

'Hubert Védrine: Response to Joschka Fischer' from Le Monde (11 June 2000)

Caption: On 11 June 2000, Hubert Védrine, French Foreign Minister, gives his response to the proposals submitted the previous day by his German counterpart, Joschka Fischer, on the aims of the European Union and gives his own views on the notions of federation and a Federation of Nation States.

Source: Le Monde. 11.06.2000. Paris. "Réponse à Joschka Fischer", auteur:Védrine, Hubert.

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Last updated: 05/07/2016

Response to Joschka Fischer

Joschka, yesterday, with great care, I read the speech you made, in a personal capacity, at Humboldt University, Berlin, on 12 May, on the goals of the European Union and its institutional outlook. As I said at the time, I found your approach welcome and opportune. Since I was appointed Foreign Minister in June 1997 I have had the impression that the general public in Europe does not fully appreciate the consequences of the coming enlargement of the EU and that it is high time we looked at the best way of addressing this issue. If I may, I should like to outline my own thoughts on this topic.

How is Europe to remain workable with 30 or perhaps more members? The first time we met, in November 1998, I raised this question, adding that in my view this challenge would soon obscure all others in Europe. This question requires much more than some improvised, cobbled-together or even simply ingenious answer. The answer can only be found through genuine debate that is honest, comprehensive and democratic. No one can claim to have the answer straight away and debate is long overdue. (...)

Several of Europe's political leaders, present or past, think that to avoid paralysis we must go further. In recent weeks they have proposed that the countries determined to make a great leap forwards in terms of political integration should join up to form a 'hard core' or 'avant-garde'. This boils down to accepting the idea, which has long been actively disputed, of a two-tier Europe. It was with this in mind that you joined Jacques Delors and others to propose that a 'centre of gravity' should be established in stages, destined one day to become the core of a future federation.

As it prepares to take over the EU Presidency, France is not in the same situation as other Member States.

Launching ideas for the long-term development of Europe and presiding over the Union effectively, at a time when we need to conclude the difficult task of reforming the institutions, are two equally necessary but very different tasks.

The role of the presiding country is to do everything in its power to bring Member States together in support of the most ambitious solution possible. But, given European rules on decision-making, any solution must be rooted in consensus. It is consequently impossible to assume this responsibility and at the same time table a project that stands a good chance, as we have already seen, of revealing and exacerbating the deep divisions between Member States.

At Rambouillet, at a meeting attended by the French President and Prime Minister, the German Chancellor and the relevant Ministers, we had no difficulty agreeing on the fact that the prerequisite for any subsequent progress was the successful conclusion of the Nice Intergovernmental Conference. But that does not mean success at any price. If, despite the efforts of the French Presidency with the full support of Germany, the 15 fail to agree on a new weighting system, the qualified majority, the size of the Commission and greater cooperation, there would be little point in speculating or even disagreeing on what might happen to Europe in 10 or 20 years' time. The IGC will be the test of Europe's determination to reform.

As we have seen from the statements made by various French commentators and politicians, there is no longer any fear of the idea of federation; on the contrary, it is even becoming rather attractive. It seems daring, it seems straightforward and it seems effective as a way of ridding us of the threat of paralysis. With an increasingly global market, many misgivings or hostile arguments seem outdated. Furthermore, some of the components of a federal system are already in place, for example the Court of Justice and the euro. So why not? However, the current mood and the feeling of vague sympathy are not sufficient grounds for the political leaders of a country to sign up to such an idea, without very detailed consideration. It would after all be a radical change, particularly as the federal solutions proposed by the various parties differ in essential respects.

That is why, at this stage, I think the best way to proceed is to avoid any theoretical controversy over the various meanings of the word 'federalism' and to formulate the precise questions that spring to mind, the better to pinpoint the issues that need to be clarified and to find the best possible responses by weighing up

the pros and cons in a democratic spirit. I shall attempt to do just that in the following lines. How are the members of a potential future hard core to be chosen? Could the list actually be decided a priori? That is what the 1994 Lammers-Schäuble document did, a mistake you have not repeated. Should it be decreed that the six founding members should go forward? Several countries not among the original six have already said that they intend to join any future hard core. There are other options, such as taking the 11 countries that adopted the euro as the hard core. But one day the 11 will be 12, 14 or maybe more, which is a lot for a core. It is absolutely essential to step up the political and economic coordination of the euro countries, but that will not necessarily lead to greater political integration. The euro zone is not the same as the Schengen area, nor yet the Europe of defence. The most convenient solution could be to invite volunteers and allow free access to an open core. But if everyone wants to join in, would it still be a core and in what respect would it go further than the others?

The second question is even more crucial. Which powers would be devolved to the federal level? To do what? What institutions would exercise such powers? This begs the question of which powers nation states would retain. I noted that you quite rightly took the precaution of pointing out that there is no question of doing away with nation states, as you realise that many Europeans are deeply attached to that framework for their identity and their lives in a democracy. For France, among others, that is of the essence.

But once one starts to consider electing, by universal suffrage, a federal president who would take charge of the foreign and defence policies of the Federation, and would be answerable to the Parliament of the Federation, what is there left for nation states? What role would there be left for the Heads of State or Government of countries joining the Federation to play? To put it crudely, for how much longer would there be a President and a Prime Minister in France, a Chancellor in Germany, or a Head of Government in other countries? This is where the debate, which is currently not in the open, must become explicit. It is not enough to assert that one wants to, and indeed that one can, reconcile the creation of a Federation with the preservation of nation states. In a spirit of subsidiarity we need to see whether we can determine exactly what must go on being managed nationally — or perhaps even be returned to that level — and what will be managed federally.

This demarcation is vital. The key function of any federation is, indeed, to organise this demarcation, and those who advocate a Constitution for Europe share that goal.

Here again, though, we must be clear about what we are discussing. Is the aim simply to codify the share-out of powers between the Federation and Member States, or does the Federation imply major transfers of sovereignty in new fields, and, if so, which fields? Law and order? Defence? Foreign policy?

This brings us to the question of the nature of the possible government. Would it take as its model the Commission as we see it today, with a conventional federal approach? If that were the case we would surely run into problems with which we are already familiar: legitimacy, transparency, effectiveness, political checks and balances. Or would the government emanate from national governments, as is the case with the current Council of Ministers, the expression of a sort of intergovernmental federalism? You added this option to your speech after we discussed the matter and it would certainly be more acceptable, in my view. Or would government involve a federal version of the current power-sharing between Commission and Council? All this needs to be clarified.

Another question concerns the parliament to which this federal government would be answerable. Would it be the existing European Parliament? The national Parliaments or a dual chamber, as you propose, with one consisting of delegates from national Parliaments? This seems an interesting idea and merits further consideration.

This brings us to the links between the various levels of power in Europe. There are currently three. In a hypothetical federation, preserving nation states, there would be at least four levels of power in Europe: local authorities (which themselves comprise several levels); nation states, with their executive, legislative and judicial bodies; the Federation, with its President, Government and Parliament; the enlarged European Union, still with its Council, Commission, Parliament and Court of Justice.

Whereas public opinion in Europe is demanding a clearer, simpler type of organisation which is easier to grasp — reflected in the calls from some quarters for a Constitution that they hope will clarify the situation — we would end up with a stack of organisations with overlapping powers that would probably be even more inextricable than at present. Such a duplication of institutions would soon become unbearable, and to iron out the difficulties the national bodies would have to be removed. We must face up to this, as it obviously presents most national states and their people with a tremendous problem of identity and democracy. We must not forget that in Europe, unlike the United States, we have nations. We may also hope, as you hinted at the end of your speech, that one day the Federation would merge with the whole Union, but that seems most unrealistic.

I currently believe that the best way of giving new impetus to the Union is to bring the IGC to a successful conclusion. This involves making any reinforced cooperation much more flexible, which is the first step in your plan. This is also the best way of giving the Union a dynamic view of its institutional future, while giving it the means to make subsequent progress, some of which may be very ambitious. Moreover, this can be achieved without unleashing all the contradictory forces in Europe or turning an institutional *malaise* into a full-blown crisis. This also provides a way of giving all those who really want to go further towards political integration the time to prepare for it. That is what I propose we should do. We shall soon see which countries are interested in reinforced cooperation in key areas.

Our reflections should focus, I think, on the concepts of Federation and Federation of nation states. In the last analysis, might they be one and the same thing, namely classical federalism? In which case we are heading for deadlock. Or, on the contrary, does the concept of a Federation of nation states, the original route opened up by Jacques Delors that you too have chosen to follow, contain the seeds of a different solution that provides a satisfactory answer to the questions raised above? It is certainly an option worth exploring.

Only through lengthy, open, honest debate between us, French and Germans, but also without excluding any of the other Europeans concerned, will we succeed in gaining a better grasp of which issues are fundamental and which are secondary, and in separating possible solutions from those that are unworkable. In any case, the solutions that enable us finally to square this particular circle will certainly be original, because nothing that has been done previously — that has worked for European integration — has matched any preconceived outline.

By Hubert Védrine