

## The difficult question of EU institutional reform: Has the Franco-German engine run out of steam?

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The shortcomings of the [Treaty of Nice](#) increased the need for general reform of the institutions of the European Union so that they could absorb the states applying for accession, become more effective and be more comprehensible to the people of Europe. On 15 December 2001, the [European Council, meeting in Laeken](#), decided to convoke a [Convention on the Future of Europe](#), which decided in turn to draft a constitutional treaty.

The Council appointed [Valéry Giscard d'Estaing](#), former President of the French Republic, as President of the Convention, assisted by [two Vice-Presidents](#): Giuliano Amato, former President of the Italian Council, and Jean-Luc Dehaene, former Belgian Prime Minister. In addition, the Convention would consist of 15 representatives of the Heads of State or Government (one from each Member State), 30 members of national parliaments (two from each Member State), 16 Members of the European Parliament and two representatives of the European Commission. The 10 candidate countries would be represented in the same way and would participate in the discussions, but without any power to block a consensus.

In order to widen the debate to involve all citizens, contributions would be made to the Convention by organisations representing '[civil society](#)' (the 'social partners' — employers' associations and trade unions — the business world, non-governmental organisations, academia, etc.). The Convention would begin [its work](#) on 1 March 2002 and was expected to complete it in one year.

In the Convention, Giscard took the initiative on 28 October 2002 to present what he considered to be the [bare bones of the future constitutional treaty](#). Because of the need for greater efficiency of the institutions and the impossibility of going as far as federalism, Giscard thought that the only acceptable solution was to maintain the 'institutional triangle' — an original feature of the Community system — and to strengthen its three sides: Parliament, the Council and the Commission.

Over the same period, the climate of the Convention changed with the arrival of several foreign ministers who had taken over the representation of their country: [Joschka Fischer](#) for Germany, [Dominique de Villepin](#) for France, followed by others.

[President Chirac and Chancellor Schröder](#) in particular drew closer together in their views and inspired joint proposals on security and defence, justice, economic governance and the institutions: a permanent President of the European Council (sought by France), a Commission President elected by Parliament on the basis of the European elections (sought by Germany), a Foreign Affairs Minister who would also be a Member of the Commission, and separation of the legislative and executive tasks of the Council. These proposals took the Convention by storm, but drew some criticism. The representatives of the small and medium-sized countries among the Fifteen and all the candidate countries demanded equality between Member States, keeping the Commission in its present form but enlarged to include all countries in the Union and continuing the rotating Presidency of the Council.

Broadly speaking, the text provided for a full-time President of the Council elected for several years, a Minister for Foreign Affairs who would at the same time be a Vice-President of the Commission, calculation of the qualified majority in the Council to reflect a majority of Member States and the size of the population (66 %), and a Commission reduced in number, the President of which would be elected by the European Parliament.

This plan was aimed at establishing a balance between the big countries, which have the largest populations and are the biggest contributors to the budget of the Union, and the other countries, which are more numerous but have smaller populations and are generally net beneficiaries of Community

aid. Hence it suited Germany, France and Italy, but Spain and Poland stood to lose the excessive advantages they had gained under the Treaty of Nice. The other countries — medium-sized and small — were in a similar position; they expressed their desire to keep the present [system of vote weighting in the Council](#) and were mistrustful of the ‘enhanced cooperation’ advocated by France and Germany, which would enable some countries to move faster than others.

Eventually, after the European elections, the [European Constitution](#) was adopted by the [Brussels European Council](#) (17 and 18 June 2004) amid a [difficult atmosphere](#) among its members. Discussions over Romano Prodi’s successor as President of the Commission saw the United Kingdom oppose the appointment of Guy Verhofstadt, who was supported by France and Germany. Relations were very strained between Tony Blair on the one hand and Jacques Chirac and Gerhard Schröder on the other. But a result had to be achieved. Following a record low turnout in the European elections, failure would be disastrous

The ‘[Treaty establishing a Constitution for Europe](#)’ was formally signed in Rome on 29 October 2004 by the representatives of the Twenty-Five, in [the same room of the Capitol](#) where the Rome Treaties had been signed by the six founding Member States of the European Communities.

Although Germany and France had made a major contribution to framing the Treaty establishing a Constitution for Europe, they split over ratification. [In France](#), Chirac opted to organise a [referendum](#), as for the Maastricht Treaty. On 29 May 2005, the ‘[No](#)’ vote triumphed with 54.87 % of the poll, after a strong (70 %) turnout. Such a reaction was predictable from the nationalist right and the anti-capitalist far left. But it was made worse by the poor political climate and above all by social problems (persistent unemployment, stagnating standards of living and fears for the future). Part of the left played on these factors to reject not only the treaty but also the very concept of a ‘neo-liberal Europe’. [In Germany](#), on the other hand, the Bundestag ratified the treaty by a [large majority](#). Had a referendum — not permitted by the German Basic Law — been held, the polls show there would have been an uncertain outcome, for social and political reasons comparable to those in France.

Though shaken, the [Franco-German duo](#) weathered this setback thanks to the close links formed between the two countries over more than half a century. There is no credible alternative for either side. Chirac and [Schröder](#) realised this when they joined ranks at the [European Council on 15 to 17 June 2005](#) to oppose Blair on the European Union budget for 2006–2013. It was up to the two countries, keen for Europe to constitute a political force in the world, to find ways of saving the essential advances enshrined in the constitutional treaty and giving an enlarged Europe the efficient institutions it had lacked since the Nice Treaty. And it is also up to [Germany and France](#) to rise above their differences and propose an economic and social project that reaches beyond the neo-liberalism of the English-speaking world while developing competitiveness. In this way it will be possible to bridge the gap between institutions and peoples, and involve them more closely in the life and goals of the European Union.

In an enlarged Europe, France and Germany certainly no longer carry the weight that on several previous occasions enabled them to act as a [genuine driving force](#) for European integration. They enjoy less influence in Parliament, Council and the Commission. But they can still keep things moving. And in so doing the two countries could gain allies by opening their ranks to various partners who share their views, in particular Belgium, Luxembourg, Spain and Poland.