consensus«¹⁰ does express properly the overall attitude towards European unification in general and the EC development in particular. Opinion poll data¹¹ reveal a weakening of that permissive consensus since the mid-seventies.¹² A decline in helpfulness and solidarity against other EC member countries can be taken as one indicator for this slight change.¹³ Another indicator is the reduction of those favouring the acceleration of Community development. A growing number of people are aware of the fact that EC politics has consequences for the Federal Republic and does affect their personal Situation; in their perception communitarian Solutions might have negative effects, given the actual political, economic and social Situation combined with policy priorities and approaches in other EC member countries which are being criticized and looked upon with suspicion in many West German political circles. This general attitude is being reflected in the behaviour of the West German government vis-à-vis EC development. There was support for

10 Leon N. Lindberg and Stuart A. Scheingold (*Europe's Would-Be Polity. Patterns of Change in the European Community*, Englewood Cliffs 1970) use this term and Thomas A. Herz (*Europa in der öffentlichen Meinung. Zur politischen Mobilisierung in Deutschland und Frankreich zwischen 1962 und 1977*, Bonn 1978) does apply it to characterize the general attitude towards EC integration till the early seventies.

11 The EC Commission publishes since 1973 regularly the survey »eurobarometer«.

12 See Rudolf Hrbek, »Europa«, in: M. and S. Greiffenhagen/R. Prätorius (eds.), *Handwörterbuch zur politischen Kultur der Bundesrepublik Deutschland*, Opladen 1981, pp. 147-150.

13 77 % (against 7 %) were ready to help a neighbouring country in case of economic difficulties in 1973 whereas in 1978 the figures were 63 % (against 12 %).

initiatives aiming at integration progress; which means an increase in the Community's functional scope and/or her institutional capacities.¹⁴ But the government took great care that fundamentals of German politics - particularly in economic questions where Bonn insisted on a course according to the principles of market economy - would remain intact. The failure to establish an Economic and Monetary Union (EMU) as envisaged in the early seventies can be attributed to divergent outlooks in Paris and Bonn. Whereas the Germans regarded economic stability - and convergence towards this end amongst the member countries - as a precondition for an EMU, the French argued that monetary union should and would contribute to generate stability.

The decision of the Schmidt government to set up the European Monetary System (EMS) in 1978 has - against this background - to be understood as politically motivated: Schmidt considered solidarity with other EC partners as necessary investment and disregarded warnings put forward by bankers and representatives of German industry.¹⁵

On another policy field the EC underwent a positive development with active participation of the Federal Republic: Political Cooperation. This is the attempt to achieve common attitudes in foreign policy issues as a basis for future common action. For some observers the EPC (introduced in 1970) does represent a success story of the Community.¹⁶

Membership in the EC - in a period of »positive integration« (which does only refer to attempts aiming at increasing the Community's functional scope and does not say that they have been successful) - means permanent engagement in EC affairs. Those who are engaged are not only government officials but also representatives of socio-political organizations. West German political parties were active in establishing during the mid-seventies EC-wide party organizations and they try to influence performance and development of these transnational party fed-

14 Lindberg/Scheingold use these terms in their definition of integration: »Increases in scope or in capacity will imply System growth, and in our terms System growth will be the same as political integration« (p. 99).

15 Cf. the monograph of Peter Ludlow: *The Making of the European Monetary System*, London 1982, who understands the establishment of the EMS »as an act of high politics« (p. 291), which means that the economic and »technical« aspects of this enterprise were only marginal.

16 The articles collected in Christopher Hill (ed.), *National Foreign Policies and European Political Cooperation*, London 1983, present a more ambiguous picture: clear-cut divergencies coexist with the perception of a limited use of Political Cooperation in so far as it helps to bring forward national interests.

erations.¹⁷ The same is true for pressure group organizations at the transnational level:¹⁸ COPA, the Euro-organization representing farmers interests, is regarded by the German member Organization as an additional instrument to promote its interests.¹⁹ And in UNICE, the European industrial Organization representing the interests of employers and enterprises, the German member Organization is anxious about holding key positions and promoting essentials of its program within the complex decision making System of the Community.²⁰ The German trade unions, as members in the relatively young (founded in 1973, compared with COPA and UNICE which started as early as 1958) European Trade Union Confederation (ETUC), engage themselves in favour of principles they follow domestically; e. g. a cooperative pattern of relations with »the other side«, normally called »social partnership«; or rejection of marxist and communist tendencies in economic, social and political affairs.²¹ Last not least we have to mention the German component in the European Parliament and its political groups; German deputies are consistently active in favour of integration progress.²²

EC politics is not only dealt with at transnational and supranational levels; it is an issue at the national level as well. Within ministries there are special divisions for EC affairs; EC questions affect the relations

17 See *Geoffrey and Pippa Pridham, Transnational Parties in the European Community, I: The Party Groups in the European Parliament, II: The Development of Party Federations*, in: *St. Henig* (ed.), *Political Parties in den European Community*, London 1979; *G. and P. Pridham, Transnational Party Cooperation and European Integration. The Process Towards Direct Elections*, London 1981; and *Oskar Niedermayer, Europäische Parteien? Zur grenzüberschreitenden Interaktion politischer Parteien im Rahmen der Europäischen Gemeinschaft*, Frankfurt/M. 1983.

18 *Emil J. Kirchner/Konrad Schwaiger (The Role of Interest Groups in the European Community*, London 1981) give a general overview.

19 See the comprehensive study of *Barbara Burkhardt-Reich/Wolfgang Schumann, Agrarverbände in der EG. Das agrarpolitische Entscheidungsgefüge in Brüssel und den EG-Mitgliedstaaten unter besonderer Berücksichtigung des Euro-Verbandes COPA und seiner nationalen Mitgliedsverbände*, Kehl/Straßburg 1983.

20 See the study of *Hans Platzer, Unternehmensverbände in der EG - ihre nationale und transnationale Organisation und Politik. Dargestellt am Beispiel des Bundesverbandes der Deutschen Industrie, der Bundesvereinigung der deutschen Arbeitgeberverbände, der deutschen industriellen Branchenverbände und deren EG-Verbandszusammenschlüsse*. Kehl/Straßburg 1984.

21 See the contributions of *Rudolf Steierl* on the ETUC in: *Werner Weidenfeld/ Wolfgang Wessels, Jahrbuch der Europäischen Integration 1980, 1981, 1982, 1983*. Bonn 1981, 1982, 1983, 1984, in which he pays special attention to that aspect.

22 See many contributions in: *Rudolf Hrbek/Jimmy Jamar/ Wolfgang Wessels* (eds.), *The European Parliament on the Eve of the Second Direct Election: Balance Sheet and Prospects*, Bruges 1984.

between the government at the national level and the Länder; implementation of Community legislation does occupy bureaucracies from the national to the local level and the courts of justice.

In sum: membership in the EC has resulted into a pattern of close links and interdependence between the Federal Republic and the EC which can be understood as »concordance System« following the description of Donald J. Puchala.²³ According to that model the EC is a multi-level System with a variety of actors; in a later contribution Puchala stated²⁴ that the EC »had evolved into an equilibrium condition that I called a Concordance System«. When he adds, »not only have the nation-states not become less important as the Communities have evolved, but they have actually become a great deal more important, and, analytically speaking, they have become the key to understanding the EC«, he comes close to Stanley Hoffmann's Statement: »The nation-state has survived as the centre of political power and the focus of the Citizens' allegiance; . . . However, the nation-state coexists with a European enterprise that has limited but real powers.« And, most important and provocative to many, he continues: »The Community helps preserve the nation-states far more than it forces them to wither away . . .«²⁵ No doubt that the Federal Republic, like other member countries, has survived as a »nation-state«, but it is also true that the membership in the EC has served vital national interests.

- 23 In his article »Of Blind Men, Elephants and International Integration«, in: *Journal of Common Market Studies* vol. 10, No. 3 (March 1972), pp. 267-284, he says: »A Concordance System« by my definition is an international System wherein actors find it possible consistently to harmonize their interests, compromise their differences and reap mutual rewards from their interactions.« (p. 277).
- 24 See his paper »Trends in the Study of European Integration: Recent Efforts by American Scholars« presented for a panel organized by the Research Committee on European Unification for the 11th World Congress of the International Political Science Association, Moscow, August 1979.
- 25 See his article »Reflections on the Nation-State in Western Europe Today«, in: *Journal of Common Market Studies*, special issue »The European Community. Past, Present and Future« (ed.: *Loukas Tsoukalis*), vol. XXI, Nos. 1 + 2 (Sept./Dec. 1982), pp. 21-37, here p. 21.

1.4. *National interests of the Federal Republic and West European integration*⁶

As far as West German politicians were concerned their decision in favour of integrating the Federal Republic into Western Europe had been founded on their conviction that integration was not only compatible with principal objectives of the new West German State but would promote their realization. The following objectives can be taken as national interests of that period:

- To guarantee peace and security (having experienced two world wars and being confronted with the Cold War);
- to manage economic reconstruction and recovery;
- to restore the sovereignty, in law and in fact, of the West German State in domestic as well as in international affairs;
- to reunify the separated entities of Germany;
- to build up and consolidate the Federal Republic as a democracy, where State power has to be based on law and where the principle of social justice is a fundamental guideline.

The following balance-sheet will try to answer the question in how far membership in the EC system has affected the realization of these interests.

- European integration efforts have contributed substantially to maintaining peace and security. This is true, first, as far as the relations amongst West Europeans are concerned. Integration has created a »security Community« in the sense Karl W. Deutsch used the term:²⁷ there are binding rules which exclude the possibility of using violence in case of conflicts. These use to be resolved according to accepted rules including legal obligations. There is a network of communication Channels and a pattern of mutual penetration and dependence. The behaviour of the members of this security Community shows that they are aware of this pattern; it can easily be calculated.

Stabilization of the European constellation - between East and West - is another effect resulting from West Germany's integration. In this

26 The following is based on *Rudolf Hrbek/Wolfgang Wessels, »Nationale Interessen der Bundesrepublik Deutschland und der Integrationsprozeß«, in: Rudolf Hrbek/ Wolfgang Wessels (eds.), EG-Mitgliedschaft: ein vitales Interesse der Bundesrepublik Deutschland?, Bonn 1984, pp. 29-69.*

27 See: *Political Community and the North Atlantic Area. International Organization in the Light of Historical Experience, New York 1957.*

context integration means control of the Federal Republic compared with the uncertainties following from the Status of non-alignment or neutrality. There are, furthermore, conflicts outside of Europe; an integrated Community is better prepared to engage in conflict resolution than isolated European nation states.

- No doubt: the EC as a »value-Community« adhering to the ideas of basic human rights, democracy and social justice served as a framework for the development of the Federal Republic and its democratic political culture.
- The effects of the »economic Community« have been positive ones. Economic recovery of post-war Germany would not have been successful without belonging to the OEEC; and membership in the EC gave incentives for the economic development in the sixties and helped managing crises in the seventies. The EC System provides all member countries with considerable bargaining power in international economic relations which is regarded as an asset in a period of growing economic interdependence.
- The Federal Republic could gain sovereignty as an integral part of an international Community whose other members knew about effects of mutual links. It was due to the membership in the EC system (including political Cooperation) that the Federal Republic could widen its freedom of manoeuvre in international relations: the EC System serves as basis and backing.
- German reunification could not be achieved. However, even refraining from European integration would not have brought about German unity at conditions acceptable for the Western allies and the West Germans. Under this premise integration produced some positive results: West Germany's partners recognized her special relations with the GDR (which can be seen in the rules for commercial relations of the two Germanies) and they agreed that Community law should be applied in West-Berlin. And: without the support of her EC partners the Federal Republic would not have been able to pursue the Ostpolitik which in part is intended to help leaving the German problem open.²⁸

We may conclude that membership in the EC System did help realize the major national interests of the Federal Republic in the past.

28 In this context the term and concept of »peaceful change« - as an element of the Helsinki Declaration of the Conference on Security and Cooperation in Europa (CSCE) - is noteworthy; it was due to common efforts of Western as well as neutral and non-aligned countries that this principle was agreed upon.

2. *The Federal Republic's role in the EC - the actual debate*

In the first decade following the establishment of the EC in 1958 the integration process went smoothly and without greater problems. The Situation changed in the seventies. First, three new members - Denmark, Ireland and the United Kingdom joined the Community in 1973 - brought with them particular problems and specific expectations which meant a new challenge for the EC having entered the period of »positive integration«. Second, the oil crisis in 1973 marked the starting point of a period characterized by economic and social strains at a global scale. All EC member countries suffered from the crisis, and problem solving within the Community framework grew more and more difficult. Many observers used the term »crisis« when they tried to characterize properly the actual Situation in the EC. Such crises create a »climate« in which member countries and groups of actors observe each other carefully and with mutual suspicion and criticism. It can easily be understood that big member states are much more exposed to such attention and that - as a reaction - they themselves reflect on their particular role in the Community.

2.1. *Perceptions in neighbouring countries*

It were not only economic and social difficulties in other EC member countries combined with considerations about the policies the Federal Republic should pursue which did generate an intense debate on Bonn's EC politics. The end of detente and West Germany's search for her future role in the East/West-conflict - or rather: discussions of a possible re-orientation - were a second source for discussing the German partner's role in the EC.

Integration had - primarily in France - been intended as means of Controlling the German element, and contributing to security and stability of post-war Europe. Political circles in West European countries - again primarily in France - were concerned about what they understood as tendencies in the Federal Republic to loosen her pro Western alignment or even to renounce it. They thought they could identify here and there a

29 The following is based on a recently published contribution of the author (together with Wolfgang Wessels); see note 26.

longing for escaping the framework of East/West-conflict and achieving a neutral Status linked with perspectives to realize German unification in a totally different political setting. Such a development, they feared, would endanger the relative stability of European Status quo. They observed with great suspicion discussions within the West German peace movement. As a conclusion they questioned reliability and trustworthiness of the German partner. Recent French initiatives to strengthening the EC and developing it towards a more coherent unit are being understood against this background. Again, France seems to play the European card as she did in the early fifties.

The second source generating the debate on Germany's role in the EC has been economic and social challenges confronting the other member countries. They put the question for German solidarity; they criticize tendencies in the Federal Republic to complain one-sidedly about the function of a so-called »paymaster«. And they demand from the strong German economy to function as a »locomotive«: insisting less on stability, instead encouraging more the demand-side on the internal market; and Bonn should increase its financial contributions to the EC budget. Furthermore, West Germany's neighbours complain about economic dominance and insisting on »the German model«.³⁰ They accuse Bonn for following an ambiguous course and lacking credibility: West German authorities would do themselves for what they use to accuse other countries: to give subsidies and make the State intervene in economic affairs.

2.2. *Attitudes and arguments within the Federal Republic*

The debate within the Federal Republic has become ambiguous. There is, on one side, the approval of German EC membership shared by an overwhelming majority. This basic attitude can be found in Statements of all governments, in declarations of the established political parties and the big and influential pressure group organizations. All these actors agree in saying: »There is no viable alternative to EC membership for the Federal Republic.«

30 See *Frieder Schlupp*, »Modell Deutschland and the international division of labour: the Federal Republic of Germany in the world political economy«, in: *Ekkehart Krippendorff/Volker Rittberger* (eds.), *The Foreign Policy of West Germany. Formation and Contents*, London 1980, pp. 33-100.

And the picture of public opinion seems to be positive, as well.³¹ »There is still a majority who would regret the dissolution of the EC (72 per cent in Veen's survey, 51.4 per cent in the Mannheim survey) against an indifferent minority (22 per cent and 40.4 per cent). There is still a majority who regard membership of the EC to be a good thing for the FRG (53 per cent in eurobarometer and 65 per cent in Veen's survey) and who see more advantages (39 per cent in eurobarometer) than disadvantages (24 per cent). Here the Mannheim figures give a totally different answer: only 11.8 per cent see advantages, 28 per cent see disadvantages for the FRG. An explanation for these contradictory figures might lie in different perceptions of the EC; those who see it primarily as a functional economic Community may come to a negative conclusion whereas those who perceive it primarily as a »value« Community, an aspect which Veen stressed in his survey, have good reason for an opposite judgement. According to Veen, European-mindedness did increase steadily: 40 per cent in the autumn of 1983 and 45 per cent in March 1984 felt as Europeans despite the >crisis< in economic and financial matters.«³²

However, there is, on the other side, widespread disappointment and increasing criticism. People - and politicians - criticize the System of CAP (the EC agricultural policy) leading to huge overproduction which consumes about two thirds of the Community budget - a waste of resources in the eyes of most observers. They are grumbling about Brüssels bureaucracy which is supposed - wrongly! - to be inefficient and overmanned. And they become angry about what has been called the »paymaster« - function of the Federal Republic. The relatively low turn-out in the 1984 direct elections to the European Parliament in the Federal Republic (56,8 % against 65,7 % in 1979) has to be seen as product of such a »climate«.

We can identify a much more fundamental criticism against the EC stemming from what Ronald Inglehart has called »the silent revolution«³³

31 Cf. three recent surveys: 1. Forschungsgruppe Wahlen, Mannheim: Meinungen zur Europawahl, January 1984; 2. Surveys done 1983/84 by the Sozialwissenschaftliches Forschungsinstitut of the Konrad-Adenauer-Foundation, summarized by *Hans-Joachim Veen* (»Kein Durchblick, aber dicke Sympathie«, article in *Rheinischer Merkur/Christ und Welt*, May 25, 1984); 3. Eurobarometer No. 21 (May 1984), special issue.

32 *Rudolf Hrbek*, »European Elections: Germany«, in: *Electoral Studies* vol. 3, No. 3 (Dec. 1984), pp. 278-281, here p. 278.

33 Title of a publication (Princeton 1977) with the subtitle »Changing values and political style among Western publics«.

and what appears to be a shift in the value System of individuals towards preferring positions of »post-materialism«. There is growing scepticism with respect to values like material wealth, economic growth and consumption which are being associated with the EC. It was primarily the Greens who did base their election campaign on this line of arguments. »They declared themselves >for another Europe - think globally, act at the local level< (>Für ein anderes Europa - global denken, örtlich handeln<). Their main concern was for peace and disarmament, for an alternative agricultural policy, against capitalist interests and the power of multinational enterprises, for decentralization and efficient protection of our natural environment, against the adoption of a superpower Status for Europe«. ³⁴ With 8.2 per cent of the votes they were remarkably successful.

Amongst the reasons which can explain why the EC has lost attraction and support are: the motivation typical for the early years of European integration has lost its drive; the Performance of the Community is disappointing to many and has a rather demobilizing effect; political and economic developments in other EC member countries are looked upon with suspicion: some German observers are anxious to avoid a spill-over of »wrong« approaches and policies, particularly in economic affairs. There is obviously a core potential ready to question fundamentally future membership in the EC. This was the background for analyzing the Federal Republic's actual interests in the EC System. The result shall be presented in the following chapter. ³⁵

3. *The importance of the EC System for the Federal Republic*

For considerations on the importance of the EC System for the Federal Republic we can distinguish between two aspects or qualities: the EC

³⁴ Rudolf Hrbek (see note 32), p. 279.

³⁵ The analysis was done in a study group established within the framework of the Institut für Europäische Politik, Bonn. The result has been published in a volume, edited by the author and Wolfgang Wessels, *EG-Mitgliedschaft: ein vitales Interesse der Bundesrepublik Deutschland?*, Bonn 1984; the editors are authors of the concluding chapter (»Das EG-System als Problemlösungsebene und Handlungsrahmen - Optionen bundesrepublikanischer Europa-Politik«, pp. 501-542), which summarizes the case studies and considers options of German politics in the EC.

system as a framework for problem-solving in specific policy fields and as an overall frame of reference for the West German polity, its characteristic features and its political activities.

3.1 *The EC System as a framework for problem-solving in specific policy fields*

The conclusion which can be drawn from the analysis of a series of policy fields is that EC membership does not violate interests of the Federal Republic and that she was not expected or obliged to make undue sacrifices in favour of the Community and integration progress. The EC framework has not proved to be irrelevant; where it did not yet contribute substantially to problem-solving one can attribute it to potential future effects; in other words: there are not yet exhausted possibilities for communitarian action.

As far as advantages of EC politics are concerned the balance-sheet from a West German point of view shows an ambiguous picture, or better: is being perceived differently. We are familiär with such patterns of reaction and behavior from experiences in the nation-state: which group of actors affected by political decisions (or: non-decisions) would admit to be satisfied? There are fields where the Federal Republic did profit from Community politics (e. g. West Germany's industry gains from a big European market). And in other fields German actors managed - or have tried - to adapt themselves to EC realities and rules successfully (e. g. the German farmers proved themselves to be very clever in exhausting all possibilities the common agricultural policy did offer them and gave the lie to those who had expected disastrous consequences of CAP for German agriculture; or, as in the case of the EMS, the Federal Republic combined active participation with adopting a defensive attitude and behaviour).

The following considerations of German actors may explain why they attribute to the EC framework only a limited function and use for efficient problem-solving. As there are diverging principles throughout the Community - esp. in the management of economic affairs - German actors tend to prefer efforts and Solutions at the national level where they can follow their preferred guidelines and norms. Then we can find in the Federal Republic the argument that other EC member countries are not prepared for efficient communitarian strategies and activities in specific policy fields. Third countries are regarded as superior to (some) EC partners in this respect. Furthermore, there is criticism against the Bruss-

eis bureaucracy which is being made the scapegoat for deficiencies for which in fact the governmental side of the EC decision-making System is much more responsible. And there is the conviction that for specific concerns frameworks other than the EC remain essential (e. g. in questions of commercial relations the Federal Republic cannot and will not accept absolute priority for the Community, as she is dependent to a certain degree on the world market; or in the field of - military - security, where attempts for better coordination amongst Western European countries do not imply - according to West German interests - tendencies to prepare a Substitute for NATO but rather to establish new links between the USA and the Western European component of the alliance). Another conclusion from the analysis of a series of policy fields is that the expected effect of internal rationalization - for which a bigger unit offers good chances - leaves much to be desired. In other words: there are areas with promising but not yet exhausted possibilities (e. g. high technology, energy, large-scale research, protection of the environment are fields in which communitarian efforts should be made).

There seems to be consensus that the Community's bargaining power in international relations can be regarded as an asset for the member countries, including the Federal Republic. Even a medium size country takes profit from belonging to a greater unit; she can hide herself »behind« the others. This advantage, however, is linked with the possible disadvantage being made responsible for Performance and activities of the Community in international affairs.

3.2. The EC System and principal objectives of the Federal Republic in the eighties

The importance of the EC System for the Federal Republic is highly dependent on its contribution for the realization of her principal objectives, her »national« interests. A list of such objectives has been given in a previous paragraph; there they had been formulated in the perspective of post-war needs. In general, the elements listed remain valid, they only need some actualization.

- The first aim is to maintain peace and security and organize the coexistence of nations and countries in the whole of Europe according to the perspective of the Helsinki Declaration. An isolated national strategy has to be excluded as a promising approach; the Federal

Republic is dependent on being integrated in a Community of countries with the same political System. In this respect the EC System represents now and in the future a »security Community«; a close network of communication Channels does help avoiding misunderstandings, mutual irritation and contribute to maintaining a sense of reliability and trust amongst the member countries, thus stabilizing the all European constellation. Successful Ostpolitik, which will remain a major concern for the Federal Republic needs support from her partners. No doubt, the Community is better able to deal with problems and conflicts in the Third World which might affect European security interests compared to isolated national activities. Steps towards improving the mechanism of Political Cooperation are regarded as favourable for German interests. Last not least: defense issues can be found on agendas in the EC context. The Federal Republic having denied any national approach and ambition in this field, must be interested - given her geographical Situation in the actual East/West constellation - in influencing efforts to reform structures which might be decisive for her security in future years.

The second aim is to guarantee economic well-being; today this has to include the consideration how new needs (social security and full employment; protection of the natural environment; development of Third World countries) can be met best. The Federal Republic will continue to need the internal common market. Here some observers see a dilemma for Bonn if the Federal Republic was expected to accept and join a more protectionist course of the Community as the price for the advantages of the internal market. Bonn will have to try finding a balanced Solution which shall at the same time consider needs of some partners and be compatible with her own interests. There is consensus about the chances stemming from the potential lying in the EC framework, as was described above. Belonging to the economic Community and strengthening it gives manifold opportunities for influencing attitude and behaviour of the partners.

Membership in the EC System reduces formally the freedom of action; in practice, however, it opens the Federal Republic new possibilities to bring forward her own concerns.

A Solution of the German question - the forth aim - which means primarily to give the Germans the right of self-determination or, in other words, to overcome the present unnatural neighbourhood between the two Germanies (with an impermeable and martially guarded

frontier and severe restrictions for free communication of individuals in both directions), can be achieved, if at all, only with the consent of Germany's European neighbours. The overwhelming majority of Germans are aware of the fact that only Europeanization of the German question is a viable perspective. Adequate consideration of the interests of these neighbours is a precondition for attempts aiming at a Solution which has to be looked for within a European framework. The re-establishment of a German nation State cannot be a realistic goal any longer, nor should European integration be regarded as counter-productive to a satisfactory development of the German question. One should not forget that two former Occupying Powers who still hold responsibility for affairs affecting Germany as a whole (cf. the Four Power Agreement on Berlin of 1971) are EC member countries and that West-Berlin does need for her survival as a free political entity to be integrated into the Western Community including the EC framework.

- The EC as a »value Community«³⁶ serves the aim of strengthening and developing the Federal Republic's political system. And second: West European societies are confronted today with challenges affecting their value Systems. Such challenges might emerge within individual countries but the Community framework will have a strong impact on the eventual development.

We may conclude: the EC system does and shall contribute to realizing »national« interests of the Federal Republic.

3.3. *The EC system as an overall frame of reference for the Federal Republic*

The reflections in the previous paragraph allow us to conclude that an evaluation of the EC system based only on its effects for selected sectors would be insufficient. Its function for the Federal Republic goes far beyond having limited use for particular policy fields: it does represent

36 See for example the 1973 Statement of Foreign Ministers on European Identity; the 1978 Declaration of the European Council on Democracy; numerous resolutions adopted by the European Parliament; the Stuttgart Declaration of the European Council of June 1983; or the Draft Treaty Establishing the European Union adopted 1984 by the European Parliament. All these documents refer expressively to basic values like human rights, democracy, social justice and rule of law.

the overall frame of reference for the West German State, its political system and its development. A pattern of rules - explicit and codified but also implicit and tacitly understood - and behaviour did emerge within the EC system; this pattern can be labelled as an »international regime« according to the interdependence theory.³⁷ It is this quality of the EC system which in the light of historic experience will remain of central importance for the Federal Republic. Belonging to that kind of framework does offer security to the Germans and her neighbours as well.

3.4. *The relationship between the two qualities of the EC system*

There is a close connexion between the two qualities of the EC system: The image of the Community will suffer if its capacity for problem-solving were insufficient. The frame of reference will remain stable only when impending problems are met efficiently. This is true particularly with regard to issues which are given high(est) priority and which need to be solved convincingly. The reverse is true as well: the ability to solve problems will suffer if the overall framework would break or its coherence and stability be reduced.

The conclusion for Bonn's politics in the EC is: the Federal Republic has to contribute to the Community's ability to problem-solving which does require German »Investments« into the EC system; otherwise she runs the risk to lose the advantage of the overall framework which would do harm to German »national« interests. The question arises: which strategy should the Federal Republik pursue and are there alternative options?

4. *Bonn's EC politics in the late eighties: options and strategies⁸*

There are, broadly speaking, two dimensions where the EC system could be developed further: in its functional scope and its institutional capacities; both dimensions are closely interrelated since both have to do with efficient problem-solving. Imagine the Community had legal competences

³⁷ Puchala in his 1979 paper does apply elements of the interdependence concept to the EC.

³⁸ This chapter draws from the author's contribution mentioned in footnote 35.

in specific fields but decision-making would be blocked - for whatever reason -, then the respective problems would remain unresolved. Or, the Community was not yet given power in specific sectors: even working Community institutions were unable to tackle problems in those fields. Most observers of the EC-system agree that since the years 1979/80 the Community has been paralyzed primarily by deficiencies in the decision-making system: they refer to the habit of member governments - which has meanwhile developed towards a rule - to use the Veto, thus violating the norm of applying the majority principle in many cases as set up in the treaties; or to the reduction of the Commission towards an international secretariat instead of a Community institution exerting the right of initiative and functioning as engine of the integration process.

The conclusion for a German policy of investing into the EC system: Bonn should try to overcome these deficiencies and contribute to improving the decision-making capacity of the EC machinery. The initiative taken by West German Foreign Minister Genscher in 1981 went in this direction. His objectives: strengthening Commission and European Parliament (as an additional driving force), making the Council of Ministers more efficient not by enforcing majority decisions - in case of crucial issues (e. g. decision on new policies, on enlargement, on financial contributions) the treaties do demand unanimity - but by introducing procedures which should make it more difficult for member governments to use the Veto even in minor cases. The outcome of his initiative was disappointing: some member countries refused agreement with these rather modest proposals.³⁹ And there is little hope that two years later an agreement could be reached easier.⁴⁰ One should not forget, however, that deficiencies in the decision-making system of the EC do reflect a lacking sense of solidarity amongst the member countries, resulting from diverging interests and attitudes.

A second »investment« could be forwarded in the Community's functional scope. No doubt, there is a broad field of possible activities which in the Federal Republic are given high priority, e. g. measures to protect

39 The so-called Stuttgart Declaration, adopted by the European Council at its meeting in June 1983.

40 The European Council at Fontainebleau in June 1984 decided to set up a special committee on institutional questions (»Doooge Committee«) which presented an interim-report to the European Council in Dublin in December 1984. Therein are reflected the still existing divergencies in attitude towards Community development (cf. more than 30 footnotes expressing reservations, especially made by the representatives of Denmark, Greece, UK and Ireland).

the environment, Steps towards economic convergence, projects in modern technology. But Bonn cannot expect all partners in the EC to follow with enthusiasm respective proposals since not all countries are either Willing or able to do so. Greece for example does insist on a comprehensive Mediterranean program which would contribute to narrowing the gap between the rich North and the less developed South of the EC, let alone the general attitude of the present Socialist government towards the integration progress. But even in case Socialist leader Papan-dreou would lose the next general elections to be held in 1985 and be replaced by the liberal-conservative Mitsotakis of the New Democracy party which is much more positive towards the EC and integration progress, Greece would have great difficulties joining ambitious and costly projects in high technology.

It is against this background that alternative strategies are being discussed. The Federal Republic or German actors are not authors of such alternatives - their origin lies sometimes in the dark; they do appear and are then subject of general consideration - but she has to make up her mind about them. We will check them briefly.

- The Option of strengthening intergovernmental bargaining would mean further weakening the Rome-system which in principle provided some balance between Community institutions. This Option would be at the expense of Commission and European Parliament - let alone the Economic and Social Committee - and would not be compatible with German interests: as the Option would result in the abolition of the EC system as a stable framework on a legal basis.
- Another Option would have the same result (weakening or abolishing the framework of a Community with legal obligations as described above): to establish a multilateral steering group of the big member countries (the French term »directoire« may remind of de Gaulle's concept for re-structuring NATO by having a trilateral institution of that kind) and give them the say in EC affairs. Such »reform« would in the medium or long run inevitably lead to dissolving the EC-system since the smaller countries cannot be expected to agree with being discriminated and marginalized. Experience in Community development tells that relations between small and big countries and the small's perceptions of that relationship are a highly sensitive issue."

41 A Symposion of Europeanists, assembled in TEPSA (Trans European Policy Studies Association), met in July 1984 at Cork University (Ireland) to deal with this issue, prepared by the Irish Organisation.

- A growing number of Europeanists do advocate French-German bilateralism as the most promising Option. They can refer to historic experience: »the >Franco-German axis< has kept the European enterprise going«.42 And indeed, there was integration progress only when these two countries went together: this was true for the Schuman Plan as it was for the EMS; on the other hand, EDC failed due to French Opposition and the EMU project in the early seventies could not be launched successfully since both governments disagreed on its premise. They are the key members and some attribute to them the role of a federator. No doubt, they are best prepared to give incentives; but advocating French-German bilateralism goes far beyond: many understand it as an alternative to the Community of Ten or at least as a coalition able to push the other more reluctant EC members in whatever direction of EC-development. This expectation is, however, over-optimistic and underrates diverging attitudes towards policy objectives (incl. their priorities) and instruments to achieve them, as well (e. g. the field of external trade where France argues in favour of more protectionist measures combined with what she calls »Community priority« whereas the interests of the Federal Republic require openness towards third countries (and their markets); or the field of defense and military security where France is not yet Willing to extend protection - and guarantee - provided by her nuclear deterrent force to the West German territory; or the issue of lead-free petrol combined with catalyst-equipped cars which is given high priority and much public attention in Germany whereas France does exploit all possibilities inherent in the Community law to postpone the implementation of such innovation for egoistic economic reasons).
- The European Parliament is offering another option: when the majority of the Strasbourg Assembly adopted early in 1984 a Draft Treaty Establishing a European Union it called for a European Constitution.43 The overwhelming majority of observers agree that the initiative is too ambitious and has no chance in the foreseeable future to be accepted (= ratified according to the respective constitutional provisions) by all 10 member countries. Denmark for example would refuse any such far-reaching step.

42 Stanley Hoffmann, »France's Relations with West Germany«, in: German Studies Newsletter (issued by The Center for European Studies, Harvard University), Febr. 1985, No. 4, p. 5.

43 See the contribution of J. Schwarze in this Conference.

The Option of returning to the core area of the original Six seems, against this background, plausible. Those in favour of it do intend to revitalize the Rome-system with a limited number of participants. The option implies to admit that enlargement had been wrong; and it implies to expel the four new members (furthermore to refuse Portugal and Spain admittance) - a step which has no legal basis in the treaties. Realizing the option would mean a radical Solution and an expensive one, since the »reconstruction« of the EC system could be carried through only on the price of costly compensations for those leaving. There are doubts whether a Community of Six were to meet German interests: what about the stability of the new framework; what about security policy as a communitarian issue if the UK were to be outside?

Wouldn't it be promising to put pressure on reluctant members by threatening them with such options - to continue integration in a core area, to Start with French-German bilateralism or the multilateral steering group approach? A threat needs to be credible and here lies the weakness of such a »bluff«-strategy: there are considerable doubts as far as the determination of those is concerned who would exert pressure to follow actually the announced course.

This is true as well for another option: disengagement or even withdrawal of the Federal Republic from the EC system. The other members know very well about Bonn's dependence on the EC in its two qualities. As this option is not viable it cannot be used properly as a credible threat. Interdependence, at least amongst the core area of the original six EC member countries, has reached an intensity which does exclude efforts to cut the links.

As none of these options offers a convincing concept there seems to remain only one Solution for the EC system's practical Performance: »muddling through«. Implications and consequences of that »normal« method of managing Community affairs are: postponing problems or package deals. For the Federal Republic muddling through would mean maintaining the overall framework but no efficient problem-solving. As we have pointed out earlier the framework will suffer and lose its appeal if the EC system proves itself unable to meet expectations of the population (= electorate) for the problem-solving. Muddling through cannot be expected to generate support for the EC system but rather a feeling of disappointment and aversion which politicians cannot and will not ignore permanently. We may conclude that in a period characterized by economic and social difficulties and severe challenges

confronting the countries and their societies muddling through cannot be regarded as an adequate strategy and behaviour. This explains why several alternative strategies mentioned above did appear on the agenda of the EC System.

- There is an ultimate Option thought to escape the present dilemma, overcome apathy (combined with frustration and helplessness) and prevent the EC system from being eroded further and further: Two-or-Multi-Tier Integration. The Belgian politician Tindemans, former Prime Minister, in his 1975 Report to the European Council on European Union, had proposed

»that in the Community framework of an overall idea of a European Union . . . and on the basis of an action program established by the Community institutions for a certain policy area and which has found the general agreement of all,

1. those countries which are able to proceed should be obliged to proceed,
2. those countries which have objective reasons, acknowledged by the Council on the proposal of the Commission, not to proceed further, should lag behind,

while receiving the other countries' aid and assistance . . . in order to be able to catch up with them; and while participating in the Community institutions in the assessment of the results achieved in the respective area.«⁴⁴

Since then a debate has taken place about variations of that approach. The main idea has been to enable the integration progress at least among those member countries who share parallel interests and are prepared to proceed as a Community »sub-system«. The concept of two-or-multi-tier integration can be defined as follows:

- »In the interest of the progress of EC integration, objectives are agreed upon at the Community level.
- At the same time all member countries accept that the policy to attain the goals is at first implemented by some member countries only, the others being authorized to stay aside for an indefinite - but not unlimited - period of time or to refrain from participating.
- The socio-economic differences or other objective obstacles which give rise to this two-or-multi-tier approach are to be reduced in the

44 Quotation in: *E. Grabitz* (ed.), *Abgestufte Integration. Eine Alternative zum herkömmlichen Integrationskonzept?*, Kehl/Strasbourg 1984, p. 27. This is the first comprehensive analysis of the concept, containing English summaries for each chapter.

course of time by Community and/or national measures so that the aspired goal of integration can be attained by all member countries.«⁴⁵

Those who favour this approach underline that it would apply to new policy fields only and leave the »acquis communautaire« untouched; they stress that »by setting the goals jointly on the Community level (example: EMS) a possible undermining of the Community system and a violation of solidarity will be prevented.«⁴⁶

There are a number of objections to that approach or at least critical questions expressing concern about its implications for the EC system as a whole; e.g. that »the pressure on member countries to seek common Solutions which are acceptable to all would be lessened«; that the concept might eventually »threaten the >acquis communautaire««; that »legal unity and its guardian, the European Court of Justice, may lose its strength«; that »the role of Community institutions may be weakened, esp. if arrangements are made on an intergovernmental level«; that the crucial question how to reconcile financial needs of the sub-group and the Community as a whole has to be answered satisfactorily.⁴⁷ All these points would have to be clarified before two-or-multi-tier integration could be adopted as a complementary integration strategy agreed upon by all members.

Given the dilemmas in Community Performance and development described above the concept - »a typical second-best Solution« compared to the approach towards complete integration⁴⁸ - looks promising for the Federal Republic provided that all critical problems could be solved satisfactorily; the overall criterion for Bonn would be to keep the EC system as a general framework. But what will happen if no agreement could be reached amongst the Ten to use this approach? There seems to be no alternative to continue with muddling through and deal with different issues on the agenda of the EC system: e.g. the prices for agrarian products have to be fixed for 1985; the gap in the 1985 budget has to be filled; agreement on the introduction of lead-free petrol and the catalyst-equipped car has to be reached; and the accession of Portugal and Spain has to be decided upon - these are only few of the impending issues.

45 According to *Grabitz*, p. 28.

46 *Grabitz*, p. 29.

47 *Grabitz*, p. 29/30.

48 *Grabitz*, p. 384.