

EU Enlargement and Government

From The Board

When on January 1, 1973, after 20 years of existence, the European Community had its first enlargement, many expected the system to succumb to its new weight short of institutional capacity and either to disintegrate or be reduced to a customs union. True enough ‘eurosclerosis’ set in, to last for a period of ten years. Looking back now, however, we know that this was a decade of deep and lasting change, ultimately reinforcing the Community’s political and substantive structures. Political structure was transformed by the creation of the European Council (1974) and direct elections for the Parliament, including the budgetary treaties. Substantive structure was innovated by the seminal *Dassonville* ruling, which would develop into the now powerful Rule of Reason doctrine and usher in the Internal Market’s central mechanics.

Greece’s entry, five years later, brought no immediate institutional innovation. One day, maybe, the deep significance of this accession for the Union’s structure will be understood. On January 1, 1986, five years later, Spain and Portugal became members. Fears of institutional and financial disturbance had led to seemingly endless negotiations, only unblocked by the great Fontainebleau deal of 1984, which would also lead to the European Single Act and its institutional innovations. Again, enlargement led to strengthening of structure.

Next was the accession of Eastern Germany by way of *fait accompli* (1990), whose threat brought the EC to the brink of break down. Turning, again, necessity into virtue, the EC transformed itself into the EU and embarked on Monetary Union in the Treaty of Maastricht (1992). The basis of the EU Treaty, it will be remembered, was the German concession finally to trade in its national pride, the Deutsche Mark, for French approval with German (re)unification.

In 1995, the Union took in three more countries with relative ease, hoping to accommodate the Eastern thrust by offering only second-best deals called the Europe Agreements. This failed and instead caused the repetition of attempts to come to terms with the inevitable, from Amsterdam to Nice, presently to be concluded by the Constitutional Treaty. Again, enlargement has borne institutional and substantive innovation instead of paralysis and disintegration.

Brussels’ repeated warning rhetoric that ‘widening’ would necessarily be at the cost of ‘deepening’ has been contradicted each time by the facts. The panic can now safely be considered to have been fear of structural change by the structure’s own establishment rather than legitimate concern with the Union’s future. The truth is that territorial expansion has proved to be a sure recipe for

unblocking the gridlock inevitably besetting the EU as a dominantly bureaucratic entity.

It is truly incredible how much profound innovation the Union has allowed itself to undergo in this manner, without reaching something of a final structure. A final structure would be one that is both sufficiently comprehensible and appealing to those involved and which would provide sufficient evolutionary dynamics for itself without the repeated territorial shake-ups. We are not there yet. Even the present Constitutional Treaty, whatever its merits and they are not negligible, seems to be keeping more balls in the air than to letting them fall in place.

This by itself is enough to welcome the prospective Turkish accession but not just for all the reasons justly given in terms of a new dynamic for the country and for the bridge it will form between the West and the Islam worlds and similar arguments. This final territorial impulsion might, in line with what we have witnessed so far, give the Union a final lift to the status of a real political community, featuring not just leadership (this is presently in the making) but also a Parliament that manages to live up to its representative responsibility. If the present Constitutional Treaty makes one thing clear, it is the European Parliament's absence from the list of real powers. Neither to be given nor to be able to demand a single say in the Constitution's future amendments is sufficiently significant in this respect.

What is the coming historical link between Turkish accession and the Parliament's constitutional position? We don't know. The only thing we do know is that both are necessary. And, was there any way of predicting the exact logic of former institutional innovations arising from territorial change?

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