

Citizenship Policy in a Global Framework: The Case of the European Union

During the 1974 Paris summit, European Community (EC) heads of state decided to establish two ad hoc working groups, one on special rights and one on passport union. Ten years later, at the 1984 Fontainebleau summit, another working group was set up to prepare a report on a “people’s Europe.” Almost another decade later, citizenship in the European Union (EU) was included in the 1993 Treaty on European Union (Maastricht Treaty). In 1994, European citizens were able to vote and stand for election in European Parliament (EP) elections at their place of residence for the first time: Until the successful incorporation of citizenship in the EU in the Treaty, citizenship had not been named a policy.

Studies on citizenship in the EU have often focused on its shortcomings, either from a minimalist legal perspective (Closa, 1992; Evans, 1985; O’Leary, 1995; Oliveira, 1995) or from a normative perspective (Garcia, 1992; Habermas, 1991). More recently, critical approaches have suggested addressing EU citizenship as contextualized practice that contributes to the rethinking of modern citizenship (Meehan, 1993, 1997; Kostakopoulou, 1996; Shaw, 1997, Wiener, 1998). Following this approach, this chapter advances a discursive analysis of citizenship policy as a dimension of modern state building. It suggests taking a sociohistorical perspective that allows a view of both the legal or constitutive dimension of citizenship and the dynamic sociohistorical dimension. The constitutive elements include the triad of the state, the citizens, and the relation between the two, which I call “citizenship practice.”¹ The historical essentials include the meaning that has been attached to the constitutive elements by their interplay over time and at different places and comprise the aspects of rights, access, and belonging.

If the constitutive elements and historical essentials of citizenship constitute the basic components of a modern understanding of citizenship, then it follows that the presence of these elements in any context would suggest

the existence of citizenship in that particular modern representation. In order to find out whether the EC/EU is a case in point, I carry out a discursive analysis of citizenship policy as it emerges over time within the emerging Euro-polity. Based on this type of analysis, I show how, beginning in the early 1970s, Union citizenship has been created as a new political institution. The chapter is organized in two sections. The first lays out the case and defines the framework for a discursive policy analysis. It draws on citizenship theory and historical institutionalism. The second offers a discursive policy analysis based on a case study of citizenship policy with reference to three periods: Paris in 1974, Fontainebleau in 1984, and Maastricht in 1991.

Assessing Citizenship in a Nonstate

Citizenship in the Union

Since the ratification of the Maastricht Treaty in November 1993, citizens of the Union enjoy a series of rights such as the right of residence, free movement (Article 8a, EC Treaty), diplomatic protection while in third countries (Article 8c), the right to petition (Article 8d; Article 138d), and most important, the right to vote and stand as a candidate at municipal elections in the member-state of residence (Article 8b.1), as well as the right to vote and to stand as a candidate in elections to the European Parliament in the member-state of residence (Article 8b.2). These rights are now constitutionally grounded in the Treaty and may be legally invoked. Citizens who have them are "every person holding the nationality of a Member State" (Article 8) as opposed to formerly addressed "hyphenated categories of citizens" by the Bindi Report of the EP.² The latter were citizens of an EU member-state who got access to the practice of European citizenship based on what they were doing as workers, students, or nonactive persons in another member-state, for example, Italians working in Germany. Two insights follow from this. First, achieving the status of citizen of the EU depends on the citizen's membership in a national community and that community's relation with the EU. Second, the process inscribes a change from market citizen, or *bourgeois*, to EU citizen, or *citoyen* (Degen, 1993; Hobe, 1993; Meehan, 1993). Individual relations now are based not only on involvement in market affairs but are also politically defined. Although the degree or type of EU "statehood" that might follow from this remains a subject of much debate, legal studies show that the right of EU citizens to vote and stand as candidates in municipal elections (Article 8b.1), in particular, interferes with statehood of the member-states (Hobe, 1993:265).

As a case of citizenship policy without a state, EC/EU citizenship poli-

cy seems to contradict recent historical experience indicating an interdependence between citizenship and the emergence of the modern nation-state (Brubaker, 1989; Degen, 1993; Grawert, 1973; Hobe, 1993; Jenson, 1992; T. H. Marshall, 1950; Tilly, 1975; Turner, 1990). As Europeanists (among others, see Marks, Hooghe, and Blank, 1994; Sbragia, 1993; Schmitter, 1996; Wallace, 1996; Jachtenfuchs, 1995) never get tired of emphasizing, the EU cannot be defined as a state. The German Constitutional Court supports this view, defining the EU as "not a state, and equally no federal state. It is a community of a particular kind in the process of progressive integration . . . , to which the Federal Republic of Germany . . . has transferred certain sovereignty rights."³ Notwithstanding these historical and legal observations, citizenship of the EU was enshrined in the revised Treaty of the EC (Article 8) qua signing the Treaty on European Union in 1993. Specific European citizenship rights may now be legally invoked. A third, global insight contributes to the puzzling emergence and possible political impact of this particular citizenship. Citizenship was written into the Maastricht Treaty at a moment of global turbulence, a time when the foundations of the modern nation-state faced dramatic challenges, both internationally and domestically (Held, 1991; Kratochwil, 1994; Turner, 1990; Dunn, 1994). As Held observes:

Everywhere the sovereignty of the nation state itself—the entity to which the language of citizenship refers, and within which the claims of citizenship, community and participation are made—is being eroded and challenged. Externally, the processes of economic, political, military and ecological interrelation are beginning to undermine the status of nation state as a sacred and self-sufficient entity. The rise of regional and local "nationalisms" are beginning to wear away at it internally. (Held, 1991:24)

That citizenship of the EU emerged despite these changes raises questions about both its conceptual and political meaning. So far, the unfolding interest in Community citizenship has overwhelmingly concentrated on legal problems, most of which became apparent in the pre-Maastricht debates (Costa, 1992; Degen, 1993; Evans, 1985; Hobe, 1993; Magiera, 1990; Taschner, 1994; Van den Berghe, 1982), and political analyses of citizenship, which often present a perspective on the integrative function of citizenship within a federation (Degen, 1993; Hobe, 1993; Mazzaferro, 1993; Magiera, 1990; Wildenmann, 1991). More recently, questions of what an ideal European citizenship should comprise, including the central aspects of identity, culture, and belonging, were addressed (Garcia, 1992, 1993; Heinelt, 1993; Habermas, 1991; Meehan, 1993; Lenoble and Dewandre, 1992). Research often concentrates on a partial view of citizenship policy such as migration, labor, health, education, or family policy, but

the constructive force of citizenship has rarely been explored (for an exception, see Weiler, 1986, 1993). This situation is hardly surprising given that despite the scholarly debates over the EU's nature as federal, functional, or intergovernmental, the final shape of this "would-be polity" (Lindberg and Scheingold, 1970) has not been clearly addressed (Bogdandy, 1993; Diez, 1996).

Considering citizenship policy means addressing the issue of state building as well. Accordingly, to study citizenship policy in the EC/EU raises a series of epistemological questions and has methodological consequences. Elizabeth Meehan notes:

The failings of my discipline to help me make sense of what I was discovering about the legal, political and social evolution of the European Community are symptomatic of general problems of epistemology, [that is, the question of] whether a distinction can properly be drawn between empirical facts and how we arrange them, or whether our language and systems of categorization influence what we think we observe. (Meehan, 1993:ix)

Meehan addressed this methodological problem when focusing on contextualized ideal citizenship. As she showed, a careful reading of ideas about and experiences of citizenship that had developed and materialized in other contexts allowed an appreciation and understanding of European citizenship, despite Raymond Aron's statement that there were no such animals as European citizens (Aron, 1974; cf. Meehan, 1993:1). Based on knowledge of what citizenship ideally can comprise, Meehan's comprehensive and extensive study of Community citizenship uncovered expressions of citizenship in EC politics and institutions. Drawing on previous legal and sociocultural research, the next section seeks to explore the constructive aspect of citizenship. The case study brings to the fore the story of citizenship policy and institutional innovations as a related process embedded in the contexts of the Euro-polity and the global political arena and enacted by EU practitioners. The analysis is based on the policy process in a narrow sense, that is, the stages of agenda setting and policymaking that have been documented in official EU texts.

Citizenship Practice

Despite an abundance of approaches toward the concept of citizenship, it is possible to come up with a minimal definition of citizenship as defining a relation between the individual citizen and the political community. Although the pattern remained roughly the same throughout modern history, the nature of the citizen and the community both have changed as well as the way their relation was practiced. As T. H. Marshall finds, "There is

no universal principle that determines what those rights and duties shall be, but societies in which citizenship is a developing institution create an image of an ideal citizenship against which achievement can be measured and towards which aspiration can be created" (Marshall, 1950:29). This perspective stresses dynamic and contextual aspects of citizenship as part of, first, the changing institutional setting of the state from, for example, city-states to nation-states; second, the definition of who is entitled to citizenship rights changes the constellation of individuals who belong to a particular state; and third, due to political, economic, and social changes, reforms and transitions led to the establishment of new institutions and hence reshaped the frame of reference for citizenship practices. Accordingly, Marshall chose an approach that was "dictated by history . . . more clearly than by logic" and divided "citizenship into three parts, or elements, civil, political and social" (Marshall, 1950:10).⁴

Following this model with regard to the development of citizenship in England, Marshall linked the three parts of citizenship to a "modern drive for social equality" (1950:10). They were established over a period of three centuries through a "twin process" of "fusion and separation. The fusion was geographical, the separation functional" (Marshall, 1950:12). The process of fusion included state building in a bounded territory as the borderline of citizenship rights, and the process of separation involved the institutionalization of the terms of citizenship according to the functional requirements of citizenship practice. This process proceeded in proportion to the sophistication of citizenship rights. The "result of the twin process of fusion and separation was that the machinery giving access to the institutions on which the [civil, political, and social] rights of citizenship depended had to be shaped afresh" (Marshall, 1950:14).

Charles Tilly and a group of colleagues reached a similar conclusion regarding the development of modern nation-states in western Europe (Tilly, 1975). Despite different trajectories of state making due to differences in place, time, space, and actors, it was possible to establish some generalizations about the process. Accordingly, state making entailed three aspects: mobilization, stateness, and political rights.

Between the development of stateness, on the one hand, and the pattern of mobilization, on the other, comes the acquisition of political rights binding on agents of the government by the members of the mobilized groups within the subject population. Extensions of the suffrage, for example, do not follow from the pace of state-making alone, or from the pattern of mobilization alone, but from an interaction between the two processes. (Tilly, 1975:35)

It follows that analyses of state making need to focus on the institutional setting of the political entity in the making, the identities and demands of

the population, and the interaction between constituency and state institutions. According to Tilly, the struggle over political rights was crucial to establishing this link (Tilly, 1975:36). The importance of this finding was less the focus on the establishment of abstract rights than on the way they were practiced within the newly emerging institutional framework. As Tilly emphasized, "The significant thing about such [political] rights is not that they should exist in the abstract, but that the state, rather than some other organization, should become the focus of their enforcement" (Tilly, 1975:36). The trajectory of citizenship rights, from their appearance in policy discourses until their entrenchment in constitutions and political practice, traces functional changes in the machinery of governance. Understood in this way, the struggle over political rights offers a prism through which the emerging institutions of a political entity can be identified. They are therefore "political rights in a large sense—political in that they constitute binding claims on the agents of government, rather than some other groups" (Tilly, 1975:37).

In sum, processes of state building have been found to contribute to both the existence of (nation-)states and the meaning of citizenship. Rogers W. Brubaker summarizes the interdependence between the two concepts when he notes that "citizenship today means membership of a nation-state. To note this is to point to a basic fact of political and social organization" (Brubaker, 1989:33). If changes in the practice of political rights are associated with large historical transformations in the modern period of European state building, it is fair to conclude that similar changes may accompany state making in other processes of reorganizing political space. It follows that, if the institutional and political development of the EU bears elements of transformatory qualities, they would best be discerned by adopting a historical perspective on citizenship policy that adds contextualized meaning to citizenship by defining citizenship as (1) stipulating rights, (2) providing access, and (3) creating a feeling of belonging and identity (Wiener, 1997). Beyond the creation of an "ideal of citizenship" that is special to every particular state (Marshall, 1950; Meehan, 1993), such a focus on the historical elements of citizenship provides an insight into the grafting of distinct institutional settings of governance within and among states in the international system (Wiener, 1998).

Discursive Policy Analysis

Confronted with theoretical challenges that derived from changes in state-society relations, social scientists often have turned to historical analyses. As Peter Katzenstein points out, the idea was to take "events" as resources to generate a "reorientation in theoretical perspectives" (Katzenstein, 1978:4). Institutional analyses that drew on this insight have since referred

to specific historical contexts and subsequently contributed to developing new frameworks of analysis, focusing primarily on an examination of "the interaction of interests, institutions and ideas in the policy process" (Hall, 1986:5). These approaches are best represented by the literature on "policy networks" (Katzenstein, 1978) and the "politics of ideas" (Hall, 1986, 1989) that form part of the new institutionalism in comparative politics (Thelen and Steinmo, 1992; Hall and Taylor, 1996).⁵ Although this literature considered states as responsible for policymaking, it opened space for the analysis of policy formation by a variety of actors and in different discursive settings.

Similarly, the following analysis of citizenship policy reconstructs the process of policy formation. Instead of considering state-society relations, however, I examine the interaction between institutional and individual actors in a nonstate. The term "institutions" used in this approach refers "to the formal rules, compliance procedures, and standard operating practices that structure the relationship between individuals in various units of the polity and economy" (Hall, 1986:19). It is thus not synonymous with the main organs of the Euro-polity, namely, the European Parliament, the Commission, the Council of Ministers, and the European Court of Justice. These are the major actors in the process. They participate in the policy-making process based on different instruments such as resolutions, reports, and opinions (European Parliament); proposals, programs, and papers (Commission); directives, regulations, decisions, and agreements (Council of Ministers); and rulings (European Court of Justice). These actors' impact can be distinguished by referring to their political role within the Euro-polity, but it is important to acknowledge the interrelations between the three actors and their subcommittees, which are often put into practice by informal communicative processes among individual practitioners. Broadly speaking, the analysis of the historical process then includes substantial policy input from two levels, the institutional and the individual.

Three propositions follow from the above triad of case, concept, and methodology. First, at the moment when political rights of citizens were enshrined in the Maastricht Treaty, the change from *bourgeois* to *citoyen* introduced the concept of statehood to the Euro-polity. Second, political rights, their establishment, and their practice provide crucial information about state building. Third, drawing on historical analyses, evolving citizenship practice is situated within a bounded territory and reflected in institutional changes. In order to clarify the political meaning of citizenship policy in a nonstate, political rights and institution building therefore represent the core of this citizenship policy analysis. The term "citizenship policy" is used abstractly, since until the 1991 Maastricht summit, citizenship barely appeared in the policy discourse. I therefore refer to citizenship policy as an umbrella term that entails the policy objectives of special rights and

passport union. The discursive analysis is based on the exact wording of the documents and their appearance in time and context. This procedure considers only policies that were found in the discursive context as defined, that is, only after they were named as part of citizenship policy in the actual process. Policies such as social policy, which are generally considered as a central component of an ideal citizenship, appear only if they are mentioned in the citizenship discourse.

The case study is organized around three periods, each initiated by "history-making" (Peterson, 1995) European Council meetings, or summits. These are meetings among heads of state or government that led to changes in the overall policy orientation of the EC/EU. The time periods cluster around the 1974 Paris summit, the 1984 Fontainebleau summit, and the 1991 Maastricht summit. Within the context of global politics, all three summits took place during challenges to the balance of the international state system, such as the breakdown of the Bretton Woods system in the early 1970s, the declining stability of welfare state institutions in the early 1980s, and the fall of the Berlin Wall in 1989.

The Case Study

Paris, 1974: The Quest for a European Identity

During the 1970s, the EC was in a state of severe crisis initiated by external international economic changes such as the oil crisis and changes in the Bretton Woods system; internally, it manifested itself in declining interest in European integration. The European Commission, the administrative body of the EC, was increasingly criticized for being unable to confront these challenges. An institutional crisis emerged whose scope was such that Commission president Xavier Ortoli stated after the 1972 Paris summit, "la crise économique et les changements dans les rapports internationaux, loin d'entraîner un renforcement de la solidarité communautaire et de conduire l'Europe à affirmer *son identité à l'égard du reste du monde*, ont marqué un arrêt, et peut-être un recul, de la construction européenne" (emphasis added).⁶ To meet the international challenge, the EC had to act as a single political entity. For example, Ortoli emphasized the importance of "political-will power [with reference to] the new world situation, [in which] no member state [could] act efficiently alone."⁷ Although there was little consensus on most policy issues among the nine member states in the early 1970s,⁸ there was a broad agreement on the necessity to create a "new Europe" that could present itself as a strong political actor.

The practitioners felt that those who spoke for the EC were not necessarily seen as representatives of the EC. Viscount Davignon states that he

had "at times compared Europe with Tarzan. It ha[d] a relatively advanced morphology but its speech [wa]s still fairly scanty."⁹ The problem was one of identity. How could the EC be represented in international dialogues and negotiations? These concerns led to two innovations, the adoption of a document on "European identity" at the 1973 Copenhagen summit; and the establishment of a passport union and special rights as two policy objectives at the 1974 Paris summit (Bull. EC, 1974:8-9). The identity document defined European identity in broad terms as based on a "common heritage" and "acting together in relation to the rest of the world"; the "dynamic nature of European unification" was to be respected (Europe Documents, 1973:1). The final communiqué of the Paris summit transformed an idea—to introduce citizenship as a means to establish a "European" identity—into policy objectives, such as the creation of a passport union and the establishment of special rights for citizens of the nine member-states. Special working groups were assigned the task of producing draft reports for the development of the special rights, passport union, and universal suffrage.

The question of which institution was to grant special rights was discussed during a roundtable held in Florence in 1978. The draftsman of the Legal Affairs Committee of the EP, Alfons Bayerl, summarized the complicated issue, stating that "the present situation of a citizen of the Common Market had to be transformed through special rights into the status of citizen of the European Community" (EP, 1978:24). According to the EP, special rights were defined as "'subjective' public rights, in other words rights which the citizen possesses as a legal subject *vis-à-vis* the State" (EP, 1978:86). They involved "(a) defensive rights which protect fundamental freedoms *vis-à-vis* the State (fundamental rights); (b) claims which citizens are entitled to make on the State, for example in respect of provision for their welfare (civil rights); and (c) rights which guarantee the participation of the citizen in the State's institutions (political rights)" (EP, 1978:87).

To apply a special rights policy in the EC indicated that "all the constitutional rights on which the legitimacy of a democratic State depend[ed] were] conferred upon the citizens of the European Community *vis-à-vis* the European Community and, secondly, . . . include[d] those rights which citizens of a particular Member State possess[ed] but which ha[d] not hitherto been granted to other citizens of the Community" (EP, 1978:87). With this definition of special rights, the EP took the position that citizenship rights could not be thought of, protected, or practiced if there was no agreement on the political entity they referred to. Since the implementation of a special rights policy included transfers of citizens' rights and obligations from member states to the EC, sovereignty transfers were at stake. The political dilemma of having to establish a balance between the necessity of constructing a "European identity" as the basis of successful European politics and the threat of a loss of sovereignty was thus put on the table.

Passport union policy included not only the decision about color and size of the passport but also the problem of border controls, thus touching the sensitive areas of security, visa, and immigration policy. Ministers at the 1974 Paris summit agreed that a working party should submit a draft on passport policy "to the Governments of the Member states before 31 December 1976" (Bull. EC, 1974:8). The draft was supposed to "provide for stage-by-stage harmonization of legislation affecting aliens and for the abolition of passport control within the Community" (Bull. EC, 1974:8). The communiqué stressed two aspects of this project, first, "the fact that the introduction of such a passport would have a psychological effect, one which would emphasize the feeling of nationals of the nine Member states of belonging to the Community" (Bull. EC, 1974:9); and second, "that such a passport might be equally justified by the desire of the nine Member states to affirm *vis-à-vis* non-member countries the existence of the Community as an entity, and eventually to obtain from each of them identical treatment for citizens of the Community" (Bull. EC, 1975b:10). The goal of passport policy was thus explicitly twofold: it was "a project aimed at confirming the Community as an entity *vis-à-vis* the rest of the world [as one] and capable of reviving the feeling of citizens of the Community of belonging to that entity" (Bull. EC, 1975b:12).

Compared to the long and often philosophical discussions over the definition of special rights, passport policy seemed a relatively straightforward, technical matter. As the Commission's working party charged with the task of designing the project "Towards European Citizenship" explained, passport policy comprised two areas and four policy steps: (1) uniform passport, (2) abolition of control of persons at international frontiers in the EC, (3) equality of treatment of nationals of member-states by third countries, and (4) legal implementation of the passport union (Bull. EC, 1975b:12). However, complications came to the fore with the judicial and political aspects of the policy realization. The goal of passport union did not leave much room for holding philosophical discourses akin to the 1978 Florence roundtable, which had helped to define special rights. Quite to the contrary, successful passport policy seemed to depend on not more but less public debate. It turned out to be an essentially diplomatic matter that took its time to emerge. In the meantime, passport policy was put on hold for about half a decade.

The beginning of EC citizenship policy resulted from the change in global politics that followed the oil shocks of 1973 and 1974. In response to the changed international environment, EC practitioners sought to develop an identity that would improve the EC's negotiating capacity *vis-à-vis* the Americans.¹⁰ Citizenship policy was part of this effort and was developed on a step-by-step basis. Passport policy proved particularly complicated since border controls remained a security matter, and the member-states

were not inclined to transfer any sovereignty to the EC level in this area. However, free movement was an aspect of the internal market and hence a policy issue over which the Commission had agenda-setting power. The absence of consensus on political innovation within the EC at that time led to an initial concentration on establishing civil and social rights for workers and their families, but not on political citizenship rights.

Fontainebleau, 1984: Making Market Citizens

During the 1980s, the increasing globalization of production and monetary operations began to detach social and economic rights of citizens from their national contexts. In western European nation-states, this was reflected in the decline of national welfare provisions and the beginning of deregulatory economic policies. At that time, the EC reinitiated a social dialogue, formed innovative policy strategies, and passed the Single European Act (SEA), embedded in an overall plea for solidarity among the European regions. The 1984 Fontainebleau European Council was crucial to EC history because it marked the point of overcoming the British budget problem, which “had monopolized every council meeting since 1980.”¹¹ Quite to the surprise of observers, the European Council concluded without “a single dispute left to settle” (Bull. EC, 1984a:12), as French president François Mitterrand announced after the meeting. “With the problem of the British contribution resolved,” he added, “the community could at long last stage a strong revival” (Bull. EC, 1984a:12). The Council conclusions confirmed a relaunch of European integration. Among other things, the idea of European identity was put on the agenda once again. The European Council considered “it essential that the Community should respond to the expectations of the people of Europe by adopting measures to strengthen and promote its identity and its image both for its citizens and the rest of the world” (Bull. EC, 1985d:5). To that end, two ad hoc committees called the “Adonnino” and the “Dooge” committees (after the names of their chairpersons), were appointed to work out proposals regarding the establishment of a “People’s Europe” and institutional reform, respectively (*Europe Documents*, 1984:1–8).

According to the Fontainebleau mandate, the task of the Adonnino Committee was threefold. First, it was to study measures that would lead to “a single document for the movement of goods; the abolition of all police and customs formalities for people crossing intra-Community frontiers; and a general system for ensuring the equivalence of university diplomas, in order to bring about the effective freedom of establishment within the Community” (Bull. EC, 1985d:5). Second, it was to review suggestions for “symbols of the Community’s existence, such as a flag and an anthem; formation of European sports teams; streamlining procedures at frontier posts;

and minting of a European coinage, namely the ECU" (Bull. EC, 1985d:5). Third, it was to examine how to involve young people in the EC. Thus, a decade after the Paris summit, the project of constructing a European identity was revived. This time it was to be developed on the grounds of economic and cultural policy rather than on political and civil rights.

Barely settled into his new position as Commission president, Jacques Delors's first address to the European Parliament highlighted two principles as central to the new Commission policy. One was to rely (and build) "strength of character"; the other was the EC's "economic muscle" (Bull. EC, 1985c:18). The emphasis on "strength of character" recalled a lack of unity in the EC position that had contributed to an image of it as a weak negotiating partner on the world stage. Stressing the necessity of self-confidence and clear political statements toward international partners, Delors recalled former experiences of EC officials, stating, "I could review three and a half years of world monetary history for you to demonstrate that only once in that time did we succeed in convincing our American friends. And on that day we spoke strongly and in unison. We were agreed on our proposals and we all followed the same strategy" (Bull. EC, 1985c:18). "Speak[ing] with one voice" and turning into "an actor rather than a spectator on the contemporary stage" (Bull. EC, 1985c:16) to achieve recovery were thus the political goals of the time. Explaining the need for economic muscle flexing, Delors cited the importance of mobilizing the EC's resources (such as "young people") into a project of restructuring the economy (Bull. EC, 1985c:19). These statements advocated an active role for the Commission in working toward a better environment for competition, based on the best possible use of the existing institutional framework by "working within the Treaty, all of the Treaty" (Bull. EC, 1985c:21). In other words, Delors stressed the Commission's intention to "make full use of its right of initiative to accomplish the priority tasks" (Bull. EC, 1985c:15). During the ensuing debate with the parliamentarians, Delors explained that the major purpose of his speech "was to reflect on 'how to go about it' rather than on 'what has to be done'" (Bull. EC, 1985c:17). This statement contained an early hint of this Commission president's approach to policymaking, namely, to proceed by placing major issues on the agenda and then "flesh[ing them] out later" (Bull. EC, 1985c:17).¹²

The Single European Act supported a strong Commission influence on the agenda-setting process regarding market-related issues according to Article 8a of the EEC Treaty, which granted the Commission the power to put forward proposals on market-related matters. This institutional change was important for the realization of the special rights policy, which was now legitimated by the goal of establishing the conditions for free movement of workers within the EC as an area without frontiers. The discourse

was driven by a predominantly economic rationale—the new special rights policy addressed social rights for working citizens only, excluding the unemployed. Social rights policy became refined within the framework of the 1989 Community Charter of Workers' Fundamental Social Rights.

With regard to passport policy, the Fontainebleau Council conclusion stated its approval of the agreement “reached on the principle of creating a European passport and ask[ed] the Council to take the necessary decisions to ensure that this passport [wa]s actually available to the Member states' nationals by 1 January 1985 at the latest” (Bull. EC, 1985d:5). The Adonnino Committee was further to focus on suggestions for “streamlining” procedures at frontier posts. The ink of this conclusion was barely dry when the governments of the Federal Republic of Germany (FRG) and the French Republic came forward with an agreement on the gradual abolition of checks at the borders of France and the FRG (Bull. EC, 1984b:120–121). In this document, the French and German governments agreed to change regular border checks to “spot checks” (Bull. EC, 1984b:120). The Commission's strategy for passport policy thereby became a step-by-step policy toward a “relief” of border checking based on “spot checks” (Taschner, 1990:9), which was adopted by bilateral agreements between member-states.¹³ This agreement did not leave any doubt about its ideal link with EC policy, stressing that the contracting parties were “aware that the ever-closer union of the peoples of the Member states of the European Communities should find expression in free passage across internal borders for all nationals of those States” (Bull. EC, 1984b:120). The agreement thus referred implicitly to Article 49 of the EEC Treaty on freedom of movement. This non-EC solution marked the beginning of a new approach to passport policymaking. Negotiations following the signing of the Franco-German agreement comprised both intergovernmental bargaining elements and EC action on behalf of the Commission's negotiators. Progress in the area of border policy was marked by the multilateral Schengen Agreement on the Gradual Abolition of Checks at Their Common Borders (Schengen Agreement), which was signed by the governments of the Benelux Economic Union, the Federal Republic of Germany, and the French Republic on June 14, 1985, in Schengen, Luxembourg (see Steenbergen, 1992, for text of the agreement).

Parallel to the border politics that preceded the Schengen Agreement, the Commission engaged in a series of actions to abolish internal frontiers. It prepared three memoranda that expressed the policy preferences of the time, putting an obvious accent on the achievement of a single European market (Bull. EC, 1985a:97). Embedded in this project was the abolition of “internal frontiers within the Community by 1992 in the interests of the citizens and companies of Europe. This complete unification of the market

[would] be carried out in stages, following a precise timetable" (Bull. EC, 1985a:99). The blueprint was the Commission's White Paper on the internal market.¹⁴

The White Paper was a document without precedent in EC history. Its attempt to streamline the confusing and disorganized flow of Community policymaking was extraordinary. Beyond its practical value, the White Paper was a major innovation in Community policymaking because it allowed for a language of success and achievement to become part of EC discourse: the market was defined as an "expanding market—not static but growing."¹⁵ Previously, there had been only one measure of successful EC policymaking: the *acquis communautaire*, that is, the shared institutional, legal, and ideal property of the EC at any given time.¹⁶ This type of property was not always easy to spot, and it was even less obvious to EC citizens than to the involved practitioners. The lack of opportunity to spell out policy goals and then be able to point at their successful realization in due time had contributed to the vague notion of the EC as a huge "bureaucracy" that prevented "transparent" politics. In other words, the EC was conceived as "undemocratic." With the White Paper's precise timetable, that situation changed.

Among other things, the White Paper addressed the realization of essential goals of passport policy, including the easing of border controls, the elimination of checks on individuals leaving one member-state for another, and the disappearance of all systematic checks on the movement of citizens within the EC.¹⁷ Although the member states had to agree to "aboli[sh] barriers of all kinds, harmoniz[e] rules, approximat[e] legislation and tax structures, [and] strengthen monetary co-operation and the necessary flanking measures to encourage European firms to work together," the Commission aimed at more than a mere adoption of the timetable. The realization of this program required an operational institutional basis that remained to be clarified. Among other things, the so-called Luxembourg compromise, which had prevented the EC from using qualified majority voting in Council decisions since the 1960s, needed to be addressed in order to facilitate the Commission's innovative role as the organ responsible for writing proposals. This was crucial for the completion of the 279 directives of the White Paper. To this end, the Milan European Council decided to convene an intergovernmental conference (IGC).

At the time, European practitioners regarded the internal market "as crucial to the revitalization of European integration. The means must therefore be provided to achieve it" (Bull. EC, 1985b:8). As to the target date of 1992, "political commitment must be turned into legal requirement; otherwise it would be a dead letter" (Bull. EC, 1985b:8). Successfully realized with the signing of the SEA, this "relaunching" of European integration (Colchester and Buchan, 1990) shifted the focus of EC policymaking

toward the completion of the single market without frontiers in 1992. Three aspects of the SEA were central to the progress of citizenship policy. The first was the establishment of qualified majority voting for decisions regarding the realization of the internal market, as in Article 8b (single market), Article 28 (tariffs), Article 57 (diplomas), Article 59 (free movement of services), Article 70 (movement of capital), Article 84 (means of transportation), and Article 100a (harmonization of legal provisions);¹⁸ the second included the stipulation of "economic and social cohesion" in Title V of the EEC Treaty. The third was the decision of all member-states to "work together to promote democracy on the basis of the fundamental rights recognized in the constitutions and laws of the Member states, in the Convention of the Protection of Human Rights and Fundamental Freedoms and the European Social Charter, notably freedom, equality and social justice" (Bull. EC, 1986:5).

The half-decade of EC policy planning that was initiated with the 1984 Fontainebleau European Council produced one major achievement: the planning, negotiating, and signing of the Single European Act. The SEA decisively changed the EC institutional network and created the basis for a Community without internal frontiers. Citizenship policy was not at the forefront of EC discourse in the 1980s. However, the passport and special rights packages did receive considerable impetus when the "single market without frontiers" was launched with the Commission's White Paper, which stood as a brilliant example of the "Russian Doll" strategy of the Delors Commission (Ross, 1993). Thus citizenship policy, which had been debated philosophically in the aftermath of the Paris summit, was now realized as a means toward the establishment of the single market without internal frontiers. Now, special rights policy was, if temporarily, restricted to the right of citizens as workers, thus excluding nonworking persons from enjoying special rights. Similarly, passport policy was approached via the issue of abolishing border controls with a view to increase worker mobility within the internal market.

Maastricht, 1991: Bringing Political Integration Back In

What may overall be considered as a measured continuity of policymaking faced a serious external blow when the Berlin Wall tumbled in 1989 and the Cold War balance no longer stabilized global politics. German unification created political momentum for change toward political union that was without precedent in EC history. This momentum evolved on two grounds. First, a unified Germany presented a potential threat to the still unstable institutional setting within the EC, implying an increasing number of German members of the European Parliament (MEPs) and conferring more political weight on Germany. Second, there was no doubt that prospective

EC policy would have to focus on relations with central and eastern Europe and, eventually, whether and how the EC might enlarge toward the east. These new external impacts on EC politics interrupted a previously relatively smooth flow of EC politics, which had concentrated on preparations for the upcoming IGC on European Monetary Union (EMU).

At that time, the European Parliament observed that although "Europe might be an economic giant, it remained a political dwarf."¹⁹ As practitioners expressed it, the EC needed stability to create hope for the now disorganized Eastern European countries. Commissioner Martin Bangemann stated, for example, that "the bipolarity of the superpowers which was the basis for the necessity to channel and otherwise manage the inevitable tensions and conflicts in international relations no longer exists."²⁰ Painting a picture of possible future scenarios of unrest and implying that only a strong and united Europe could face these challenges, he added that "ancient sources of fire, like nationalism, religious fanaticism, racism, the exclusion of minorities which were thought to have been eradicated a long time ago, might suddenly reignite. Within such an environment, we need a strong European Community—for us, in our interest but most of all in the interest of those who have put their hopes in this Europe."²¹ The intervention was thus not restricted to the dangers of potential crises; it also stressed the prospective role of a strengthened European political union as an international actor.

The new geopolitical situation had two major impacts on citizenship policy. One was the change in European identity politics. After all, "from the outset, the Community had considered itself as synonymous with 'Europe.' With the Cold War over, could the Community foster a sense of pan-European solidarity and genuinely pan-European integration?" (Dinan, 1994:158; see also Laffan, 1993:36). These were serious questions that also problematized the discourse on a "European" identity, which had been so crucial for the emergence of citizenship practice in the early 1970s. At that time, "European" identity meant Western Europeans (including the potential Western European new member-states' citizens). The fall of the Berlin Wall challenged the use of that term, suggesting that some Europeans had been left out all along (Hoogenboom, 1992:74). The other impact on citizenship policy was the shaky Paris-Bonn axis, as German chancellor Helmut Kohl pushed for fast German unification, whereas French president François Mitterrand was "torn between an instinctive antipathy toward German unification . . . , and an equally instinctive affinity for European integration" (Dinan, 1994:163). One way of facing this tension was to forge a link between German unification and European integration.

According to the Italian government, the external political changes had led to "opening up a constituent era of international relations in our Continent" (*Europe Documents*, 1990a:1). In a summary note concerning

the guidelines for the Italian presidency of the EC Council, the Italians stressed that such a new era required “an additional conference on institutional matters” (*Europe Documents*, 1990a:2). About ten days after the publication of that Italian summary note, Chancellor Kohl and President Mitterrand addressed a now famous letter to the Irish presidency of the Council, stressing that the political situation required a second conference on political union. The objective was to “strengthen the democratic legitimation of the union, render its institutions more efficient, ensure unity and coherence of the union’s economic, monetary and political action—define and implement a common foreign and security policy.” The letter was a straightforward demand to initiate steps toward the institutional settlement of political union. Kohl and Mitterrand also set a clear time frame, declaring that their “aim [wa]s that these fundamental reforms—economic and monetary union as well as political union—should enter into force on January 1, 1993, after ratification by the national parliaments.”²² The solution seemed feasible to the majority of the member-states. Accordingly, the IGC on EMU was coupled with a second IGC on political union, thus bringing the issue of political integration back in.

The initiative drew on the Martin Report (I), which had been adopted by the European Parliament on February 27, 1990, and mentioned the urgent necessity of developing the EC into a European Union on a federal basis.²³ The Kohl-Mitterrand initiative was followed by a Belgian memorandum, which was drawn up to “suggest that the European Community be given a new stimulus towards political union.” In a more subtle way, this memorandum singled out two major tasks on the EC’s political agenda. The first was to clarify the “Community’s political purpose” in the light of the international political transformation, and the second was to deal with the “growing democratic deficit” that had developed along with the growth of the single market. Like the Martin Report, the Belgian document stressed the necessity to include provisions providing a stronger link between the EC and its citizens, for example, on the basis of a uniform electoral procedure, and the right of Community citizens to vote in local elections.²⁴ These documents showed how the changed external conditions had opened space for negotiations toward a new institutional entrenchment of political union. In the wake of the informal Dublin summit (April 1990), they provoked intense debates, using a type of wording that manifested that time for change was overdue. This urge for progress was most explicitly put by the president of the European Parliament, Enrique Baron Crespo, who declared that he would “like the Dublin summit to express a position in favour of a rapid qualitative leap in the Community, whatever procedure [wa]s chosen.”²⁵

Citizenship as such was brought into EC discourse within the framework of the preparatory interinstitutional conference by a letter from

Spanish prime minister Felipe Gonzalez to the president of the Council on May 4, 1990.²⁶ In this letter, Gonzalez proposed to include citizenship in the Treaty. The letter related EC citizenship policy in the 1970s to the situation in the 1990s. This new context required the creation of “real contents” for political union, as Spanish representative Fernandez Ordoñez explained during the conference. It was, for example, possible to think of such a political union as being based on “three pillars: an integrated economic space, a common foreign and security policy, and a common citizenship.”²⁷ That notion of citizenship was mentioned in a note of reflection from EC foreign ministers, stating that the “overall objective of Political Union” included three main aspects, namely, the transfer of competences, the notion of “Community citizenship,” and the free circulation of persons (*Europe Documents*, 1990b:2). With a view to special rights policy, the foreign ministers asked, “How will the Union include and extend the notion of Community citizenship carrying with it specific rights (human, political, social, the right of complete free movement and residence . . .) for the citizens of Member states by virtue of these states belonging to the Union?” (*Europe Documents*, 1990b:2). The message was clear. If the EC was to turn into a “union of a political nature” with a mandate to take foreign policy decisions, citizens as constituents of this new entity needed to be bound to it. Similarly, the European Parliament, as the representative of this constituency, needed more powers. These were the grounds from which the ongoing problem of democratic legitimacy was to be tackled. As regards citizenship policy, the major question for the Dublin II summit (December 1990) became, in the words of Commission president Delors, “how [could] a flesh and blood content be given to the notion of European citizenship so judiciously proposed by Felipe Gonzalez?”²⁸

The question was first answered by the Spanish delegation. Soon after the Gonzalez letter, Spanish authorities produced a second note on citizenship.²⁹ It stated that it was time to work on the regrettable fact that only those citizens who occupied functions of consumers or producers had equal access to the EC. For a political union to be created, this economic dimension needed to be transcended.³⁰ A concept of European citizenship had to comprise political, economic, and social citizenship rights.³¹ Whether intended or not, the Spanish authorities proposed a Marshallian triad of civil, political, and social citizenship rights (Marshall, 1950), including a notion of dynamic social rights with a view to progressive equalization of access to citizenship. This dynamic perspective on equal citizenship rights was new in Community history. So far, EC citizenship policy had never before aspired to create equality among all citizens based on progressive citizenship rights.

This Marshallian perspective was refined in September with a Spanish government proposal on “European Citizenship” (*Europe Documents*,

1990c:1). The document comprised a most elaborate answer to both the foreign ministers' and Delors's questions about citizenship. It linked three aspects of citizenship policy with a European integrated space: a common market area, free movement of persons, and foreign policy. These were interlocked in different ways. With the establishment of a new economic framework for the large internal market—and soon EMU—the movement of persons became a crucial factor. Despite manifold efforts to establish special rights, so far citizens had not been granted new political rights by the EC. They never went beyond the status of “privileged foreigners” in their role as mobile market participants. In view of the upcoming development toward political union, the status quo would undergo radical changes. That “require[d] the creation of a common integrated area, where the European citizen [would] have a central and fundamental role,” and, to this end, the Spanish government proposal asserted, it was “important to define a citizenship of the European Political Union” (*Europe Documents*, 1990c:1).

The document emphasized that citizenship was a flexible and dynamic concept, developing together with political union, that is, that the “progress which [would] be made for the union to attain its final objective [would] be accompanied by a more precise and complete definition of the quality of European citizens” (*Europe Documents*, 1990c:2). At the same time, the Spanish government emphasized the necessity of making a qualitative leap to launch this dynamic development of citizenship. It recommended that the IGC “debate the necessity of changing or completing the treaties in such a way as to at least define and resolve the notion of citizenship, as well as the *status civitatis*, designed as a set of rights, freedoms and obligations of citizens of the European Union” (*Europe Documents*, 1990c:2). To this end, the Spanish document defined three sets of rights and responsibilities of European citizenship, namely, those that referred to national, Community, and Union citizenship. Union citizenship would grant rights allowing for participation in the citizen's member-state of residence, such as special basic rights, new (dynamic) rights, and protective rights.

Special basic rights comprised “complete freedom of movement, free choice of place of residence and free participation in political life in the place of residence” (*Europe Documents*, 1990c:3). Dynamic rights would develop based on citizenship policy and other policy areas such as social policy, culture, and the environment, whereas protective rights would establish consular protection for EU citizens outside EU territory (*Europe Documents*, 1990c:3). Some of these rights were already—at least partially—in place or were part of previous policy negotiations among EC institutions and the member-states, but the document suggested including these rights in the Treaty so that they would be granted by the EU. Such a change would induce further qualitative changes with regard to the legitimacy of

the responsible institution to grant or deny these rights. To summarize, the Spanish document included notions of political rights (assembly, expression, association, vote), civil rights (business, movement, residence), and "dynamic" social rights (education, health, social relations). That notion of social rights provided a view to the future. According to the document, if that political project were to lead toward a "real union," it "should aim to overcome the inequalities which subsist[ed] between Community citizens because they live[d] in different areas of the Community and through different means reinforce the social cohesion in a concrete framework" (*Europe Documents*, 1990c:2). Regional differences were one cause of inequality among Community citizens, which could be addressed via social citizenship rights. Previous policy discourse in the EC had taken account of this fact within the framework of the politics of solidarity during the Fontainebleau period. To overcome regional differences, structural funds had been established. To establish a discourse of progressive social rights implied that regions might achieve the right to ask for funding. Such a regional social right would certainly mean a qualitative change in equality politics that was not only unprecedented but also indicated a new way of thinking about regional integration.

Different from the socioeconomic aspect of territory, which was part of the special rights discourse, the passport discourse brought the profoundly political issues of access, security, and control to the fore. Until the 1990s, border control, or the abolition of internal EC borders and the enforcement of external EC borders, had been an aspect of passport policymaking for almost two decades. It had been dealt with as a matter of "high politics" (Hoffmann, 1966) and addressed in an intergovernmental fashion. A whole range of newly emerging groups, committees, and subcommittees had been busy analyzing the matters of police, drugs, and terrorism.³² These groups were frequently characterized as lacking transparency, not only from the perspective of the public but also of the Commission and EP officials involved in the process. At times, participants in one group did not know about the work of another group, to the extent that responsible government officials were, in fact, often not adequately informed. As Belgian socialist MEP Lode van Outrive observed, "To talk about clearly set democratic goals [would be] out of proportion; there [was] an array of working groups which [kept] their results as a secret, so that they did not even know about the object of their work among themselves. Moreover national members of government [were] often not informed."³³

A good part of the movement discourse was generated within the 1985 framework of the Schengen Agreement. With five member-states participating and Italy and Austria applying for membership, Schengen had turned into something like an "engine" in the complicated process toward the realization of an internal market without frontiers. In fact, internal Commission

documents on the Schengen ministers' meeting in Bonn on June 25, 1991, reported that Schengen was a positive element that had a driving effect on Community objectives otherwise difficult to obtain. However, the downside of this situation was that the Commission had to accept mere observer status in the Schengen negotiations, a position that turned out to be much more controversial than had been assumed in early Schengen years. With the deadline of 1992 approaching, the debates shed light on the complex process of border politics, including not only the freedom to cross them (positive discursive effect) but also the duty to secure and control them and the territory they bounded (negative discursive effect). Previously, the Commission and the European Parliament had been the major actors in pushing for the former, with a view to creating a functional internal market and developing a feeling of belonging among European citizens that would slowly but steadily contribute to the emergence of a European identity. Once security came onto the policy agenda, the member-states represented in the Council of Ministers of the Interior were the ones to show an increasing interest. This interest resulted in a shift in the style of policymaking as well as the policy networks involved in the process.

In the short term, the major problem was that Schengen borders and EC borders did not always overlap. For example, how was a European citizen who arrived from London (not a Schengen country but an EC member-state) to be checked at Amsterdam's Schiphol airport? Was she going to be treated as an "alien," that is, "any person other than a national of the Member State of the European Communities"?³⁴ Such treatment would clearly not contribute to a symbolic sense of European identity. Yet, if the passenger's identity and baggage remained unchecked at external Schengen borders (Schiphol Airport), the security risk was too high. The dilemma was addressed by two EP reports, a second Outrive Report on Schengen, and the Malangré Report on free movement of persons. Stressing the practical problems caused by more than one set of borders, the Outrive Report pointed at the contradictory discourse of introducing a new freedom of movement by removing internal frontiers and the parallel request for newly fortified borders around the Schengen countries within the EC.³⁵

The debates over strategies and concepts of policymaking during this period added a third dimension to the citizenship discourse within this polity-in-the-making. Whereas the Paris period was dominated by debates on the establishment of a European identity and Fontainebleau contributed an unfolding discourse of solidarity, the Maastricht period tackled legitimacy. During the early debates on special rights and passport policy in the Maastricht period, the necessity of establishing an institutional backup for the newly emergent EU became evident. The quest for democratic legitimacy required a shift in policymaking. As I have demonstrated, that shift was to be defined in political terms. The socioeconomic and territorial aspects

of border policymaking in the late 1980s and early 1990s turned into border politics as the conflict between “police and security” and “freedom and democracy” led to a growing public dispute in the EC.

Maastricht citizenship *policymaking* brought a particular type of citizenship *politics* to the fore. If it can be sustained that the distinction between the terms “politics” and “policy” can be made by defining policy to mean contents and results and politics to mean processes of conflict and consensus,³⁶ then Maastricht citizenship-making leads us to the following conclusion. While citizenship policymaking had contributed to the contents and strategies of the process, the new situation of conflict over the political basis of citizens’ rights brought conflict and consensus into the process and resulted in new institutional arrangements. The last stage of citizenship policy in this twenty-year period of EC policymaking thus brought two major innovations. One is the inclusion of political rights in the Treaty. The other is the conceptually innovative suggestion to think about social rights not only in terms of class or gender but also in terms of regional differences. During this process, the third citizenship policy package emerged. Against the odds—and the particularly strong opposition of the UK delegation to any common social policy—the Spanish delegation, with strong support from the Irish and Portuguese delegations as well as from the Commission, continued to insist on the necessity of new regional policymaking (Bull. EC, 1991:132–134). In the end, the notion of solidarity did materialize by way of a reformulation of Article 130 EC so that “economic and social cohesion, and solidarity among Member states, [were] expressly included among the tasks of the Community [so that] the objective of cohesion [had to] henceforth [to] be a constituent part of all other Community policies from their inception” (European Social Observatory, 1993:62).³⁷

Conclusion

This chapter reported results of a research project on EC/EU citizenship policymaking. It focused on the incorporation of citizenship rights in the quasi-constitution of a nonstate in the context of changing global politics that had brought a crisis of the nation-state and a revival of the citizenship debate. It demonstrated how citizenship policy emerged along with the EC’s need for negotiating power within the international realm. That necessity reemerged with the crises the EC faced over time, including the breakdown of the Bretton Woods system in the early 1970s, the decline of the western European welfare state in the 1980s, and the challenge to the balance of powers in international relations initiated by the 1989 fall of the Berlin Wall. The establishment of Union citizenship thus emerged in relation with and often in response to international crises.

Notes

For comments on earlier versions of this chapter, I am very grateful to Josée Bergeron, Mathias Bös, and Jane Jenson. The responsibility for the final argument is, of course, mine.

1. For a more in-depth elaboration on this concept, see Wiener (1998, chap. 2).

2. PE 207. 047/fin., November 25, 1993 (opinion concerning citizenship in the Union, written for the Committee of Civil Liberties and Internal Affairs, drafted by Rosamaria Bindi of the Committee on Institutional Affairs; hereafter referred to as Bindi Report).

3. This was the interpretation of the German Constitutional Court. See BVerfGE 22, 293 (296); cf. Hobe (1993).

4. Civil rights comprise the right to liberty of the person; freedom of speech, thought, and faith; and freedom to own property and conclude valid contracts. Political rights allow participation in the exercise of political power. Social rights establish the right to access to social welfare and security, to a share in social heritage, and to the life of a civilized being (Marshall, 1950:10–11).

5. For a clear assessment of the development and meaning of different schools, including historical and rational choice approaches within the framework of new institutionalism in the field of comparative politics, see Thelen and Steinmo (1992); for an overview of recent developments of the practice of new institutionalism in sociology, economy, and political science, see Hall and Taylor (1996).

6. Bull. EC (1975a). Translation: "Instead of leading to the reinforcement of Community solidarity and to a Europe that would affirm its identity vis-à-vis the rest of the world, the economic crisis and the changes in international relations had marked a standstill and perhaps a retreat in the construction of Europe."

7. *Agence Europe*, No. 1449, February 2, 1974, p. 7.

8. Dissent was particularly expressed with reference to the establishment of the Regional Fund. As Bertrand, the rapporteur for the Political Committee, noted, "enthusiasm and confidence after this summit [Copenhagen] are out of place, as the formula appears to have failed to a large extent, this being produced by the deadlock on the question of the Regional Fund" (cf. *Agence Europe*, No. 1438, January 18, 1974, p. 4).

9. *Agence Europe*, No. 713, January 5, 1973, p. 7; from an interview published in "La Libre Belgique," December 28, 1972.

10. Desmond Dinan writes, for example, that the "United States and the Nine toyed with various draft statements on U.S.-European relations in the summer of 1973, before the member states adopted their Document on the European Identity on December 14" (Dinan, 1994:85).

11. *European Report*, No. 1052, p. 6; see also Bull. EC (1984a:12) on the "British problem."

12. This approach later became known as "Russian Dolls" (Ross, 1993).

13. As Taschner explains, the step-by-step policy strategy had been introduced to Commission policymaking by him. The origin of this type of policymaking was the "policy of small steps" (in German: Politik der kleinen Schritte) that had been applied first by the representatives of the Federal Republic of Germany toward the German Democratic Republic in order to ease the political relations between the two German states (interview with Taschner, Brussels, June 8, 1994).

14. COM(85)310 final, Brussels, June 14, 1985. "Completing the Internal Market," White Paper from the Commission to the European Council, Milan, June 28–29, 1985.

15. *Ibid.*, p. 5.

16. According to the European Commission, the *acquis communautaire* is understood as "the contents, principles and political objectives of the Treaties, including the Maastricht Treaty; the legislation adopted in implementation of the Treaties, and the jurisprudence of the Court; the declarations and resolutions adopted in the Community framework; the international agreements, and the agreements between member states connected with the Community's activities" (quoted in Michalski and Wallace, 1992:38).

17. COM(85)310 final, Brussels, June 14, 1985, Annex, p. 1.

18. These areas for qualified majority voting in the Council of Ministers are stipulated in Article 8a (Completion of the Internal Market) of the EC Treaty.

19. PE 137.068/fin., p. 16.

20. SG(90) D/05797 (intervention of Martin Bangemann, vice president of the Commission, July 11, 1990, in the European Parliament), p. 8 (translation from French).

21. *Ibid.*, p. 9.

22. Letter published in *Agence Europe*, No. 5238, April 20, 1990, p. 3.

23. PE 137.068/fin., p. 6.

24. Memorandum from Permanent Representative of Belgium to the European Communities, March 19, 1990; in Laursen and Vanhoonacker, 1992:269-275.

25. *Agence Europe*, No. 5239, April 21, 1990, p. 3.

26. SEC(90) 1084 ref. from: SEC(90) 1215, June 15, 1990, p. 1.

27. SEC(90) 1015/2, May 18, 1990, p. 6.

28. *Agence Europe*, No. 5281, June 23, 1990, p. 4.

29. "Union politique et citoyenneté commune," reproduced in SG(90) D/06001, July 24, 1990 (French version).

30. *Ibid.*, p. 1.

31. *Ibid.*, p. 4.

32. For a good overview of some of these groups see Den Boer and Walker (1993:4-7); Taschner (1990:27); and Commission of the European Communities, December 12, 1990, CIRC 36/4/90 (objet: Rapport du Groupe des Coordinateurs au Conseil européen—Mise en oeuvre du rapport de Palma).

As the EP's Outrive Report observed, "European cooperation between the police and the courts [was] disturbed by the lack of cooperation between numerous initiatives in this area which overlap[ped] and cut across each other. This broad number of groups, working groups, committees, clubs (Trevi-Groups, Pompidou, Group of Co-ordinators, CELAD-ECCD, GAM-MAG, Committee of Experts, Club of 5, working groups, ad-hoc groups, IKPO-Europol, European Council, Gafi-G7, CCC, Mar-Infogroep, STAR, UCLAF, Dublin and so forth) ha[d] resulted in a real chaos" (PE 202.540/fin, November 5, 1992, p. 20); for an overview of all groups, see first Outrive Report (PE 156.390).

33. PE 202.540/fin, November 5, 1992, p. 21. "Second Report of the Committee on Civil Liberties and Internal Affairs on the Realization of the Schengen Agreement." Rapporteur: L. van Outrive.

34. Schengen Convention, Schengen, June 19, 1990, p. 3.

35. PE 202.540/final, p. 22.

36. See Zeuner (1989:135) and Schmidt (1989:106).

37. "The establishment of a new Cohesion Fund before the end of 1993, designed to take action only in countries whose per capita GNP is less than 90 percent of the Community average (Ireland, Greece, Portugal, Spain) and that have

established a program leading to economic convergence as provided by the Treaty on Economic and Monetary Union, is another factor demonstrating the desire to emphasize the redistributive nature of cohesion policy” (European Social Observatory, 1993: 62).