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1

Introduction: Britain and Germany in the European Union of the Twenty-First Century

The European Union (EU) is a unique organisation in which fifteen member states pool parts of their national sovereignty in order to co-operate within a framework of supranational institutions and policies. Initially, the pooling of sovereignty was limited to specific areas, such as coal and steel (European Coal and Steel Community, founded in 1951), and nuclear energy research and development (Euratom, founded in 1957). However, over the years the development of European integration has resulted in the creation of an ever more complex institutional and procedural framework which provides for the implementation and maintenance of common policies across a broad variety of industrial, political and economic areas.

After the 1957 Treaty of Rome created the European Economic Community (EEC) and triggered moves to standardise external tariffs, there followed a period of relative inactivity in the 1970s. Despite this, economic pressure to realise the benefits of a common market led to the Single European Act in 1987, which in turn led to a realisation that increased political and financial co-operation would be required to manage the new Single European Market. A realisation that was eventually expressed in the 1992 Treaty of Maastricht, which represented a major step towards the economic and political integration of the Member states, rather than merely providing a framework for simple co-operation. The Maastricht Treaty established the EU, based on a temple structure with the supranational European Community (EC) pillar, supported by two intergovernmental pillars to co-ordinate Common Foreign and

Security Policy (CFSP) and Justice and Home Affairs (JHA). The supranational character of the Maastricht Treaty is demonstrated by the fact that it presupposes the gradual transfer of the two intergovernmental pillars of CFSP and JHA into the supranational EC pillar. This literally means that more and more common EU policies and institutions in the areas of foreign and security, justice and home affairs are meant to be developed. Moreover, the Maastricht Treaty created the Committee of the Regions which provides for direct regional representation at the European level, bypassing the constraints of nation-states. With Economic and Monetary Union (EMU), Maastricht also set in motion and provided the time frame for the completion of the first major integrative project of the EU – the creation of a Single European Currency. This project was realised in January 2002, when eleven member states joined the new currency zone and surrendered currency control to the supranational European Central Bank in Frankfurt, which was established in June 1998.

Although it is mainly an economic project, the political and fiscal implications of EMU cannot be overlooked. The participating thirteen member states will definitely have a greater say on the general development of the future integration process, as many monetary issues will be decided primarily among the member states of the eurozone. The creation of the Single European Currency has led to a debate on the need to standardise fiscal policies, which would in turn fundamentally affect the ability of member state governments to finance their domestic political priorities. Both Maastricht and the succeeding treaties of Amsterdam (1997) and Nice (1999) have also led to the extension of qualified majority voting (QMV) to an increasing number of areas, not only to enable a more effective management of the Single European Market and currency zone, but also to facilitate decision making within the EU as a whole (Weidenfeld, 1998, pp. 19–85; Weidenfeld, 2001, pp. 11–51).

This continuing development of the European integration process since the 1950s has been stalked by a theoretical dispute over the question of who is actually in charge of it. There is no doubt that the origin of the integration process stemmed from the initiative of a group of individual, West European nation-states. Member state governments have therefore dominated the strategic integration process right from the beginning.

However, at a tactical level, the challenge has arisen to try and assess to what extent supranational actors and institutions have gained control since their inception managed to wrest control of policy and institutional evolution away from the nation-states and their representatives. If it is accepted, that to some degree supranational authorities have gained

control of the process and management of European integration, then this raises the question whether the European integration process has turned into a quasi-automatic development, in which the move towards economic integration has inevitably triggered moves towards closer political integration, primarily managed by Community institutions rather than member state governments.

The main matter of dispute among analysts of European integration therefore continues to be the question of national autonomy. Are the member states still autonomous in their decision making with regard to how much of their sovereignty is transferred to the community level or are an increasing number of responsibilities from the originally fully autonomous member states gradually being taken over by the supranational community institutions?

This has been the main subject of controversy between the two major opposing strands of European integration theory, the state-centric theories on the one hand and the supranational theories on the other hand. The former are united in their view that the process of European integration has mainly been shaped by fully sovereign nation-states and their governments and that they remain fundamentally in control of the whole process. In contrast, the supranational theories argue that the control exercised by the member states is gradually, but inevitably being eroded away by the integration process and more exactly the needs of supranational institutions created to manage the Community (such as the Commission, the European Parliament, the European Central Bank and the European Court of Justice).

The debate about the definition of the integration process will go on as long as the process of development for the institutional and procedural framework of the EU remains in flux. The last fifty years of theoretical discussion have been dominated by mutual accusations of presenting an unbalanced view, made on all sides of the analytical spectrum. The continuing institutional and procedural changes of the Community framework, which have become ever more complex due to the major treaties of the late 1980s and 1990s (Single European Act, Treaties of Maastricht, Amsterdam and Nice), have not made it easier for analysts to achieve a common analytical basis. Due to the complexity of the European integration process, all strands of integration theory have made more or less valid contributions to the analytical debate and all have shown strengths and weaknesses.

Intergovernmentalists are right to insist that it would be premature to write off domestic preferences as the crucial basis for the integration process. Neofunctionalists have made an important contribution to the

debate when they showed that in the course of the integration process, non-state actors have increasingly managed to influence the decision-making process.

Although still controlled by the member states, the impetus for the deepening of the integration process has therefore very often been fundamentally influenced by transnational actors, a point which is often neglected by state-centric approaches. The more recent explanations of the Community as a system of multi-level governance have developed this neofunctionalist notion further. They have shown that national governments have had to accept the fact that they would no longer be able to control every aspect of policy outcomes on the micro-level of policymaking. For a study which intends to examine the significance of member state preferences for the development of the integration process in general, it is of crucial importance to establish how far these preferences still matter in the present setting of the EU. The question, therefore, is to what extent individual member states are still able to influence crucial decisions which determine institutional, procedural and major policy developments?

At present, the general consensus among most analysts in this respect seems to be the need to differentiate between the micro-level of day-to-day policymaking and implementation, and the macro-level of decision making regarding further integration and institutional changes. On the micro level, member state representatives are undoubtedly no longer the only crucial actors.

As member states have voluntarily agreed to transfer growing parts of their formerly sovereign national policymaking powers to the Community institutions, the micro-level of policymaking (i.e. excluding fundamental decisions) can be characterised as one of shared competences among multiple actors. On this basic policymaking level, member state representatives in the Council co-operate with the European Parliament (EP), the (ECJ) European Court of Justice and the Commission, the latter of which has gained an increasing scope to act independently in a number of policy areas.

At least in terms of the micro-level of policymaking, it would hence probably be wise to adapt the notion of 'post-sovereignty' (Wallace, 2000, p. 532) or 'autonomy' (Rosamond, 2000, p. 155) with regard to the status of member states. On this level of day-to-day policymaking and implementation, member state representatives still have a crucial say, but they have to accept that the outcome of the process will be significantly influenced by other supranational players on the Community level. Consequently, it would be wrong to suggest that this multi-level

process of EU policymaking leaves member states in an equally sovereign position to the one they were in before they entered the integration process. The fact that Community policies and law have to be implemented by the member states, once the policymaking process has been completed, shows that member states possess only semi-sovereign authority in this respect.

It is also important to note that Community law even takes precedence over national law, which means that member state governments have to abide by the rulings of the European Court of Justice in terms of treaty and policy interpretations (Weiler, 1999, p. 67 and pp. 190–201).

Member states have therefore accepted that the pooling of sovereignty as part of the European integration process includes the fact that the institutions of the EU have the powers 'to make directly applicable law within a broader sphere of competence, law which takes precedence over the law of the member states' (Forsyth, 1994, p. 57).

On the other hand, the macro-level of EU decision making shows a different picture. Contrary to the expectations of the supranational accounts of European integration, the member states are still in firm control of the fundamental decisions regarding the future of the integration process. None of the supranational EU institutions has the power to implement major treaties or to make fundamental decisions on EU policies, without the unanimous consent of (at least a majority of) member state representatives in the Council. Therefore, neither the Commission, the EP nor the ECJ can expand their own powers if member state governments do not agree. The Community institutions have so far only gained greater power, because member state governments were ready to grant them as part of major integrationist treaties, like the Single European Act and the Maastricht Treaty. Any future changes towards the further deepening of integration, which would lead to further transfers of powers to the supranational institutional level of the EU will therefore depend on the consent of the member states. Contrary to neofunctionalist assumptions, so far member states have not been willing to hand over the control of the integration process to the supranational level. Even though they have agreed to decide an increasing number of issues by qualified majority voting (QMV) and accepted the institutionalisation of a growing number of policy areas on the Community level, they remain firmly in charge in terms of major developments. As Stephen George puts it, 'states possess formal sovereignty, and only the recognised legitimate representatives of the state can agree to surrender or "pool" that sovereignty' (George, 1996, p. 54). Simon Hix stresses that 'the EU governments set the long-term

policy agenda (...), they also control the delegation of powers to the European level and between the EU institutions' (Hix and Goetz, 2001, p. 6). Joseph Weiler goes even further by hinting, that apart from the consent of the member state governments, treaty changes also have to be ratified by the national parliaments of all member states, which stresses that the domestic arena remains an important area of analysis, even beyond the general national government preferences (Weiler, 1999, p. 80).

While the micro-level of policymaking demands a multi-level perspective, which takes the variety of state and non-state actors into account, the macro-level, on which the major developments of the Community framework is decided, is still mainly driven by a process of interstate bargaining. In order to determine the future direction of the integration process in terms of the various essential decisions, a profound comparative analysis of the preferences, which are developed at the domestic level of each member state, still offers the most valid results.

The various interests which influence the formation of national government preferences on the domestic level of each member state, which increasingly includes non-state actors such as transnational business groups, have to be considered. Only by taking them into account, is it possible to fully grasp why states put forward certain positions in the interstate bargaining process at Intergovernmental Conferences (IGCs) and in the Council.

While the increasingly complex policymaking process is no longer fully controlled by the member states, the general strategic decisions nevertheless remain firmly in the hands of the national political leaders (Wallace, 2000, p. 528). Contrary to the widespread discussion about a 'federal Europe', in which it is claimed that more and more powers would be transferred from the member states to the EU bureaucracy in Brussels (Vandamme, 1998, p. 146), the EU in its present form can be best described as a confederation of essentially autonomous member states. Although the member states of the EU have agreed to the partial pooling of sovereignty in certain policy areas and have also accepted the supremacy of EU law over national law, the EU has so far not developed into a fully federal state. A federal state structure would demand much greater powers for the EU institutions than they own under the current treaty structure (Pinder, 1993, p. 62).

Neither the Amsterdam nor the Nice Treaty has provided such steps. The EU in its present setting remains a confederation of member states who have partially pooled their sovereignty in an institutional framework.

This can be best shown by the weakness of the EP. Although the Commission increasingly takes on the shape of a European executive, the EP does not possess the independent legislative powers of most national parliaments. The legislative powers rest with the member states in the Council, while the EP currently is limited to a mainly advisory role under the legislative process of co-decision. The weak standing of the EP is therefore typical of a confederation. The development of the EU into a fully federal government would demand a further distribution of powers from the Council as the current principal decision making body towards the Commission, the EP and the ECJ. It would also require a substantial transfer of crucial national sovereign policy areas towards the EU level, such as taxation and foreign policy (Vandamme, 1998, p. 152).

Member states may of course at some point in the future decide to further restrict their own powers further and transfer more responsibilities to Brussels. As a result, the EU as a supranational organisation would then indeed adopt state-like qualities. This would however also demand substantial cultural changes in Europe. The citizens of the EU member states do not share a common European language. The latter is nevertheless the prerequisite for the foundation of any functioning state. A federal European 'superstate' could therefore only be built on a common language and on the shift of the patriotic loyalties of the EU citizens from the national level towards the Community level. The role of a common language as a bond between the cultural differences in Europe would be indispensable to achieve the latter and federal states have rarely been established on a set of different languages (Siedentop, 2000, p. 12).

In the first decade of the twenty-first century, the EU is still an organisation in which national egos and vanities frequently dominate and disrupt the common agenda. To the despair of many Europhiles, EU summits and Intergovernmental Conferences continue to be dominated by long-winded processes of member state bargaining. Member state governments and representatives consequently look for like-minded partners, who share their domestic interests and preferences on specific issues.

In the original EEC of the six, it had been relatively easy for the Franco-German partnership to dominate events and convince the other members to follow their agenda. The 1963 Elysée Treaty marked the institutionalisation of the co-operation between both countries as the basis for the EEC, based on regular bilateral consultations between French and German leaders on the highest diplomatic level. The West

German Federal Republic used the partnership with France to convincingly reintegrate into the community of democratic nations. West German leaders also wanted to exercise as much sovereign control over their country's internal and external affairs as had been possible under the restrictions of the reserved rights of the Allies. The partnership offered the semi-sovereign West Germany the chance to lead Europe as the junior partner in a bilateral leadership alliance with France. West Germany hence managed to exercise strong influence on the institutional shape of post-war integrated Europe.

For France the importance of the partnership with Germany lay in the fact that it enabled French policymakers to successfully block German attempts to go it alone in Europe. Even more importantly, it allowed France to take on the leading role in the EEC, while at the same time managing to secure a share of Germany's post-war economic success. Rather than a genuine document of shared interests and friendship, the Elysée Treaty consequently became a symbol for the mutual post-war dependence of both countries (Guyomarch, Machin and Ritchie, 1998, p. 10). Until German reunification, France and Germany had found a *modus vivendi* in Europe. It prevented any major public disagreements between French and German leaders, and led to a number of significant bilateral initiatives like the European Monetary System (EMS) in 1979, which significantly advanced the process of monetary integration. Predominantly under the leadership combination of Schmidt/Giscard in the 1970s and Kohl/Mitterrand in the 1980s, the Franco-German partnership was based on personal friendships, which resulted in the characterisation of the relationship as an 'axis' or 'alliance'.

The end of the Cold War and the resulting reunification of the two German states had a profound impact on the Franco-German partnership. The then French president François Mitterrand had managed to link his consent to German unification during the 2 + 4 process¹ with demands for an irrevocable embedment of the unified Germany in a deeper European integrative framework. Chancellor Helmut Kohl consequently agreed to the concept of the EU set out in the Maastricht Treaty. It led to a complete overhaul of the Community's institutional setting, and also pooled a greater amount of national sovereignty on the Community level than ever before.

The complicated and bureaucratic institutional and procedural structure of the EU, which was set out in the Maastricht Treaty was very much inspired by the structures of the French state. French leaders clearly used the opportunity of Maastricht to make sure that they

would maintain a strong influence over the internal affairs of the reunified Germany (Siedentop, 2000, p. 115). The integral part of Maastricht, EMU assisted French leaders in their attempt to irrevocably integrate the economic power of the unified Germany. This secured a fair share of German economic productivity for the French economy.

The widespread domestic German view of Maastricht as an undemocratic 'monstrous packet', as characterised by former Chancellor Helmut Schmidt (Schmidt, 1993, p. 214), and the negative public opinion towards EMU,² forced the German political elite to show a more self-confident attitude towards French demands in the aftermath of Maastricht. The Kohl administration tried to counter accusations that it had been walked over by the French during the Maastricht negotiations by showing a toughline regarding the details of EMU. Consequently, not only did it reject French demands for a politically controlled European Central Bank, but also insisted on the inclusion of a stability pact with rigid convergence criteria. As a result, the post-Maastricht period clearly showed a change of balance in the relationship between France and Germany. The larger Germany had to take into account the domestic concerns and considerations that emerged from the process of inner reunification and could no longer simply follow French demands.

German European policy consequently became more self-centred and focussed on national interests. As a larger country with greater political weight, Germany had outgrown its junior partner role within the Franco-German partnership, and was now of equal political rank. After Maastricht, Franco-German compromises on European policy issues became much harder to achieve. With German leaders no longer willing to agree with their French counterparts simply for the sake of maintaining their partnership (Cole, 2001, p. 68), the quasi-automatic Franco-German consensus in Europe came to an end. The wrangling over the arrangement of EMU and the European Central Bank which dominated Franco-German encounters in the aftermath of Maastricht,³ showed that French and German interests increasingly diverged. French leaders found it extremely hard to accept the new German self-confidence, which in 1998 the then French foreign minister Hubert Védrine described as: 'Germany (...) is as France is: it does what it has to do' (Europa Union, 2000, p. 163).

The change of leadership in Germany following the 1998 general election, which brought a younger and much more pragmatic political generation to power, did not help improve the state of Franco-German

relations. The new Chancellor Gerhard Schröder stressed that his government would try to find a new balance between the costs and benefits of European integration, which would have 'to reduce the German net burden to a fair level'.⁴ Schröder also emphasised that he would prefer to open the Franco-German leadership tandem to new partners like the United Kingdom.⁵ His foreign minister Joschka Fischer irritated French leaders by giving a self-confident speech to the Humboldt University in May 2000, where he laid out his personal vision of the future of Europe.⁶

The French, who held the EU Council presidency in the run-up to the crucial intergovernmental conference in Nice in December 2000, considered the timing of Fischer's speech to be an unwelcome interference in their preparations for the conference (Schild, 2001, p. 3). The harsh French reactions towards Fischer's speech, which peaked in the accusation made by the then French interior minister Chevènement that 'Germany had not yet overcome Nazism'⁷ clearly showed the difficulties France had with the more self-confident attitude of the larger Germany. Due to the continuing disagreements between them in the run-up to the Nice IGC, the French and German governments were unable to present a common position paper on the crucial issues that were on the Nice agenda.⁸ This was a clear breach with tradition, and had not occurred for many years. During the IGC itself, the German government fundamentally disagreed with the reform proposals the French presidency laid on the table. Schröder was particularly irritated by the French refusal to abandon their insistence on the parity between the two countries regarding the number of votes in the EU Council.⁹ This move was a clear sign that French leaders were unwilling to accept the altered political balance between France and Germany, in which the unified Germany is the member state with the larger population size (Giering, 2001, p. 74).

Nice brought the underlying tensions and disagreements between the two former cordial partners to the surface. It showed that the once privileged bilateral leadership coalition is no longer an axis and often even fails to function as a working partnership. Since Nice, both sides have made a lot of effort to maintain public unity and overcome their European policy differences.

French President Chirac pushed towards closer consultations between the two partners in order to avoid a reoccurrence of the public Franco-German disagreements in the future. The post-Nice decision to hold regular monthly consultations between the French and the German governments became the basis for a renewed impetus in the Franco-German partnership. France and Germany failed to achieve a breakthrough regarding a fundamental reform of the Common Agricultural

Policy, and instead settled for a widely criticised compromise at the October 2002 EU summit in Brussels.¹⁰ Both countries nevertheless managed to regain the initiative as a team in the EU, and once again became the driving force behind a number of initiatives. Among them were the Brussels mini military summit between France, Germany, Belgium and Luxembourg in April 2003, which proposed to create independent military headquarters for the European Rapid Reaction Force¹¹ and a Franco-German initiative for economic growth in September 2003. The latter was part of an official public relaunch of the Franco-German alliance on the occasion of the 40th anniversary of the Elysée Treaty.

The public display of unity between France and Germany after Nice, which some commentators criticised as an attempt to sweep continuing disagreements under the carpet (Martens, 2002, p. 27), gained greater substance through the events surrounding the war on Iraq. Both countries' disagreements with the British-American strategy on Iraq in the United Nations bound them together in an almost desperate pacifist alliance against Britain and the United States.

It showed again that France and Germany are currently linked more as a result of external circumstances than of real correspondences in their European policies. France became the main beneficiary of the events surrounding the Iraq crisis. President Chirac realised that Chancellor Schröder, whose government had been increasingly preoccupied with the deepening economic crisis in Germany, was in desperate need of a partner in support of his opposition against the Iraq war. By reviving the partnership with a weakened Germany, France consequently regained a dominant role both within the Franco-German partnership, and the EU as a whole.

This scenario is nevertheless unlikely to last in the long run. Germany remains open towards alternative partnerships with other EU member states, including the ten new members that joined in May 2004. This was shown during in the fact that the new German Chancellor Angela Merkel rebuffed any French attempts to prioritise the Franco-German relations over working partnerships with other member states. It is therefore more than likely that Germany will in the future focus less on France than it does at present. This will, especially, be the case if the German economic situation improves and the country manages to regain a stronger standing in the larger EU. France and Germany were already no longer able to dominate the policy agenda in the EU of fifteen, although they still managed to exercise a considerable amount of influence on major decisions.

The present EU of twenty-five is increasingly determined by a multiplicity of short-term and issue-related working partnerships between a variety of member states, with a crucial role for the larger member states France, Germany, Britain, Italy, Spain and Poland. Further widening of the EU will make it even less likely that two single countries will be able to form a dominating, long-term leadership alliance.

In this respect, it is astonishing that political scientists have largely ignored the possibility of British-German co-operation in the EU. While the Franco-German partnership has been widely analysed both in Germany and the United Kingdom, the notion of a working partnership between Berlin and London is considered to be too unrealistic to raise the attention of the majority of academic scholars. Even though the European policy positions of the New Labour government and the red-green coalition did show correspondences in many areas, not a single comprehensive and relatively up-to-date comparative study of British and German European policy has yet been published. The existing comparative studies on British and German interests in Europe either concentrate mainly on historical developments and are therefore rather outdated or remain on a superficial analytical level.

This book attempts to offer a more detailed investigation of the correspondences in British and German European policy preferences that emerged under the Blair and the Schröder. Both had enjoyed excellent personal relations for a considerable amount of time before the US invasion of Iraq in 2003. Blair's and Schröder's governments and parties were also ideologically closer than any of their predecessors. New Labour and the SPD share many concerns and common approaches on the future of Europe and are both promoters of change and reform in the EU, often against French resistance.

The core of the book, in Chapter 4, is based on a comparative case study of British and German preferences in crucial European policy areas. The areas considered are institutional and procedural reform, Economic and Monetary Union, economic and social issues, foreign policy and defence, and the crucial process of further enlargement, including the reform of the Common Agricultural Policy. Primary sources were official government documents and statements, and also personal interviews with British and German political elites.

The case study is preceded by an outline of the post-war British and German European policies, with a special emphasis on the more recent changes under a younger generation of leaders. Chapter 2 outlines Britain's historical difficulties with the idea of institutionalised European integration and the often troublesome relations with its

neighbours on the continent. It also explains how British European policy changed after the Thatcher/Major era in 1997. Chapter 3 examines the changes regarding Germany's role in Europe by comparing the semi-sovereign West German Federal Republic with the fully sovereign unified Germany.

An assessment of the future prospect of British-German co-operation and its significance in the EU of twenty-five and more member states, is made in the final chapter. Quotations from German interviews, documents and publications have been translated into English by the author.

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