

Preface and major findings: the anatomy, the analysis and the assessment of the ‘beast’

Fifteen into one? is the result of a collective reflection by a group of political scientists who are all fascinated and puzzled by the evolution of the EU system and its major features. The study is part of a two-level research project for which the Deutsche Forschungsgemeinschaft (DFG) has given a grant (WE 954/6–1) within the larger research programme ‘Regieren in Europa’ (Governance in Europe) co-ordinated by Beate Kohler-Koch, University of Mannheim. Our particular project aimed to examine if, and to what extent, the European Union’s political system has changed since the Maastricht Treaty came into force. The analysis has been pursued at the ‘Brussels–Strasbourg’ level as well as at the national levels, where we dealt with the constitutional, institutional, procedural and administrative adaptation and reaction processes.

Taking up earlier work by one of the editors, we follow some conventional and some less tried approaches, identify some strange puzzles and come up with some traditional and some perhaps surprising results. As a starting point, this project took the demands of a multi-level system seriously. The analysis has therefore been pursued both in the ‘Brussels–Strasbourg’ space as well as at the level of all fifteen Member States. To link the evolution in both arenas we decided to follow a neo-institutionalist approach and – in this line – to take the para-constitutional and institutional evolution of the EC/EU Treaty as the independent variable. The central question was: in what way did the treaty amendments and revisions affect Member States or – to formulate it more concretely – how have groups of actors in the member states adapted their constitutional, institutional, procedural and administrative structures to the common and self-made challenges of the EU polity?

In a country-by-country account the research group has described and analysed who participates in which forms and at which stages of the EU policy-cycle and thus how national actors interact and fit into the Union system. We also addressed the demand for a dynamic approach and the need to analyse the integration process over a longer period. Starting from

the impact of the Treaty on the European Union, we discovered that we also had to look back to the set-up and situation prevailing before the European Union was created in Maastricht.

Another characteristic of our approach was the use of quantitative trends including especially a systematic comparison of legal provisions and data about the production patterns and the output of legal acts, provided in raw data from EC institutions. At the end we were able to describe the long-term trends of the integration process some over nearly half a century from the early days of the European Coal and Steel Community (ECSC) until the end of the 1990s. The major findings of this multi-level and multi-actor analysis point to particular features of the EU polity with the Member States as constitutive units:

(1) From analysing the institutional and procedural evolution of the European polity over the last fifty years we realised that the evolution, amendment and revision of the set-up at the European level have been considerable. Of specific relevance were five trends in the growth and differentiation of the EU system. National actors, as masters of treaty-building, have considerably increased the demands on their own set-ups – especially through para-constitutional communitarisation, sectoral and procedural differentiation, institutional and actor differentiation as well as through the burgeoning scope and density of binding obligations in form of the *acquis communautaire*. The data for the 1990s indicate that *these integration processes have not reached a stage of saturation nor even a 'local optimum'*.

(2) Confronted with these challenges – i.e. the considerable changes in our key variables – we wondered about the patterns of national reaction. The findings of the country reports indicate clear traces of a broad and intensive ‘Europeanisation’ of national actors in the institutions of members states and a ‘domestication’ at the European level. As we – in contrast to other approaches – define the ambiguous term ‘Europeanisation’ as a shift of attention, we observe that national governments, administrations, parliaments, regions, interest groups and courts have mobilised additional resources for their multi-level game. They have adapted their national machinery and invested time in the EU policy cycle at both the national and the EU level. Within this persistent trend the period since the Single European Act (SEA) (1987) has been a time when more and more national actors discovered the importance of the EC/EU polity for their own interests. With increasing salience in more and more sectors national demands for ‘voice’ opportunities have grown exponentially. Using key concepts such as ‘transparency’, ‘democratic deficit’ and ‘legitimacy’ as pretexts for a higher degree of participation, more and more groups of actors have been included. These processes increase the degree of complexity of the emerging politico-administrative system.

What thus becomes clear at the turn of the millennium is that the European Union has been opened by national institutions and actors. Looking from the other perspective, 'Europeanisation' is closely linked with a 'domestication' of EU institutions, rules and behavioural settings. 'EU-Brussels' is no longer just an arena for diplomats but for all national ministries (since 1999 also for defence secretaries) and an increasing range of policy networks. This process of mutual interaction is significant; it is not a one-way street. *The allocation of competences and the patterns of mutual participation point to a fusion of both levels.*

(3) Given this rise in salience of the EU level many might find the vertical asymmetry between 'Brussels' and the national capitals surprising. Fundamental patterns of national policy-making have not changed: national actors have strengthened existing set-ups to mobilise their resources for 'access' and 'influence' over an increasing range of 'vital' policy areas and over all phases of the policy cycle. We observe some limited constitutional revisions, some minor institutional rearrangements and a lot of procedural and administrative adaptations, but no structural revolution in the Member States. Actors playing on both levels have been ingenious in developing incremental devices without creating new major set-ups at the national level. We could not find indicators of any change in this 'conservative' attitude of major actors. Thus the rate and the degree of para-constitutional, institutional and procedural amendments and revisions of the EC/EU treaty, our independent variable, has not led to respective changes in Member States, and *this vertical asymmetry between the two levels is part of the evolution of the EU system.*

(4) The latter finding might help to explain another counterintuitive observation – that of non-convergence among Member States. The rather uniform patterns of national reactions with regard to the shift of awareness, attention and mobilisation should thus not hide another surprising pattern: the constitutional, institutional and administrative systems, and their relative use, have not clided into one – ideal – model of adapting to the Brussels policy cycle. Given the same kind of institutional and procedural challenges that react on and shape the EU system, the degree similarity among the 'Fifteen' is rather small. Traditional national patterns are resistant and apparently flexible enough to induce complacency about one's own performance. Imports of apparently more competitive set-ups or procedures are rare. *Each member state pursues its own way in the Brussels 'space', and a screening of 'best practices' is not pursued on any systematic level.*

(5) In spite of a general trend towards an increased engagement in the EU policy cycle we find a clear horizontal asymmetry among groups of actors in the adaptation process. Gains and losses in getting access and influence on both levels are not equally distributed among national actors; some are more flexible as well as more forceful, and thus more competitive

than others. Using a fourfold typology of identifying adaptation patterns on both the national and the European level, our reading of the national reports confirms the traditional view that some actors – especially parliaments and some regional administrations – are only weak adaptors whereas others – such as the head of governments, governmental administrations and interest groups – have increased their role as strong and active multi-level players. Though parliaments normally count among the ‘losers’ in the multi-level game some have at least established a position of strong national adaptors. Though not all effects are directly visible, one consequence is a *shift in the internal national balance of powers towards governments and administrations and thence towards the heads of governments and finance ministers*.

(6) Unlike at the beginning of our project we are now extremely cautious about positing an optimal model or blueprint which would offer ‘best practices’ in national adaptation and thus serve as an ideal example for ‘efficient governance’. Long-established national features make it extremely difficult to offer any valid statements on which structures and procedures are more or less ‘fit’ for the multi-level game. Any blueprint for an optimal model would be both academically invalid and politically risky. The picture we get from studying the particularities of Member States makes it clear that imitation by straightforward import would be subject to the law of unintended and therefore worrying consequences unless the institutional–procedural environment had been carefully analysed. The limited use of the experience of other Member States is therefore a prudent decision. EU applicant countries should thus be careful in drafting their specific institutional set-up and procedural rules. Present members offer a broad set of variations, which indicates the importance of national actors, but they do not necessarily serve as a good example. Based on these reflections this study refrains from offering a model case for the ideal member of a ‘XXL Union’ of 25 or more members. One general conclusion, however, is evident for institutional strategies: all existing plans which propose changes in the Treaty text *without discussing national reaction patterns* will remain superficial and may lead to damaging and even counterproductive results.

(7) As a consequence of the dynamic and comparative approach *Fifteen into one?* also tries to contribute to a dynamic theory on the evolution of the (West) European states. Exploiting conventional integration-related theories – in our case, studies of (neo-)realist, (neo-)federal/neo-functional, governance and fusion issues – we found stimulating offers and insights in each of them. Our findings stress, however, that nation states are neither strengthened or ‘rescued’ in their traditional set-ups. The evolution of the national and the European level does not follow any clear path towards a discernible ‘finalité politique’. We are thus observing the creation of a new kind of polity, a mixture of ‘Europeanisation’ and

‘domestication’ as described by the fusion thesis. These trends *indicate a new stage in the evolution of West European states, with the EU level as a major component.*

The analysis of the ‘Fifteen’ and the ‘One’ could not have been carried out without the help of the contributors. Each of them has dealt for many years with the effects of the process of European integration in his or her particular member state. As is necessary in a volume of this kind, special efforts were made to standardise individual chapters. We therefore discussed the analytical approach and preliminary results during a workshop at the Europa Centre, Bonn, in February 1999 and tried to scrutinise the contributions against a common checklist.

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The relations between Member States and the European Union are an never-ending story. The contributions were written in 2000 and may not therefore encompass subsequent changes in national arrangements. The editors are already planning their next edition on a Union with some twenty countries and working within the constitutional and institutional set-up after further steps in treaty-building. Our joint search into the future indicates another function of this volume. We hope that it offers useful reflections for the applicant countries on how to make their systems ‘fit’ for a successful and competitive life inside the ‘Brussels + X’ labyrinth, though no ‘easy’ lessons can be drawn.

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