

Krotz: Regularized Intergovernmentalism

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**Structure as Process:  
The Regularized Intergovernmentalism  
of Franco-German Bilateralism**

by

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**Abstract**

This article systematically scrutinizes the intergovernmental and administrative aspects of Franco-German relations with the 1963 Elysée Treaty at their core. This treaty, together with its various additions and extensions, has defined the basic processes of bilateral interaction between the French and German states. Recurrent tension in Franco-German relations notwithstanding, many observers and participants have viewed France and Germany to be connected particularly closely since the 1960s. This article explores key elements of what it *is* that links France and Germany. Thereby it clarifies the concept of regularized intergovernmentalism, suggests viewing this specific set of international practices from a social-structural perspective, and evaluates the effects and limits of such regularized procedures. Its findings suggest that bilateral structures have complemented and undergirded a broadly multilateral post-World War II world and are likely to continue to do so.

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The ups and downs of Franco-German relations in the postwar era have occupied journalists, policymakers, and academic observers of politics alike. Recurrent tensions and reappearing traces of crisis notwithstanding, many of them have considered France and Germany to be particularly closely connected since the 1960s. However, in spite of standard references to this “special relationship,” comprehensive and systematizing discussions of what it exactly *is* that supposedly links these two states are rare. This article focuses on the intergovernmental and administrative aspects of bilateral Franco-German interchange, with the 1963 Elysée Treaty at its center. Thereby it clarifies the concept of regularized intergovernmentalism and argues to view this specific set of international practices from a social-structural perspective.

Regularized intergovernmental processes are patterns of reiterated public interaction and communication by individuals in public or official functions who act as representatives of their states or state entities. Such processes have both a quantitative dimension of interaction density and a qualitative aspect; they can vary along both. The sets of interaction and communication that accumulate to characteristic patterns of regularized intergovernmentalism need not necessarily be constructive. They may be adversarial or cooperative, but they are regularized and reoccur over time. Thus regularized intergovernmentalism comprises specific kinds of practices in the international realm. As more or less robust processes of reiterated interaction that both incarnate and perpetuate social meaning, they are social structures. They are part of an international institutional reality.

Regularized intergovernmental practices have at least three kinds of partially overlapping effects: First, they standardize and routinize the conduct of the single states involved in the relations. They help to define “business as usual” among two or more states. They frame normal ways of handling things. They may channel how and why to solve problems and formulate policies in a wide range of policy domains. They keep issues on the agenda or bring them there; they make states “keep in touch.” Second, they bind and cultivate personnel. These are groups of people who deal with one another professionally on a regularized basis. Third, they generate and perpetuate social meaning and purpose, such as the meaning of normality and normal expectations. They further may provide motives or reasons for or against certain goals and actions – alone or together with others. For example, if the quantitative interaction density among states is high, and especially if the relations are constructive, the regularization of intergovernmentalism may generate pressures “to come up with something.” They legitimize and make intuitive some courses of action; they delegitimize and make implausible others. By doing so they help to stabilize order in international affairs – not understood as the absence of conflict, but as regularization. And they engender rudiments of collective identity in the international sphere.

Different scholars have identified multilateralism as a key institutional feature and defining social form of international relations after World War II.<sup>1</sup> However, multilateral structures have not replaced bilateral ones. Many bilateral relationships have remained politically highly relevant within a broadly multilateral world. Interestingly enough, on the one hand many researchers have considered the European Union the most developed and most important multilateral institution of the 20<sup>th</sup> century – irrespective of their disagreement on its proper conceptualization and workings.<sup>2</sup> On the other hand it has been conventional wisdom that within the EC/EU framework, “nothing goes without, nothing against Germany *and* France”: without basic Franco-German agreement there can be no progress in either deepening, widening, or even consolidating European integration.

Indeed, there seems to be a strange tension between these two widely accepted positions: whereas scholars view the multilateral momentum central to Europe’s “new form of political organization,”<sup>3</sup> the notion that unless the “Franco-German couple” is happy nothing moves has long

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<sup>1</sup> See, for example, Reus-Smit 1999; Ruggie 1992; and the many contributors to Ruggie 1993a.

<sup>2</sup> Hooghe and Marks 2001; Kohler-Koch and Eising 1999; Moravcsik 1998; Pollack 2001; Ruggie 1993b.

<sup>3</sup> Olsen forthcoming, 26 of paper draft.

been a commonplace. This paper's analytic discussion and empirical substance also invite the reader to begin rethinking the relation between multilateral and bilateral elements in postwar European affairs and beyond. Its findings support the view that multilateralism does not replace bilateralism, but that the two will continue to coexist, and that in many cases bilateral relations will complement or undergird multilateral forms.<sup>4</sup>

The Franco-German regularized intergovernmentalism has developed a dynamic of its own. Not least, it has helped to make France and Germany hang together for some four decades.<sup>5</sup> Simultaneously, the limits of this regularized bilateralism have remained conspicuous. The two states frequently fail to match its ambitions and the expectations it helps to generate.

At the core of the regularized intergovernmental interaction between France and Germany is the Elysée Treaty. Together with its various extensions and additions it constitutes the main frame of the intensive Franco-German bilateralism. The semiannual Franco-German summit meetings, which the Treaty has defined as regularized procedures, have grown tremendously in size since the 1963 signing. Some have described them as joint Franco-German cabinet meetings. They cover all major foreign and domestic policy areas and often stretch across all levels of governmental and administrative hierarchy, beginning with president, chancellor, and ministers. Additional Franco-German intergovernmental regularization reaches beyond and below the main staple Elysée Treaty.

In this article I first analyze in detail the intergovernmental and administrative fabric of bilateral Franco-German affairs of the past four decades. Thus, this paper concentrates on key aspects of what it *is* that has made this bilateral relationship supposedly special and especially tight: the nature of a specific kind of regularized intergovernmentalism. Then I explore the impact and limitations of these regularized bilateral intergovernmental processes. And I submit to view regularized intergovernmentalism from a bird's eye perspective as social structures made up of more or less stable processes of reiterated interaction that incarnate and perpetuate social meaning. I clarify regularized intergovernmentalism as a specific set of international practices that help to define international systems or regional subsystems. In this view, the regularized Franco-German intergovernmentalism appears part of a bilateral polity. And, as such, it is an integral structural element of the European polity.

Subsequently, Section One focuses on the Elysée Treaty as a whole, reviews its contents and its extensions and additions, analyzes the semiannual Franco-German summits that it engendered, and briefly looks at regularized Franco-German intergovernmentalism beyond and below the Treaty. Section Two analyzes regularized Franco-German intergovernmentalism across policy areas. Section Three evaluates regularized intergovernmentalism's effects and limits, and concludes with a note on change and continuity within recurrent regularized processes.

## I. Structure as Process: Elysée Treaty as Main Frame

On 22 January 1963, French President Charles de Gaulle, German Chancellor Konrad Adenauer, French Prime Minister Georges Pompidou, and Foreign Ministers Maurice Couve de Murville and Gerhard Schröder signed, in the Elysée Palace's *salon Murat*, the "Treaty between the Federal Republic of Germany and the French Republic on Franco-German Cooperation."<sup>6</sup> Adenauer and de

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<sup>4</sup> Compare von Bredow 1996.

<sup>5</sup> Compare Ruggie 1998.

<sup>6</sup> Official names of the treaty: *Traité entre la République fédérale d'Allemagne et la République française sur la coopération germano-française* / *Vertrag zwischen der Bundesrepublik Deutschland und der Französischen Republik über die deutsch-französische Zusammenarbeit*. After the location of its signing, the seat of the French president in Paris, the Treaty is commonly referred to as "Elysée Treaty." There are numerous shorthand labels around to refer to the this treaty including, Franco-German Cooperation Treaty, Franco-German Friendship Treaty, or simply Franco-German Treaty. I will employ them interchangeably. For the history of the treaty and the circumstances under

Gaule wanted to give permanence to the tremendously improved relations between France and Germany. With the Treaty, they aimed at binding their respective successors to their goal of bilateral proximity. “The Treaty should help to achieve permanent concertation” between France and Germany, de Murville reflects.<sup>7</sup> It “should become the basis of our relations.”<sup>8</sup> At its thirtieth anniversary it was called “treaty of the century”<sup>9</sup> and “a foundation for Europe.”<sup>10</sup> Others have called it “the Magna Charta of Franco-German relations.”<sup>11</sup> The Elysée Treaty organizes and formulates the basic principles of the regularized bilateral intergovernmentalism between France and Germany.

The Elysée Treaty marks both an end and a beginning. On the one hand it “crowned”<sup>12</sup> the period of reconciliation between France and Germany, now commonly dated 1945-1963. Ultimately and irrevocably, it ends the times of Franco-German “hereditary enmity” – the common way of referring to Franco-German relations between 1871 and 1945. The Treaty, co-signatory de Murville explicates, “solemnly sealed Franco-German reconciliation. Forever. From then on, the enmity between the two peoples, which took shape in the nineteenth century and culminated in the twentieth century with two huge bloody wars, and which had been considered insurmountable, belonged to the past.”<sup>13</sup>

On the other hand, the Elysée Treaty also brands the beginning of a time of increasingly tightly institutionalized constructive Franco-German relations. The Treaty commences a historical period in which it became commonplace to refer to France and Germany together with terms such as “couple,” “tandem,” “pair,” “entente,” “partners,” and several others. Both chancellor and president, who were in 1963 eighty-seven and seventy-three years old respectively, were affected by their signing of the Treaty. After they had put down their pens, they hugged each other and completed the conclusion of this international treaty with a fraternal kiss.

### Contents of the Treaty

The Franco-German Cooperation Treaty comprises two main parts. A short third part, “Final Provisions,” concludes the Treaty, and the brief “Common Declaration” of President de Gaulle and Chancellor Adenauer precedes it.<sup>14</sup> In this declaration, president and chancellor underline the Treaty’s historic character.<sup>15</sup> They stress their “conviction” that the reconciliation between the French and German peoples that “ends a centuries old rivalry constitutes a historic event that fundamentally redefines the relationship between the two peoples with one another.”<sup>16</sup>

The Treaty’s first part, titled “Organization,” outlines in succinct and “very strict”<sup>17</sup> stipulations the general “mechanisms” of Franco-German interaction.<sup>18</sup> Its Section One formulates that the heads of state and government generally should oversee the Treaty’s regulations and give the di-

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which it became formulated and signed, see Abelein 1963; Ecker-Ertle 1998, 122; Fischer 1992; Schwarz 1991; Sverdrup 1994, chapter 3; Ziebura 1978a. Treaty co-signatory Foreign Minister Gerhard Schröder is neither identical to nor related with the later German chancellor with the same name. All translations from French and German into English in this paper are my own.

<sup>7</sup> de Murville 1988, 170.

<sup>8</sup> Ibid.

<sup>9</sup> Fischer 1992.

<sup>10</sup> Kohl 1992.

<sup>11</sup> Koenig 1997, 70.

<sup>12</sup> de Murville 1988, 174.

<sup>13</sup> Ibid., 170.

<sup>14</sup> The full Treaty is reprinted, for example, in *Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg* 1993, 136-145; Ménudier 1993, 85-89.

<sup>15</sup> See Ménudier 1993, 80.

<sup>16</sup> *Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg* 1993, 136-137.

<sup>17</sup> Guldner 1989, 136.

<sup>18</sup> Ménudier 1993, 80.

rections necessary for that purpose. To that end, those officials meet as often as necessary, but at least twice a year.

The second section assigns to the foreign ministers the responsibility for the Treaty's application and implementation in its entirety. For that purpose, the ministers meet at least every three months. The section further stipulates that high-ranking diplomats from the two ministries responsible for political, economic, and cultural affairs meet every month. Finally, the section specifies that embassies and consulates, as well as French and German missions to international organizations, should be in contact with one another on all matters of common interest.

The provisions of the third section of Part One indicate that the French and German defense ministers should meet at least every three months and the heads of the general staffs at least every two months. The German minister for family youth affairs is required to meet at least every two months with the French high commissioner for these policy areas.

Section Four, finally, institutes a French and a German interministerial commission to provide coherence to Franco-German cooperation, and to provide suggestions for the extension of Franco-German cooperation into new areas.

The Treaty's second main part, comprising three major sections numbered A, B, and C, bears the heading "Program." Section A concerns foreign affairs. It formulates that the "the two governments consult each other before every important decision in all important questions of foreign policy, in particular in questions of joint interest, in order to arrive as much as possible at common positions."<sup>19</sup> Legal scholar Martin Sattler views this regulation as the "kernel" of the Treaty and the "consultation duty" the central Treaty arrangement.<sup>20</sup> "Consultation," he analyzes the term from an international legal point of view, "is joint deliberation among the foreign organs of two or more states with the purpose to alleviate or to dissolve disagreements among those involved in the consultation, or in order to define a common position of the organs consulting with one another with respect to third states."<sup>21</sup>

Section B defines Franco-German cooperation objectives in the policy areas of defense, security, and armament. It stipulates that in the areas of strategy and tactics, "the respective entities of the two states will strive to reconcile their positions in order to arrive at common conceptions."<sup>22</sup> It designates the creation of Franco-German institutes for operative research and the exchange among personnel of the French and German armed forces. Finally, it formulates that both governments will endeavor to realize joint armament projects and to work out the financing of such projects.

Section C defines Franco-German cooperation in the areas of education and youth affairs. The section formulates that France and Germany will aim at improving the study of the respective other language and that Franco-German scientific exchanges will be intensified. Finally, it announces the creation of a Franco-German youth organization that will strengthen the existing ties between young French and Germans, to increase mutual understanding between them and to extend exchanges among French and German youth groups.

The Treaty's short Part Three, "Final Provisions," defines the Treaty's "application modalities."<sup>23</sup> It states that in both countries "the necessary steps for an immediate realization" of the

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<sup>19</sup> Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg 1993, 140-141.

<sup>20</sup> Sattler 1976, 92.

<sup>21</sup> Ibid. For a legal-theoretical discussion of the term "common interest," according to Sattler the second main legal term of this section, see *ibid.*, 93-94.

<sup>22</sup> Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg 1993, 140-141.

<sup>23</sup> Guldner 1989, 138.

Treaty “will be taken instantaneously.” The two states’ foreign ministers are to evaluate at each of their meetings how much progress has been made in the realization of the Treaty’s contents.<sup>24</sup>

Especially in foreign and security affairs, the Elysée Treaty defines processes. It structures procedures of interaction to bring about a varied range of specific substantive outcomes over an unspecified time period. Whereas the Treaty formulates its goals in general terms, it leaves the concrete substantive results to be generated by the interaction processes it puts into place. Especially concerning cooperation in foreign policy, the Elysée Treaty is not a treaty of substance, but a treaty of procedure.<sup>25</sup>

### **Extensions, Additions, Intensifications**

Since 1963, France and Germany have extended and intensified their regularized intergovernmentalism based on the Elysée Treaty’s original regulations in three ways. First, they widely extended the magnitude of the semiannual “summit consultations” around the regularized meetings among the heads of state and government on the basis of the Treaty. These summits, initially taking place among chancellor, president, prime minister and a handful of ministers, have grown enormously over time. By the 1980s they included almost all ministers as well as civil servants from all ranks. Second, they added a number of protocols and letters or notes to the 1963 Franco-German Cooperation Treaty that extended and complemented bilateral Franco-German regularized intergovernmentalism. On the one hand, this action formally broadened Franco-German bilateralism to policy areas that the 1963 stipulations did not explicitly mention. On the other hand, it intensified regularized interaction between France and Germany in policy areas that the Elysée Treaty had covered. Third, new instruments, most notably the institution of positions of general commissioners for Franco-German cooperation in 1967, aimed to strengthen and enhance the coherence and sturdiness of the regularized Franco-German processes that the Elysée Treaty had originally defined. I will take these extensions, additions, and intensifications in turn.

The Franco-German summit consultations have widely extended and intensified since the first meetings in July 1963, following the signing of the Elysée Treaty.<sup>26</sup> In the first years after the Elysée Treaty, a Franco-German summit meeting was often made up of chancellor, president, and prime minister, and only three or four other ministers, together with their respective staff members.<sup>27</sup> Since the twenty-fourth consultations of 8-9 July 1974, the ministers of interior affairs have regularly participated in the consultations.<sup>28</sup> During the 1970s, between twelve and eighteen ministers normally participated.<sup>29</sup> By the second half of the 1980s, almost all members of the French and German governments were participating in the bilateral summit meetings.<sup>30</sup>

Since the 1970s, Franco-German consultations have comprised interaction and communication on almost all governmental levels. The head of state and heads of governments bring, in ad-

<sup>24</sup> Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg 1993, 144-145. For analyses of the Elysée Treaty from different angles from which I have drawn in this summary, see Guldner 1989; Koenig 1997; Ménudier 1993; Menyesch and Uterwedde 1978; Sattler 1976.

<sup>25</sup> Many observers overlook the important distinction between international treaties on processes and those on outcomes. Others remark only in passing upon this significant characteristic of the Elysée Treaty that is arguably the key to its perseverance and tenacity. Stephen Kocs is aware of the distinction. See Kocs 1995, 42-43.

<sup>26</sup> For a complete listing of all Franco-German summit consultations, their locations and dates, as well as the participating key political personnel and the major political topics discussed at each, see Deutsch-Französisches Institut and Deutsche Frankreich-Bibliothek 1995 (and after).

<sup>27</sup> Morizet 1988, 197.

<sup>28</sup> Deutsch-Französisches Institut and Deutsche Frankreich-Bibliothek 1995 (and after), 44. For an impression of how much the summit’s consultations have grown by the mid-1970s, see, for example, the list of participants at the twenty-fifth summit on 3-4 February 1975. *Ibid.*, 45.

<sup>29</sup> Sverdrup 1994, 93.

<sup>30</sup> *Ibid.*

dition to their personal staff, their ministers, accompanied by their *ministres délégués*, *Staatssekretäre* and *Abteilungsleiter*. For much of the work on details across the entire range of policy domains, they in turn bring public servants from lower hierarchical levels as part of the delegations. It has become common for between 100 and 150 public officials from each country to participate in summit meetings. Twenty-five years after the conclusion of the Treaty, the number of ministers participating and the sheer size of the delegations had grown to a degree that led *Le Monde* commentator Henri de Bresson to suggest that it might be most appropriate to speak by now of a common Franco-German Council of Ministers.<sup>31</sup> The exact number of participants differs from summit to summit. However, at the Treaty's thirty-fifth anniversary a number of 150 "advisors, spokespersons, state secretaries, and diverse other official(s)" per state make up the "impressive caravan" of the machinery of a Franco-German summit.<sup>32</sup>

The addition of four Franco-German Councils to the original regulations of the Elysée Treaty in the late 1980s constitutes the second kind of extension and intensification of the regularized bilateral Franco-German intergovernmentalism over the past four decades. The regulations establishing two of these councils, the Franco-German Council for Defense and Security and the Franco-German Council for Economics and Finance, both of 1988, were added as protocols to the original Treaty text. They so became an integral part of the Elysée Treaty.<sup>33</sup> The Franco-German Cultural Council (1988) and the Council for the Environment (1989) were created by the exchange of notes between the French and German foreign ministers in 1988 and 1989 respectively. These two councils enjoy a less formalized status than the former two.<sup>34</sup> These institutional extensions aim at "increasingly condensing communality" in all of these policy areas.<sup>35</sup> I will take a closer look at these councils in the subsequent section on Franco-German regularized intergovernmentalism across policy areas.

The institution of special public positions with respect to Franco-German affairs in either or both countries, particularly the inauguration of overall "coordinators" for Franco-German cooperation, marks the third kind of addendum to the Elysée Treaty. Until 1967, a high-ranking diplomat from the foreign ministry headed the interministerial commission for Franco-German cooperation in each of the two states. In July 1967, the special position of a "coordinator" of Franco-German cooperation in both France and Germany was introduced to head the respective interministerial commissions for Franco-German affairs.<sup>36</sup> The French president and German chancellor appointed Pierre-Olivier Lapie and Manfred Klaiber as the first two coordinators. From November 1969 on, the close-to-legendary Carlo Schmid filled the position on the German side.<sup>37</sup>

The French and German coordinators of Franco-German cooperation regularly report to the two governments on the state of affairs of the bilateral cooperation. Additionally, they are asked "to develop further cooperation and to submit suggestions for its extension to other areas" as well as

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<sup>31</sup> de Bresson 1988, 4-5.

<sup>32</sup> Audibert 1998. The total numbers of the participants of the seventy-second consultation were about 180 for Germany and 250 for France.

<sup>33</sup> Bohle 1988. See also Bremer 1988, 24, 34-36.

<sup>34</sup> See Bohle 1988. See also *Dokumente, Documents*, and *Deutsch-Französisches Institut Ludwigsburg* 1993, 160-167.

<sup>35</sup> Bohle 1988.

<sup>36</sup> Menyesch and Uterwedde 1978, 34. The official name of the German position is *Koordinator für die deutsch-französische Zusammenarbeit*. The name for the French position is *Président de la Commission Interministérielle pour les questions de coopération entre la France et la République Fédérale d'Allemagne*. See also Guérin-Sendelbach 1993, 26; Kaltenbach 1983b, 9; Ménudier 1982, 158.

<sup>37</sup> Menyesch and Uterwedde 1978, 34.



to point out ways to improve cohesion and efficacy of the overall bilateral cooperation.<sup>38</sup> They regularly participate in the semiannual summit meetings.

From the beginning, the coordinators of Franco-German cooperation have been respected personalities who could speak with authority and personal independence from their administrations.<sup>39</sup> They already had proven their abilities with achievements in various other positions. The coordinator position has been filled with persons who already had their careers behind them and could focus exclusively on the work at hand.<sup>40</sup>

Another similar intensification in the cultural realm is the institution of a commissioner for cultural affairs, the *Bevollmächtigte der Bundesrepublik Deutschland für kulturelle Angelegenheiten*. Since the German *Länder* dominate in the cultural area, the function is fulfilled by one of the minister presidents of a German *Land* for a four-year term. The *Bevollmächtigte* or “*Kulturbeauftragte*” is in regular contact with the French ministers for education and culture. In conjunction with the cultural division of the German foreign ministry, the *Bevollmächtigte*, together with the two French ministers, develop Franco-German cooperation projects in the areas of culture and education.<sup>41</sup>

### Semiannual Summit Meetings

Around the regularized semiannual meetings between the German chancellor, French president, and French prime minister grew the regularized “Franco-German summit consultations.”<sup>42</sup> Some have described them as something between international cooperation and joint Franco-German cabinet meetings.<sup>43</sup> These consultations, long time commentator on Franco-German affairs Günther Nonnenmacher looks back, “by now have their own tradition.”<sup>44</sup> They are the most visible sign of the Elysée Treaty in practice.

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<sup>38</sup> Ménudier 1982, 158. See also, Menyesch and Uterwedde 1978, 34. The suggestion to institute a Franco-German Environmental Council, for example, came first from the two coordinators for Franco-German relations. See *Stuttgarter Zeitung*, 9 December 1995, 3.

<sup>39</sup> Menyesch and Uterwedde 1978, 34.

<sup>40</sup> André Bord, for example, who headed the French interministerial commission during the 1980s, was a first-generation reconciler and a twice decorated Second World War veteran who had fought in the legendary Alsace-Lorraine French resistance brigade. Paterson and Moutet 1995. Among other former office holders are Gerhard Stoltenberg (until 1995) and Manfred Rommel (1995-1999), public figure and former mayor of Stuttgart. Since 1999 Rudolf von Thadden, a history professor emeritus at Göttingen University, and acknowledged expert on Franco-German affairs has headed the German commission for Franco-German affairs. The German chancellor and French president, as Kohl and Chirac in the case of Rommel, have often discussed with one another their respective appointments in order to find personalities that both French and German political leaders consider most qualified for the positions. *Stuttgarter Zeitung*, 27 October 1995.

<sup>41</sup> See, for example, Bock 1989, 159. Erwin Teufel, for example, Minister President of Baden-Württemberg, succeeded Oskar Lafontaine, then Minister President of the Saarland, in 1996.

<sup>42</sup> Policy-makers, journalists, and academics refer to the regular Franco-German consultations with various names, including “summit meetings,” “Franco-German summits,” and “Franco-German consultations” (*sommet franco-allemand*, *Deutsch-Französischer Gipfel*, *Deutsch-Französische Gipfelgespräche*, and so forth). Easily recognizable as synonyms, I use them interchangeably. The regular consultations are evidently “summits” in the sense that the German chancellor and the French president and prime minister participate and preside the consultations. They are “summits” given that often as many twenty or more top politicians of the rank of a minister participate for France and Germany and confer with their colleagues from the other state. However, I employ “summit” in the awareness that these consultations frequently include many more than a hundred public officials from each France and Germany. “Summit” here does not imply that the phenomena of Franco-German consultations were limited to the political top layers.

<sup>43</sup> See, for example, Sverdrup 1994, 102 and 125.

<sup>44</sup> Nonnenmacher 1997. For an overview of the historical evolution of Franco-German summit consultations that pays special attention to the respective governments in power, see Bremer 1988.

Franco-German summits are usually scheduled for late April, May, or early June (“spring summit”), and for late November or early December (“winter summit”). Until the twenty-sixth summit in 1975, the consultations took place alternately in Paris and Bonn.<sup>45</sup> From then on, numerous other French and German towns have hosted summit consultations.

Some summits are titled to describe the focus of their proceedings. The thirty-seventh consultations of 5-6 June 1981, the forty-eighth summit of 27-28 October in Frankfurt, and the seventieth summit of 18-19 September 1997 in Weimar, for example, were labeled “cultural summits,” because they particularly focused on Franco-German cultural relations.<sup>46</sup> Other summits have focused on security issues or issues of European politics and European integration.

Preparations and follow-ups to the summit meetings, in various policy areas, often take place almost perpetually on the lower hierarchical “working” or “operational levels.” This stretches from the level of political directors, many of whom meet on a regularized monthly basis, all the way down to civil servants within the German *Referate* and the French *bureaux*. However, even the two states’ foreign ministers have met to prepare for Franco-German summit consultations.<sup>47</sup> And it has happened that the German chancellor and the French president have met on short notice in order to discuss a topic that they deemed particularly important in preparation for the upcoming regularly scheduled summit. Furthermore, there often are “informal continuations” of summit consultations on various hierarchical levels.

However, about two months before a summit, the two governments inquire about the specific questions and subjects to be dealt with during the next summit meeting. The various ministries suggest political questions and issues. On the German side, these topics are discussed subsequently in the interministerial commission. Issues are only fixed after the list has been approved by the chancellor.<sup>48</sup> On the French side, the general secretary of the Elysée oversees and is generally responsible for the French preparations for summit meetings.<sup>49</sup> Several officials of the Elysée assist him. They also establish, depending on the policy issue, the contacts with the respective ministries, most notably the ministry of foreign affairs. Then the interministerial commission for Franco-German affairs meets and prepares for the issues that will be the subjects of the upcoming summit. The coordinator for Franco-German affairs is involved in these procedures and becomes active particularly on issues relating to education and culture.<sup>50</sup>

After various Franco-German exchanges, about two weeks prior to the consultations, the list that includes the issues to be discussed by the single ministries arrives at the respective foreign ministries. The foreign ministers coordinate the contributions of the various ministers and their ministries and review the general positions that France and Germany will take on a given issue.<sup>51</sup> These lists constitute the basis on which the upcoming consultations will take place.<sup>52</sup>

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<sup>45</sup> The fifth Franco-German summit, which took place in Rambouillet on 19-20 January 1965, was an exception. The summits carry their number in the title to which one refers to them. In the numbering of the Franco-German summit consultations, I stick with the counting that takes the meeting in Bonn on 4-5 July 1963 as the first Franco-German summit. In a few older documents, the French counting initially diverged from the German one, as it counted the conclusion of the Elysée Treaty already as the first Franco-German summit, so that the meeting of 4-5 July 1963 numbered as the second Franco-German summit consultations. The numbering that does not include the conclusion of the Elysée Treaty itself now has become standard practice.

<sup>46</sup> See Deutsch-Französisches Institut and Deutsche Frankreich-Bibliothek 1995 (and after).

<sup>47</sup> In late November 1998, for example, Foreign Ministers Fischer and Védrine met in preparation for the summit consultations of 30 November and 1 December in Potsdam.

<sup>48</sup> Kaltenbach 1983a, 25.

<sup>49</sup> Lequesne 1990, 139.

<sup>50</sup> Ibid. 140. For specifics of French preparations, see *ibid.*, 140-141.

<sup>51</sup> Kaltenbach 1983a, 25.

<sup>52</sup> *Ibid.*

Most Franco-German summits follow a largely standardized scheme. They begin on the afternoon of the first day with consultations between the French president and the German chancellor, followed by the prime minister and chancellor. Parallel to these meetings on the highest political levels, French and German ministers in the same policy domain lead their consultations, as do various other parts of the two delegations on different hierarchical levels. The first day of consultations ends with a dinner that includes a limited number of ministers in addition to president, prime minister, and chancellor.<sup>53</sup> The toasts usually given by either president or chancellor at this occasion often recapitulate the state of affairs of Franco-German dealings and locate them within the major political issues of the time. They further touch on the major themes of the ongoing summit consultations.

On the following morning the consultations among ministers and other parts of the delegations continue. Traditionally, the two foreign ministers have breakfast together.<sup>54</sup> The French and German heads of state and government meet a second time for sessions. After that the German foreign minister, who is at the same time vice chancellor, meets the French prime minister.<sup>55</sup> Simultaneously, consultations at the other governmental and administrative levels continue. After the individual ministers have communicated the results of their respective talks to their heads of state and government, there follows a plenary session in which the French president and the German chancellor jointly summarize the results of the summit meetings. Then follows a press conference over which president and chancellor jointly preside. The summit consultations often end with a joint lunch at the respective French or German embassy in which the two entire delegations, president, chancellor, and prime minister participate.<sup>56</sup>

Franco-German summits usually end with a list of joint Franco-German declarations and communiqués. They are jointly pronounced either by president and chancellor, or by the respective ministers. The councils frequently issue their own statements. These various declarations will subsequently be published by the official French and German information sources and are issued to the various press agencies and journalists following the summits.

Franco-German summit consultations often are both beginnings and ends. At one summit, president, chancellor, and prime minister might identify a certain political issue, or their ministers will bring a particularly difficult political matter to their attention. They might first discuss the issue in its broad implications and decide to set up Franco-German working groups in order to work out the details that will allow the arrival at common positions or the finding of solutions to the problems.<sup>57</sup> At the next or a later summit, they will review and discuss the working groups' results and either use them as a basis on which to take decisions on the matter, or again delegate to their ministers or a Franco-German body for further consideration.

### **Beyond and Below**

The Elysée Treaty is the main frame of regularized bilateral Franco-German intergovernmentalism, but not its exclusive setting. France and Germany are additionally tied by regularized contacts beyond and below the stipulations of the Elysée Treaty and its extensions. "Beyond" here refers

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<sup>53</sup> Ibid., 26.

<sup>54</sup> Ibid.

<sup>55</sup> Since the late 1980s, the Franco-German Council for Defense and Security, the Economic and Finance Council, and the Council for the Environment have met as part of the summit as well with their respective mix of participants.

<sup>56</sup> In this summary I have mainly drawn on Kaltenbach 1983a. See also Kaltenbach 1983b; Lequesne 1990.

<sup>57</sup> The seventy-second Franco-German summit in Potsdam, for example, saw the institution of two Franco-German working groups. The first one dealt with the Franco-German consequences of the new German government's retreat from producing electricity in nuclear power plants. To the second one, to be headed by the two states' foreign ministers, the heads of state and government delegated the task of working out suggestions on refreshing and improving the bilateral relationship. *Frankfurter Allgemeine Zeitung*, 2 December 1998, 1-2.

to one of two types of interactions: either regularized contacts that take place outside of Treaty stipulations but in policy areas mentioned in the Treaty, or regular interaction on high political levels in policy areas that the Treaty does not explicitly include. Regularized intergovernmentalism “below” refers to recurrent Franco-German interaction across policy domains that takes place on governmental levels that the Elysée Treaty does not mention. For both I will sketch a few representative examples; they are not an exhaustive review.

Among the regularized intergovernmentalism between France and Germany beyond the regulations of the Elysée Treaty, I will name only three examples: “informal meetings” and contacts; joint trips by French and German public officials; and ongoing projects of Franco-German cooperation in embassies and consulates.

Several observers have noted the increased interaction among French and German heads of state and governments as well as ministers since the 1970s. Such interactions, which often come under the now standard label of “quick informal meetings [*infromelle Kurztreffen*],” concern important matters of daily politics, or they serve to prepare for or follow up from summits. Because such informal contacts, sometimes declared private meetings, are often not recorded in the ministries, chancellor’s office, or administration of the Elysée, different scholars’ estimates of their frequency differ somewhat. Veteran analyst of Franco-German dealings Gilbert Ziebura counts about eighty official and unofficial meetings between Kohl and Mitterrand between late 1982 and 1989.<sup>58</sup> Another form of such “informal contacts” are telephone calls. Ziebura estimates that Foreign Ministers Hans-Dietrich Genscher and Claude Cheysson, who had helped in working out the Franco-German treaty some two decades earlier in his career, had talked on the telephone with each other about one thousand times between 1982 and 1984.<sup>59</sup>

Another form of public Franco-German contacts is joint travel, especially by the heads of state and governments, foreign ministers, and defense ministers. In 1997, for example, the French and German foreign ministries decided to facilitate the coordination of French and German foreign policies and to mirror Franco-German determination to act in concert more broadly, with common trips by the French and German foreign ministers to third countries. Foreign Ministers Hubert Védrine and Klaus Kinkel announced the agreement to extend the practice on 3 July 1997. Subsequently, the two ministers traveled together to Sarajevo in December 1997 and to Zagreb and Belgrade in March 1998.<sup>60</sup>

A third type of regularized intergovernmentalism between France and Germany beyond the Treaty concerns ongoing projects to further coordinate French and German diplomatic work. The project of creating joint Franco-German embassies and common ambassadors dates back to the 1980s.<sup>61</sup> France and Germany continued the tradition during the 1990s.<sup>62</sup> A French and a German diplomat would alternate in heading such common embassies; the regular work would be divided between French and German diplomatic staff.<sup>63</sup> Such projects, however, have proven difficult to

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<sup>58</sup> Ziebura 1997, 328-329. In an informal meeting among French and German heads of state and government as well as foreign ministers in Blaesheim near Strasbourg in late January 2002, the French and German political leadership decided that the French president, prime minister, and German chancellor were henceforth to gather for informal meetings every 6-8 weeks, and the French and German foreign ministers every four weeks.

<sup>59</sup> Ibid. With Cheysson’s successor, Roland Dumas, Genscher himself reports of extended telephone conversations “several times a week.” Genscher 1995, 215. On “informal contacts” see further Guérin-Sendelbach 1993, 25. In a review of Franco-German relations of the 1980s, Udo Kempf distinguishes among official bilateral meetings, unofficial bilateral meetings, Franco-German meetings within a multilateral context, and bilateral symbolic meetings. Kempf 1987, 34.

<sup>60</sup> See Froehly 1998, 28.

<sup>61</sup> See, for example, *Süddeutsche Zeitung*, 24 October 1988, 10.

<sup>62</sup> *Frankfurter Allgemeine Zeitung*, 2 December 1998, 2.

<sup>63</sup> *Süddeutsche Zeitung*, 24 October 1988, 10.

realize, not so much for internal Franco-German reasons, but ones relating to the implications of such a step for international law and diplomacy. In the second half of the 1990s, however, France and Germany agreed to increasingly use each other's embassies.<sup>64</sup>

Franco-German regularized interaction below the Elysée Treaty comprises a varied set of practices. Perhaps key among them are increased exchanges of diplomats and other civil servants.<sup>65</sup> These exchanges exist in different versions. France and Germany had regularly exchanged officials for a while when, after the 1987 summit in Karlsruhe, such Franco-German exchanges entered a second phase marked by the extension of such practices.<sup>66</sup> For example, French civil servants would intern in the German Federal administration, including the ministry for foreign affairs, and Germans would work for extended periods in the French national administration.

From the late 1980s on, such exchanges reached another level. Now a French diplomat would take a regular post in the German foreign ministry and a German diplomat at the Quai d'Orsay for a year, working together with new colleagues irrespective of passport. Thus, a German would officially speak for France, or a French diplomat negotiate internationally for Germany as part of the program. Michel Connan, for example, the first French diplomat to regularly work a year at the German foreign ministry, traveled with his colleagues of the German delegation to Vienna, where he officially spoke for Germany and expressed German positions at the CSCE.<sup>67</sup>

In 1997, French and German Foreign Ministers Védrine and Kinkel further extended the exchanges between civil servants and diplomats, as they considered the experiences of the preceding decade a success. Beginning in the late 1990s, a high-ranking French diplomat has worked at the German embassy in Paris and a German at the French embassies in Bonn and Berlin.<sup>68</sup> By then it had also become standard practice for high-ranking diplomats of the respective embassies to participate in working sessions of the other state's ministries.<sup>69</sup> By the 1990s, the "exchanges of diplomats and officers have become routine."<sup>70</sup>

<sup>64</sup> Germany, for example, will use the French embassy on the Capverdian Islands. *Frankfurter Allgemeine Zeitung*, 5 July 1997, 2. For a list of further Franco-German cooperation beyond the Elysée Treaty, see Menyesch and Uterwedde 1978, 38.

<sup>65</sup> Guido Hartmann distinguishes among three hierarchical levels of Franco-German interaction: (1) The upper ministerial leadership level, comprising ministers and *Staatssekretäre* in the German case, and ministers and state secretaries (*ministres d'Etat*, *ministres délégués*, and *secrétaires d'Etat*) as well as the leading personnel of the ministerial cabinets (*directeur de cabinet* and *chef de cabinet*) in the French case; (2) the intermediate ministerial leadership levels: heads of division or subdivisions (*Abteilungen* or *Unterabteilungen* in Germany, headed usually by civil servants of the rank *Ministerialdirektor*, and *Ministerialrat* or *Ministerialdirigent*) for Germany, and the heads of the French *direction générale* and *directions*; and (3) and the cooperation on the level of the German *Referate* and the French the subunits or divisions within the respective *direction* (depending on size and ministerial department with different denominations: *sous-direction*, *service*, *division*, *section*, *cellule*, *bureau*) as well as subsidiary and special services. See Hartmann, 46-56 and 89-97. The third of Hartmann's levels is commonly called the "working level" or "operational level (*niveau opérationnel*)."<sup>70</sup> See, for example, Leimbacher 1992b, 233. "Below" here refers to all levels below those mentioned by the Elysée Treaty and its additions.

<sup>66</sup> Grosser 1988.

<sup>67</sup> Rosenzweig 1988. Connan pointed out after his year-long tenure as a German diplomat that getting to the German decision circuits and working methods from an inside perspective facilitated his subsequent involvement in Franco-German affairs thereafter. See *ibid.*

<sup>68</sup> See *Frankfurter Allgemeine Zeitung*, 5 July 1997, 2.

<sup>69</sup> Froehly 1998, 28.

<sup>70</sup> Leimbacher 1992b. Unlike in other policy areas, in defense and military the Elysée Treaty explicitly mentioned Franco-German exchanges and joint programs below the levels of ministers and high-ranking officials as part of the Franco-German cooperation. The contacts, programs, and projects between the armed forces of the two states comprised a large number of wide ranging activities. Especially since the late 1960s, Franco-German military cooperation has been tightened. In 1967, Generals Massu and de Maizière signed a partnership treaty between the First French and Fifth German tank divisions. Within that cooperation, for example, French and

An example of Franco-German intergovernmentalism below the Treaty, other than exchange of diplomats and personnel, are joint Franco-German conferences among the ambassadors of the two states. The first “Franco-German ambassadors’ conference” took place on 16-17 May 1991 in Weimar. The French and German ambassadors concentrated on issues pertaining to political and economic development in Central and Eastern Europe, and discussed the possibilities for common Franco-German support for the reform processes of the states in this region.<sup>71</sup> These types of conferences typically focus on a specific theme or political issue area, where common French and German views or positions are deemed to be particularly important. The 1998 ambassadors’ conference, for example, was organized to deal with transatlantic relations.<sup>72</sup>

In sum, the Elysée Treaty, along with its extensions, additions, and intensifications, defines regularized intergovernmental processes. These are reiterated practices of representatives of the French and German states. Beyond and below the Elysée Treaty, additional regularized intergovernmentalism enhances the provisions of the Treaty.

French Foreign Minister Roland Dumas, in a speech delivered in the presence of Foreign Minister Genscher right before the fifty-third Franco-German summit in April 1989, after the two ministers had exchanged the ratification documents on the creation of the Franco-German Security and Economics Councils, gives a telling insight about the intensity that the regularized Franco-German intergovernmentalism had reached by the 1980s, both within the confines of the Elysée Treaty as well as beyond:

In less than three hours the 53<sup>rd</sup> Franco-German consultations under the supervision of Chancellor Kohl and President Mitterrand will begin. Twenty-five ministers will simultaneously lead bilateral discussions. We, Mister Vice Chancellor, will begin a little bit earlier; right after this event we will begin our talks. I better should say that we will continue our talks, because we have met three days ago in Grenada and two weeks ago in Bonn. And the President has met the Chancellor only a few days ago in Bavaria. I depict that in such detail because I want to underline that between Bonn and Paris a permanent dialogue has developed. And that has happened on all levels of government and across all issues: strengthening of the solidarity in the area of security, bilateral cooperation, youth exchange, joint conduct in the construction of Europe.<sup>73</sup>

## II. Regularized Intergovernmentalism across Policy Areas

This section cuts horizontally across regularized Franco-German intergovernmentalism in the major policy areas. Where pertinent, it also considers developments of bilateral institutional-

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German units participate in maneuvers of the respective other division. See Bundesministerium der Verteidigung (German Ministry of Defense) 1988, 139. Ever since, partnerships between many French and German military units have spread way below the level of divisions. They also comprise partnerships among barracks. Joint training programs of a most varied kind have expanded enormously. In 1993, for example, the navies of the two states introduced an exchange training program among officers. Within that program one or two officers are fully trained in the navy of the respective other. See Presse- und Informationsabteilung der Französischen Botschaft 1998. The first joint Franco-German seminar for military officers, to name one more example, took place at the Center for Higher Military Studies (CHEM) in Paris between 6 and 11 July 1987. Koenig 1997, 73. Franco-German military cooperation also comprises numerous major and minor joint maneuvers. See Filser 1996, 31-33. Finally, among the most visible elements of Franco-German military cooperation is the Franco-German Brigade, later extended to the “Eurocorps.” See especially Klein 1990. See further Filser 1996, 33-36 and 71-76. For other aspects of Franco-German defense cooperation, see several contributions to Pirotte 1997b.

<sup>71</sup> Deutsch-Französisches Institut and Deutsche Frankreich-Bibliothek 1995 (and after), 109.

<sup>72</sup> See *Frankfurter Allgemeine Zeitung*, 5 July 1995, 2.

<sup>73</sup> Dumas 1989, D 461.

zation across time in the respective policy domains. This section further pays attention to the hierarchical levels on which regularized contacts are institutionalized.

Typically, the respective ministers oversee Franco-German interaction in their policy areas. However, the French president as head of state, and the German chancellor and French prime minister as heads of government, can and do get involved in the various policy fields. In security, defense, and armament, they are institutionally involved *ex officio*. In these policy areas, but also in others, they may focus on particular political issues that they consider of special relevance.

Frequently, if the respective ministers, or the French and German politicians or civil servants at lower hierarchical levels, have difficulty working out joint Franco-German positions or are unable to settle solutions to a problem, they will move the matter up to the level of heads of state and government. Alternatively, the president, chancellor, and prime minister themselves will take the matter up in order to deal with it on the highest political levels. They then may outline a framework to deal with the issue and again push it down to ministerial levels or further. Or they may introduce a new initiative by themselves, sketch it in its rudiments, and delegate it for further concretization to their ministers. The French and German heads of state and government may initiate or define basic blueprints; and they later review their substantiation before they adopt a respective project as policy. This switching of hierarchy levels in order to arrive at common positions, particularly on difficult issues, can often be observed as a feature of the regularized Franco-German bilateralism.

### Security, Defense, Armament

Foreign and security policy lay at the core of the Elysée Treaty. It was also in these areas in which the two states supplemented the original treaty text most extensively.<sup>74</sup> France and Germany twice significantly extended their institutional bilateral intergovernmentalism in security, defense, and armament based on the stipulations of the Elysée Treaty. In 1982 France and Germany founded the permanent Franco-German Security and Defense Commission. In 1988, they significantly extended and integrated this commission into a comprehensive Franco-German Defense and Security Council.<sup>75</sup>

France and Germany carried out the first major extension and addition of the Elysée Treaty in 1982, when they instituted the Franco-German Commission for Security and Defense. During the 39<sup>th</sup> Franco-German summit on 25 February 1982, François Mitterrand and Helmut Schmidt agreed to intensify Franco-German interaction in security matters. Schmidt's successor Kohl, after his election in October 1982, continued the project. On the eve of the fortieth Franco-German summit in October 1982, the French and German defense and foreign ministers met for the first time in a joint session. A high ranking civil servant from each of the four ministries accompanied the four ministers.<sup>76</sup>

During the summit, Kohl and Mitterrand decided to regularize these meetings and make them part of the semiannual Franco-German summits. Further, they decided to institute a permanent

<sup>74</sup> There is a huge body of literature on Franco-German security relations at large. Important publications include Baums 1992; Gnesotto 1986; Gordon 1994; Gordon 1995; Haglund 1991; Hornung 1996; Kaiser and Lellouche 1986; Kocs 1995; Laird 1989; Leimbacher 1992a; Manfrass-Sirjacques 1993; Presse- und Informationsamt der Bundesregierung, Referat Außen- Sicherheits- und Europapolitik 1997; Schild 1997; Schmidt 1993; Simonian 1985.

<sup>75</sup> For general reviews of Franco-German cooperation in security, defense, and armament, published at the occasion of the Elysée Treaty's twenty-fifth and thirtieth anniversaries, see Bundesministerium der Verteidigung (German Ministry of Defense) 1988; Secrétariat du Conseil Franco-Allemand de Défense et de Sécurité/Sekretariat des Deutsch-Französischen Verteidigungs- und Sicherheitsrates 1993.

<sup>76</sup> On the German side they were the *Staatssekretär* for security politics of the Ministry of Defense and the Political Director of the Foreign Ministry. On the French side, the Political Director of the Foreign Ministry and the personal advisor of the Defense Minister. Leimbacher 1992a, 78.

“steering committee” that would prepare for the ministerial meetings. This Commission would be composed of the political directors of the four ministries as well as the German General Inspector of the *Bundeswehr*, the highest military position in the German forces, and the corresponding French official, the chair of the French general staff. This group met for the first time on 7 December 1982 as the Franco-German Commission for Security and Defense. Finally, during the October 1982 summit, Kohl and Mitterrand, together with their foreign and defense ministers, decided to form three permanent Franco-German working groups that would support the work of the Security and Defense Commission in their regular meetings. The three working groups covered the areas “strategy and arms reduction,” bilateral “military cooperation” and “armament cooperation.”<sup>77</sup> In these working groups, the heads of the respective divisions (*Abteilungsleiter*) of the respective French and German ministries deal with the main substantive issues of bilateral cooperation.<sup>78</sup>

The Franco-German Commission for Security and Defense “constitutes the central forum for Franco-German cooperation in issues of security, defense, and armament. Vertically, it integrates the political and the bureaucratic levels in these policy fields. Horizontally, it connects the four foreign and defense ministries.”<sup>79</sup> That some of the members of the permanent Commission also belong to one or more of the working groups increased the coherence of the bilateral dialogue. And the high-caliber staffing of the Commission ensured that political directives in the two states would be implemented.<sup>80</sup>

For three years after 1983 when the Commission’s work was regularized, these channels enabled intense bilateral exchanges for France and Germany to work on reconciling their positions in areas such as European security, East-West relations, and relations with the United States.<sup>81</sup> With this Commission and the three working groups, diplomat Günther Koenig notes, France and Germany established structures that provided for interaction, coordination, and harmonization leading to numerous initiatives in security and defense. They included a joint position on the NATO-two track decision, the development of a common combat helicopter of the second generation, a rejuvenation of the Western European Union, the institution of a “red telephone (*beißer Draht*)” between the Chancellor’s Office and the Elysée Palace, joint positions regarding CSCE and conventional arms control, *rapprochement* on the use of French pre-strategic arms, joint Franco-German workshops for officers, and major joint maneuvers beginning in October 1987.<sup>82</sup>

The Franco-German Council for Defense and Security is the single most important institutional addition to the Elysée Treaty.<sup>83</sup> President Mitterrand, Chancellor Kohl, Prime Minister Chirac, Foreign Ministers Raimond and Genscher, and Defense Ministers Giraud and Wörner signed the protocol that created it at the Elysée Treaty’s twenty-fifth anniversary on 22 January 1988.<sup>84</sup> The French and German governments had decided to install such a council during the fiftieth Franco-

<sup>77</sup> For details, see in particular Koenig 1997, 72-73; and Leimbacher 1992a, 78-82. On the Franco-German Commission for Security and Defense and its working groups, see further Heisbourg 1986, 130-131; Millotat and Philippot 1990, 73-75.

<sup>78</sup> Leimbacher 1992a, 79.

<sup>79</sup> Ibid.

<sup>80</sup> Ibid., 79-81. For details on each of the three working groups, see there.

<sup>81</sup> Morizet 1988, 198-199.

<sup>82</sup> Koenig 1997, 72-73.

<sup>83</sup> The Councils’ official names are *Conseil Franco-Allemand de Défense et de Sécurité* and *Deutsch-Französischer Verteidigungs- und Sicherheitsrat*. See *Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg* 1993, 150-151.

<sup>84</sup> For the complete text of the protocol, see *Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg* 1993, 150-155. For discussion of the Defense and Security Council’s stipulations and consequences, see especially Koenig 1997, 73-85; Leimbacher 1992a, 174-180. See further, Bundesminister der Verteidigung. Informations- und Pressestab. Pressereferat 1989.



German summit Consultations in November 1987 in Karlsruhe.<sup>85</sup> At the fifty-third summit in Paris in April 1989, French and German foreign ministers exchanged the ratification documents that made the protocol on the Defense and Security Council a part of the Elysée Treaty.<sup>86</sup> As part of the summit consultations, the council concluded its first session on 20 April 1989 with a declaration jointly delivered by co-presidents Kohl and Mitterrand.<sup>87</sup> They pronounced that the council strives to deepen the bilateral coordination and harmonization in all questions pertaining to defense and security, as well as intensifying Franco-German military cooperation.<sup>88</sup>

The French president and prime minister, the German chancellor, and the foreign and defense ministers of the two states, as well as the General Inspector of the *Bundeswehr* and the chair of the French General staff, compose the Franco-German Defense and Security Council.

The Council Committee (*Ratskomitee, Comité du Conseil*) of the Defense and Security Council consists of the French and German foreign ministers and the two defense ministers. If appropriate, the political directors from these four ministries, the advisors to the German chancellor and French president, the General Inspector of the *Bundeswehr*, and the chair of the French general staff will participate in the Council Committee's meetings.<sup>89</sup> The four ministers further can, on an ad hoc basis, appoint high civil servants and military leaders to support the work of the Council Committee.<sup>90</sup> Alternating between sites in France and Germany, the Council meets at least twice a year. The Council Committee prepares the meetings of the Council with the support of the Franco-German Commission for Defense and Security.<sup>91</sup> Its main task is to develop the political bilateral issues to a degree that they are ready for adoption during the meetings of the Defense and Security Council. The Council Committee meets shortly before the congregations of the Council itself.<sup>92</sup>

Both the Defense and Security Council and the Council Committee oversee and will be supported by the Franco-German Defense and Security Commission, which is composed of high civil servants of the French and German foreign and defense ministries. The Commission meets at least twice a year, but can convene on an ad hoc basis depending on political or military circumstances. The Commission's members include the political directors of the French and German foreign and defense ministries, the *Bundeswehr's* General Inspector, the chair of the French general staff, and the French general armament delegate (DGA). That membership is complemented by high civil servants and military leaders, depending on the subject matter. The Commission reports on the implementation and working of the bilateral cooperation in defense, security, and armament, outlines perspectives for further cooperation, and formulates recommendations for such cooperation to the Defense and Security Council.<sup>93</sup>

With the institution of the Franco-German Defense and Security Council, France and Germany add to the Commission's already existing working groups on "strategy and arms reduction," bilateral "military cooperation," and "armament cooperation," three more bilateral working groups in these policy areas: one on "space-based reconnaissance," one on "armament policies," and one on

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<sup>85</sup> Deutsch-Französisches Institut and Deutsche Frankreich-Bibliothek 1995 (and after), 95.

<sup>86</sup> *Ibid.*, 101.

<sup>87</sup> See *ibid.*, 100. See also Presse- und Informationsamt der Bundesregierung (Bulletin) 1989a, 314-315; Woyke 1989, 168.

<sup>88</sup> Deutsch-Französischer Verteidigungs- und Sicherheitsrat 1989.

<sup>89</sup> See Koenig 1997, 74. See also Bremer 1988, 34-36.

<sup>90</sup> Article 2 of the protocol. See Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg 1993, 152-153.

<sup>91</sup> Article 3 of the protocol. See *ibid.*

<sup>92</sup> Koenig 1997, 74.

<sup>93</sup> *Ibid.*, 75.

issues of “law and contracts.”<sup>94</sup> The working group on “military cooperation” further institutes sub-working groups on issues of Franco-German cooperation between the armies, navies, and air forces as well as on issues pertaining to all three of them and planning.<sup>95</sup>

The protocol that creates the Franco-German Defense and Security Council further institutes a permanent Council secretariat with a seat in Paris.<sup>96</sup> The secretariat has a permanent staff of high civil servants and high-ranking military officers of the four ministries. It both prepares and supports the work of the Council and the Council Committee; it connects the Council and the Council Committee with the Defense and Security Commission; and it is concerned with the administrative work of Council, Council Committee, and their working relations with the Commission.<sup>97</sup>

Article 4 of the protocol that creates the Defense and Security Council names six explicit goals for its work: to develop common conceptions in the area of defense and security; to assure the increasing coordination and harmonization of the positions of the two states on all issues that concern European security; to take decisions regarding the institution of mixed military units; to take decisions regarding joint maneuvers and the joint training of military personnel, to strengthen the ability of both armed forces to support each other in peace as well as during crises and in case of war; to improve the interoperability of the two armed forces’ equipment; and to further develop and deepen armament cooperation.<sup>98</sup>

The Franco-German Defense and Security Council is a “joint common coordination, consultation, and decision organ on the highest political level.”<sup>99</sup> After its sessions, the Defense and Security Council typically reports about its decisions in a joint press conference, usually including the French president and prime minister and the German chancellor. Subsequently, the Council publishes the results of its sessions in the official press of the two states.<sup>100</sup> The Council’s formal legal authority is so wide-ranging that it could decide to create a joint Franco-German army without special parliamentary procedures.<sup>101</sup>

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<sup>94</sup> Ibid., 75-76. See also Presse- und Informationsamt der Bundesregierung. Referat Außen- Sicherheits- und Europapolitik 1997, 28. On details of these working groups, see especially, *Frankfurter Allgemeine Zeitung*, 30 January 1997, 12.

<sup>95</sup> Koenig 1997, 80.

<sup>96</sup> Article 5 of the protocol. See *Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg* 1993, 152-153.

<sup>97</sup> Koenig 1997, 76-79.

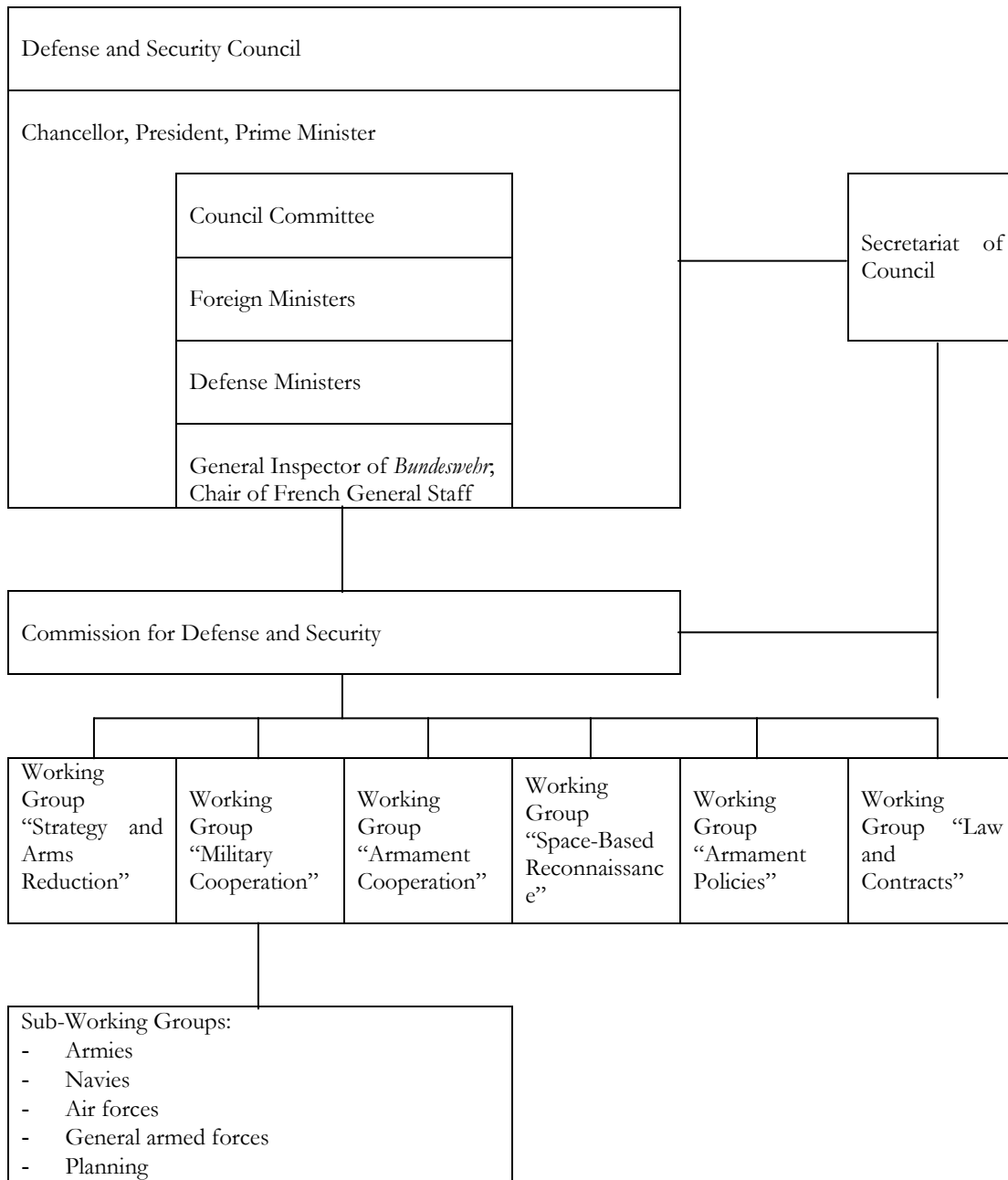
<sup>98</sup> Article 4 of the protocol. See *Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg* 1993, 152-153.

<sup>99</sup> Presse- und Informationsamt der Bundesregierung. Referat Außen- und Sicherheitspolitik 1995, 6.

<sup>100</sup> These typically include the decisions taken as well as joint initiatives. The “joint Franco-German security and defense concept” has been among the most widely noted and discussed results of the Council’s activities. For its full text, see Presse- und Informationsamt der Bundesregierung (Bulletin) 1997.

<sup>101</sup> See Bohle 1988.

**Figure 1:**  
**Regularized Franco-German Intergovernmentalism in Defense and Security (since 1989)**



**Economics and Finance**

The Elysée Treaty did not specifically mention economics and finance as policy areas in its stipulations on Franco-German interaction processes. Over the years, however, it became standard practice that the French and German ministers of economics and finance, along with their colleagues from other ministries involved in political economic affairs such as agriculture, energy, and transport,

regularly participated in the semiannual summit meetings. Franco-German cooperation in these policy domains was formalized with a Franco-German Council for Economics and Finance in the late 1980s. Originally planned as a “common coordination organ for economic and monetary policies,” the joint economic and finance council was instituted along with numerous other Treaty extensions at the fiftieth Franco-German summit in Karlsruhe in November 1987.<sup>102</sup> The parliaments of both states, along with the Council for Security and Defense, ratified the agreement with huge majorities on 12 January 1988.<sup>103</sup> The regulations on the new Council were added to the Elysée Treaty as a protocol and so became part of the Treaty.<sup>104</sup>

The German Minister of Economics, the German Minister of Finance, and the French Minister of Economics and Finance, together with the president of the German Bundesbank and the French National Bank, compose the Franco-German Economic and Financial Council. The Council has a permanent secretariat in Paris to prepare its sessions and follow up on their results.

The Council meets four times a year. Two of these meetings are usually part of the semiannual Franco-German summit meetings. It regularly reports to the French president and prime minister and to the German chancellor. It can prepare policies that require decisions from the heads of state and governments or the entire governments of the two states.<sup>105</sup> The Council usually concludes its meetings with a joint press conference of the ministers and central bank presidents on the results of the working sessions. The Council publishes communiqués on its decisions and recommendations.<sup>106</sup>

The Franco-German Council for Economics and Finance aims at boosting and tightening the cooperation between the two states in these policy areas and harmonizing French and German positions on issues of international economic and financial matters.<sup>107</sup> Article Four of the protocol assigns to the Economic and Financial Council four specific tasks: to discuss the basic outlines of the two states’ yearly budgets before they are adopted nationally; to discuss the respective national economic situations and economic policies in order to coordinate and harmonize French and German positions as closely as possible; to discuss the two states’ monetary policies in their national, European, and international aspects, and aims at coordinating and harmonizing them as much as possible; and to coordinate and harmonize as much as possible the French and German positions in international negotiations on economic and financial matters.<sup>108</sup> For example, the Franco-German Council tightly coordinated French and German policies in order to fulfill the economic convergence criteria of the Maastricht Treaty.<sup>109</sup>

The Council can build Franco-German ad hoc commissions to do Franco-German “homework” on all issues it considers relevant, for example bilateral trade asymmetries or dissimilar Franco-

<sup>102</sup> Deutsch-Französisches Institut and Deutsche Frankreich-Bibliothek 1995 (and after), 95.

<sup>103</sup> Ibid., 99. Guérin-Sendelbach 1993, 202-206.

<sup>104</sup> The original denominations for the new “organ” are *Conseil Franco-Allemand Economique et Financier* and *Deutsch-Französischer Finanz- und Wirtschaftsrat*. See Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg 1993, 156-157. For the full French and German protocol texts, see *ibid.*, 156-159. For discussions, see, for example, Bremer 1988, 34-36; Frisch 1988.

<sup>105</sup> *Handelsblatt*, 25 January 1988, 16.

<sup>106</sup> For example, *Conseil Economique et Financier Franco-Allemand* 1994; Ministère de l’Economie des Finances et du Budget 1990.

<sup>107</sup> See Article One of the protocol. Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg 1993, 156-157. For an excellent summary of the Council’s workings and goals, see *Neue Züricher Zeitung*, 30 January 1988, 17.

<sup>108</sup> See Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg 1993, 156-157; Ohm 1993; *Handelsblatt*, 25 January 1988, 16; *Neue Züricher Zeitung*, 30 January 1988, 17.

<sup>109</sup> *Handelsblatt*, 4 November 1993, 1.

German tax and environmental policies.<sup>110</sup> Further, it may order joint studies by Franco-German working groups composed of ministerial civil servants from the respective ministries, either in preparation for Council meetings or in order to work out details on matters of interest to the Council.

When the Franco-German Economic and Financial Council was instituted, there was political debate within Germany regarding the tension between the Council's tasks and the legal-institutional status of the German Bundesbank. The latter stressed that its full independence would not be infringed upon by its president's membership in the Franco-German Council. The formula that resolved the debate was that, unlike the Council for Security and Defense, the Economic and Financial Council is a "consultation organ" of the Franco-German cooperation net, rather than a "decision organ." The Economic and Financial Council can take decisions. However, at least for the president of the German Bundesbank, they are not binding. Due to the legal status of the Bundesbank within the German political system, neither the French or German ministers, nor the German chancellor as head of government, has the means to demand the acceptance or implementation of joint decisions or policies, or otherwise to discipline the Bundesbank.<sup>111</sup> In a governmental statement of 4 February 1988, after he had signed the protocol on the Council, Chancellor Kohl declared that the independent status of the Bundesbank remained unaffected by the new bilateral council. The German Bundestag confirmed Kohl's statement with a letter when it ratified the protocol.<sup>112</sup>

### Culture, Environment, and Other Policy Areas

France and Germany established the Franco-German Cultural Council with an exchange of notes between the foreign ministers of the two states on 22 January 1988.<sup>113</sup> The bilateral decision to found such a council had been taken during the fiftieth Franco-German consultations in Karlsruhe on 12-13 November 1987.<sup>114</sup> The council was designed to lend new impulses to art and culture in Franco-German cooperation. Specifically, the council has three purposes: to recommend joint Franco-German cultural activities; to put forth suggestions to the French and German governments on how such activities could be supported; and to contribute to the cultural cooperation between France and Germany by collecting and providing information to the publics of the two countries.<sup>115</sup> The Cultural Council independently chooses themes and working areas. Ten "independent personalities" from public, cultural, and intellectual life from each country compose the council. The government of the French republic and the German federal government, together with the *Länder*, appoint them for a period of four years.<sup>116</sup>

The council meets for plenary sessions twice a year, alternating between France and Germany. Since the Cultural Council in particular seeks to strengthen the cultural cooperation between French *régions* and German *Länder*, the meeting site changes every time.<sup>117</sup>

<sup>110</sup> Uhlmann 1989.

<sup>111</sup> The *Bundesbank* frequently celebrated its full institutional independence from both federal and subfederal governments; its presidents have frequently acted against their express preferences. The *Bundesbank's* status at times also complicated or encumbered the work of the Franco-German Economic and Financial Council.

<sup>112</sup> Guérin-Sendelbach 1993, 204-205.

<sup>113</sup> For a preceding Franco-German agreement on cultural cooperation, see Sturm 1983. For an overview of Franco-German cultural relations in the post-war period "from bilateral reconciliation to European integration" see especially Znined-Brand 1999, 83-120.

<sup>114</sup> Deutsch-Französisches Institut and Deutsche Frankreich-Bibliothek 1995 (and after), 95. The official names of the Council are *Haut-Conseil Culturel Franco-Allemand* and *Deutsch-Französischer Kulturrat*. Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg 1993, 164-165.

<sup>115</sup> As formulated in the notes of 22 January 1988 exchanged between Hans-Dietrich Genscher, François Léotard, and Jean-Bernard Raimond. The notes are reprinted in Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg 1993, 164-167.

<sup>116</sup> Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg 1993, 164-167, 164-165.

<sup>117</sup> Deutsch-Französischer Kulturrat 1996, 2.

During 1995 and 1996, for example, the work of the council stretched from activities such as editing a book series on Franco-German affairs and history, organizing a prize for journalistic achievements on Franco-German matters, supporting cultural exchange trilaterally between Freiburg, Nantes, and Krakow, as well as the Bavarian-French artists exchange. The council also gave fellowships for young artists in areas including writing, photography, painting, acting, and directing, to spend a year in the respective other country.<sup>118</sup>

Jacques Morizet, general secretary of the Franco-German Cultural Council, points out that Franco-German cultural cooperation serves a clear purpose. Its goal is to prevent new generations from questioning what has been achieved between France and Germany so far.<sup>119</sup> It serves to preclude the possibility that “young people in Germany and France” could “banalize the relations between the two countries.”<sup>120</sup>

The Franco-German Environmental Council complements the quartet of councils that France and Germany added to their net of bilateral cooperation.<sup>121</sup> The Environmental Council originates from a joint recommendation by French and German coordinators for Franco-German cooperation André Bord and Rainer Barzel. French and German Foreign Ministers Dumas and Genscher instituted the Environmental Council with an exchange of notes at the beginning of the fifty-fourth Franco-German summit consultations on 2 November 1989 in Bonn.<sup>122</sup>

The German environmental minister and the French secretary for the environment serving the French prime minister, preside over the Environmental Council. The council is further composed of two representatives of the German *Länder* and one representative of the German Foreign Ministry, as well as a representative of the French Foreign Ministry and two additional French members appointed by the French foreign minister and secretary for the environment. Other civil servants and experts from relevant groups such as environmental organizations as well as labor and employer representatives can be invited on an ad hoc basis to join the council.<sup>123</sup> The council meets at least twice a year.

The letters that instituted it state that the Environmental Council is to give direction to Franco-German cooperation in the area of environmental protection. Specifically, it assigns four tasks to the council: to work toward coordination of the environmental policies of the two states; to discuss bilateral environmental problems; to discuss French and German positions regarding environmental policies within the European Union and on the international level; and to develop joint French and German initiatives regarding international environmental issues.<sup>124</sup> The Franco-German Environmental Council met for the first time on 13 February 1990 in Paris, jointly presided over by German Environmental Minister Töpfer and French Environmental Secretary Lalonde. Among the first tasks it took up were the pollution of the Rhine and pollution of the air by automobile exhaust.<sup>125</sup>

The four councils that France and Germany added to their net of institutionalized interaction in the late 1980s extended and deepened Franco-German regularized intergovernmentalism in key policy areas and included the core ministries of foreign affairs, defense, economics, and finance.

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<sup>118</sup> Ibid., 2-3.

<sup>119</sup> Morizet 1993, 117.

<sup>120</sup> Ibid. See also Morizet and Möller 1995.

<sup>121</sup> Its official names are *Conseil Franco-Allemand de l'Environnement* and *Deutsch-Französischer Umweltrat*. Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg 1993, 160-161.

<sup>122</sup> Presse- und Informationsamt der Bundesregierung (Bulletin) 1989b, 1038. See also Deutsch-Französisches Institut and Deutsche Frankreich-Bibliothek 1995 (and after), 102-103.

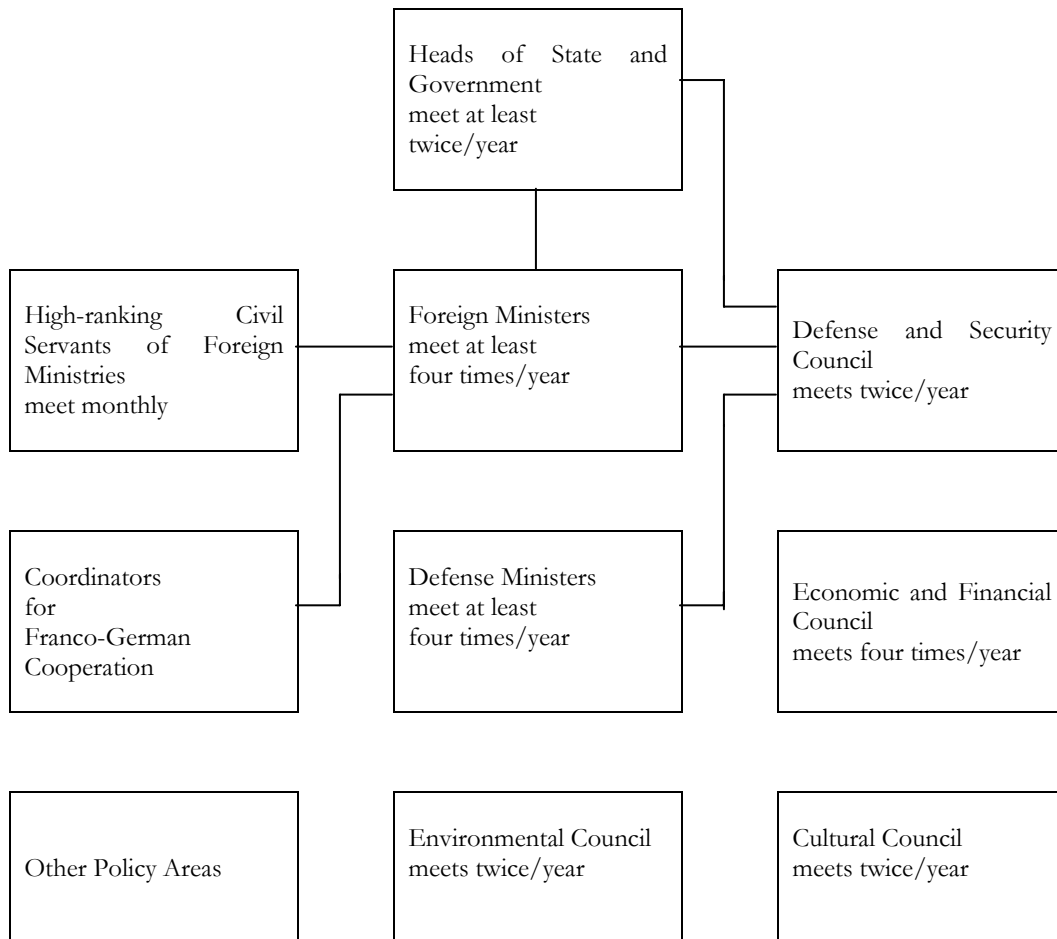
<sup>123</sup> Presse- und Informationsamt der Bundesregierung (Bulletin) 1989b, 121.

<sup>124</sup> Dokumente, Documents, and Deutsch-Französisches Institut Ludwigsburg 1993, 160-161.

<sup>125</sup> *Frankfurter Allgemeine Zeitung*, 14 February 1990, 6.

It further included the policy areas of culture and environmental protection. Outside of these policy areas and ministries, bilateral regularized intergovernmentalism comprising all ministries remained part of the ever growing semiannual summit meetings. Furthermore, in other policy areas such as education and youth issues, representatives of the German *Länder* are part of the Franco-German bilateral interaction. A host of Franco-German working groups across all policy domains and many issue-specific commissions complement the intergovernmental relations between France and Germany.

**Figure 2:**  
**Regularized Bilateral Franco-German Intergovernmentalism**



### III. Elements of Bilateral Social Structure Forty Years On

“The Franco-German Treaty,” long-time French Minister of Foreign Affairs and Prime Minister de Murville notes at the Treaty’s twentieth anniversary, “has over time ... become an essential part of the life of our peoples” — “a basic element of the foreign policies of our two countries.<sup>126</sup> “Twenty-five years after its signing,” Morizet holds in 1988, “the Franco-German Treaty has become

<sup>126</sup> de Murville 1983, 1, 12.

a basic component of Franco-German politics.”<sup>127</sup> It “makes up the foreign policy constitution of the two states,” a German diplomat concurs.<sup>128</sup> This “dense coordination and harmonization texture,”<sup>129</sup> with its “intensive consultations,” Zieburra understands, are foundational elements of a new type of “structural cooperation between the two countries.”<sup>130</sup>

For some four decades, the effects of the regularized Franco-German intergovernmentalism have codefined the relationship between France and Germany. With standardizing and routinizing conduct, binding and socializing personnel, and generating and reproducing social meaning and purpose, this category of practices has helped to construct an international institutional reality. Simultaneously, the limits of Franco-German regularized intergovernmentalism have become salient as France and Germany frequently have failed to match the ambitions of the Treaty’s provisions and extensions. Important French and German foreign policy orientations have often remained deeply split.<sup>131</sup> The regularization of their intergovernmentalism has helped to make France and Germany hang together for over four decades. It has contravened potential rupture. And it has structured change in Franco-German relations; it has made possible change within continuity, and continuity within change.

### Effects

Regularized intergovernmental interaction has at least three kinds of partially overlapping effects. First, in certain ways and not in others, regularized intergovernmentalism standardizes and routinizes the conduct of the individual actors involved in the relationship. Between France and Germany, it frames the interaction between the French and German governments and administrations. It does so in several ways.

First of all, it helps to define “business as usual” and frames normal ways of handling things. It keeps issues on the agenda that concern those with which the institutionalized relationship exists. And it makes states “keep in touch” regarding certain issues. Further, it channels why and how to solve problems and formulate policies in a wide range of policy domains.

“The institutionalization of close contacts has become a working instrument that repeatedly forces the administrations of both states to explore possibilities for Franco-German cooperation.”<sup>132</sup> The “necessity of preparing two or three meetings a year pushes a need to prepare them into the second and third layers of the bureaucracy; common problems are never far from the top of the in-box or far out of mind. When leaderships change, the fixed schedule of meetings prevents the new leaders from postponing consultation with their counterparts.”<sup>133</sup>

Regularized intergovernmentalism creates routines. Such routines and common “codes of conduct,” Bjørn Otto Sverdrup contends in a thorough study on Franco-German institutionalization, “and exchanges of personnel contributed to develop a common Franco-German set of rules of appropriateness.”<sup>134</sup> This is the “routine that distinguishes every good marriage,” journalist Josef Joffe declares at the occasion of the Treaty’s thirtieth anniversary.<sup>135</sup> “The normality is what is extraordinary in Franco-German affairs,” Prime Minister Lionel Jospin notices, after the seventieth

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<sup>127</sup> Morizet 1988.

<sup>128</sup> Quoted in *Frankfurter Allgemeine Zeitung*, 5 July 1997, 2.

<sup>129</sup> Nonnenmacher 1993.

<sup>130</sup> Zieburra 1978b.

<sup>131</sup> Krotz 2002.

<sup>132</sup> Ménudier 1982, 160.

<sup>133</sup> Friend 1991, 41.

<sup>134</sup> Sverdrup 1994, 89.

<sup>135</sup> Joffe 1993.



Franco-German summit in Weimar in September 1997.<sup>136</sup> And a French public servant comprehends that “the originality of the consultations with the Germans rests on the fact that they appear normal or routine.”<sup>137</sup>

The regularized mechanism of consultation and interaction forced de Gaulle and Adenauer’s successors to “remain in permanent tight contact.”<sup>138</sup> These mechanisms, Chancellor Kohl describes what he experienced, establish the “coining discipline of a permanent dialog.”<sup>139</sup>

Second, regularized intergovernmentalism binds and, over time, socializes personnel. Institutionalized relations among states have their staff. The Franco-German relationship has in a range of ways cultivated cohorts of staff for four decades.

The Treaty’s provisions “have constantly brought together top officials, who might otherwise have had little personal contact and only a paper knowledge of each other’s concerns and problems.”<sup>140</sup> “Independent of daily politics,” the dean of Franco-German analysis Alfred Grosser found as early as 1965, regularized official contacts have generated people “who have known each other for many years and have acquired the habit of working together ... in embassies, in ministries, on the staffs of newspapers, in the leadership of unions, political parties and professional organizations of both countries.”<sup>141</sup>

On the one hand, the presence of such groups of people reduces the likelihood of misunderstandings and information deficits. More importantly, however, over time such people might begin to share the same reference frame and assign similar values to the relations between the states for which they work. “Since many high-ranking civil servants work closely with Franco-German relations for several years,” Sverdrup finds, “they are affected by the institution’s set of interpretations, which are neither a French understanding of appropriateness, nor a German one, but a Franco-German one.”<sup>142</sup>

“The most important result,” French observer Jean Marcel Bouguereau gathers after three decades of Franco-German regularized intergovernmentalism, “is the fundamentally changed attitude of the French elites toward Germany.”<sup>143</sup> Socializing and cultivating personnel working at diverse levels of government and across policy areas dampens the potentially disruptive effects of single changes in office, even of a particularly important positions, on the overall continuation of the relations. Thus, “the Franco-German dialogue transcends the succession of politicians that incarnate it.”<sup>144</sup>

Third, most broadly and most importantly, political processes such as the Franco-German regularized intergovernmentalism generate and perpetuate meaning and social purpose.<sup>145</sup> They do so in a number of ways. For one, regularized intergovernmentalism creates and reproduces standards of normal and legitimate expectations. The ambitious stipulations of the Elysée Treaty do exactly

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<sup>136</sup> Quoted in Germis 1997.

<sup>137</sup> Lequesne 1990, 131.

<sup>138</sup> Ziebur 1978b.

<sup>139</sup> Kohl 1988, 79.

<sup>140</sup> Friend 1991, 41.

<sup>141</sup> Grosser 1965, 26.

<sup>142</sup> Sverdrup 1994, 123.

<sup>143</sup> Bouguereau 1993.

<sup>144</sup> Pirotte 1997a, 10.

<sup>145</sup> For example, in a sense as James March and Johan Olsen have thought about it and employed the term. See March and Olsen 1989, especially chapters 3 and 9. Similarly, see Jepperson 1991. On the same point with respect to Franco-German relations, see also Sverdrup 1994, 10.

that: they formulate baselines for legitimate goals worth striving for, they steer expectations, and they define achievement. They shape normality as well as deviation from normality.<sup>146</sup>

They further provide reasons to want and to do some things, and not to want and not to do others—alone or together. They legitimize and make intuitive some courses of action; they delegitimize and make implausible others. The Treaty was “in fact less binding in its provisions than in its overtones.”<sup>147</sup>

Such a creation of significance and purpose, for example, may foster pressure “to come up with something” or “with something new,” in particular if the relationship is constructive and if quantitative interaction density is high, as is the case for France and Germany. “Deadlines infuse progress and joint positions since they contribute to direct attention towards new Franco-German proposals.” This may generate “pressure to come up with something for the next summit.”<sup>148</sup>

Finally, regularized intergovernmentalism may breed rudiments of collective identity at the international level, however tenuous. Regularization of a certain kind of interaction and communication also delineates who belongs together with whom and whom not. In all of these ways regularized intergovernmental practices help to stabilize order in international affairs – not understood as the absence of conflict, but as regularization.

“After three decades,” American observer David Calleo reflects, “it seems beyond a merely episodic converging of distinct national interests. ... a network of institutional structures does frame the bilateral relationship in a cooperative mode.”<sup>149</sup> “[T]he Treaty,” Rainer Baums finds in a detailed study of Franco-German affairs between 1969 and 1982, “could develop its own efficacious dynamic (*wirksame Eigendynamik*) for the Franco-German relationship.”<sup>150</sup>

### Limits

At the same time, the limits of the Franco-German regularized bilateralism, and the Elysée Treaty’s unfulfilled ambitions, remain conspicuous. Most obviously, deep Franco-German divergences in many policy domains continue to persist. Both French and German elites and publics at large have remained deeply split in the way they think of their states as collectivities and their respective roles in the world. Consequently, basic French and German foreign policy orientations have continued to diverge fundamentally.<sup>151</sup> France and Germany often deviate in their international goals and policies. “Franco-German military cooperation in the postwar period,” security analyst Philip Gordon for example finds, “seems to have taken place *despite* important differences in perspective between the two countries, not because of a fundamental rapprochement of views.”<sup>152</sup> In important ways there remains a “lack of a common strategic vision and purpose.”<sup>153</sup>

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<sup>146</sup> Not only those who are committed to the values that they institutionalize share such socially constructed baselines of expectations. Typically those indifferent or averse to these values them also share them and use them as reference points, when they, for example, rather mockingly call upon the French president to better fulfill his duties according to the 1963 Treaty. Compare, for example, Augstein 1996. Yet others mock what institutionalized processes of with their interaction, meaning, and purpose bring about. Margaret Thatcher, for example, warned against a “substructure in Europe ... that could undermine the cohesion of the Atlantic alliance” in security matters, after President Mitterrand and Chancellor Kohl, all in accordance with Franco-German regularized intergovernmentalism and the purpose for the relations between France and Germany it engendered, had suggested the creation of a Franco-German brigade in 1987. *Die Welt*, 28 November 1987, 5.

<sup>147</sup> Friend 1991, 39.

<sup>148</sup> Sverdrup 1994, 108.

<sup>149</sup> Calleo 1993, 183.

<sup>150</sup> Baums 1992, 96.

<sup>151</sup> Krotz 2002.

<sup>152</sup> Gordon 1995, 11, emphasis added.

<sup>153</sup> Haglund 1991, 177.

Paradoxically perhaps, the social meaning that it purports make the characteristic limits of the Franco-German regularized intergovernmentalism all the more salient. This regularized intergovernmentalism itself contributes to generating the socially constructed baselines of expectations that the French and German states both in their bilateral relations and policies in general often fail to meet. Thus, with the social meaning and purpose that it promotes and perpetuates, this bilateral intergovernmental fabric also helps to induce a frequent sense of disappointment or failure.<sup>154</sup> These regularized interaction patterns have remained efficacious. Simultaneously, difficulties, crises, and disappointments in the relations between France and Germany have persevered.

Zieburra pointed out as early as the Treaty's fifteenth anniversary that the extraordinarily high expectations toward France and Germany derive not least from the provisions in the Elysée Treaty itself. Taking many of its formulations literally, he explicates, "today in all the areas that the Treaty covers there had to be largely identical positions of both countries, resulting from a permanent common will-building and decision-making process."<sup>155</sup> In its ambitious objectives, the Treaty aimed at creating an "organic connection," on the basis of which "parallel policies could be worked out."<sup>156</sup> "Without over-interpreting the Treaty text, one can say that it aimed at the generation of a fused defense and even armament policy."<sup>157</sup>

Seen in this light, while they have never renounced them, France and Germany also have never fulfilled the Elysée Treaty's radical ambitions. While they have been closely tied and cooperated on a regular basis, basic foreign policy orientations have remained dissimilar. While their institutionalized relationship has developed and become a pivotal structural element of postwar European international politics, their interests, goals, and policies have frequently diverged. While their regularized intergovernmentalism has contributed to construct an elevated baseline of expectations for inter-state relations – both in historical terms and for the expectations of much international relations theory – characteristic tensions and crises between France and Germany have continued to recur. There is a close relationship between often very unlike collective personalities. The limits of Franco-German regularized intergovernmentalism only mirror these differences.

### **Hanging Together**

On balance, perhaps the most important outgrowth of their regularized intergovernmentalism is that it has made France and Germany hang together for four decades. The events of the late twentieth century alert us that it does not go without saying that some parts of the social world hang together. The entities that once made up the Warsaw Pact and the Comecon did not hang together: they fell apart; the Soviet Union imploded shortly thereafter with not only the Soviet system disappearing, but also the union itself; the German Democratic Republic dissolved into five *Länder* which joined the former Federal Republic; Czechoslovakia separated into two sovereign states. What once hung together can fall apart with unsettling rapidity. These historical experiences also remind us not to take for granted that some parts of the social world hang together as long as they do. The relationship between France and Germany has not fallen apart; in spite and irrespective of potential domestic and international reasons for doing so. France and Germany have hung together.<sup>158</sup>

During the 1980s, especially very empirically oriented European observers, close to the daily, weekly, monthly, yearly business of politics, began to note the tenacity of the Franco-German relationship in light of putative factors of rift. They have particularly pointed to two potential factors commonly associated with volatility. From the 1960s on, none of them has led to rupture in the Franco-German relationship.

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<sup>154</sup> For an argument along such lines, see Frisch 1993.

<sup>155</sup> Zieburra 1978b.

<sup>156</sup> Ibid.

<sup>157</sup> Ibid.

<sup>158</sup> On matters of "hanging together," see Ruggie 1998.

The first of these are changes of governments and key personnel on one or both sides of the Rhine. In a study covering the first two decades of the Elysée Treaty in practice, British observer Haig Simonian finds Franco-German relations “highly resilient” to leadership changes.<sup>159</sup> Since at least the late 1960s, changes of presidents, prime ministers, chancellors, and ministers have not radically worsened the relations between the two states.

This factor, which many expected to affect Franco-German relations much more strongly than it did, also includes the “chemistry” among French and German political leaders, and the personal proclivities of the individuals in key positions in the French and German states.<sup>160</sup> It is well known that Franco-German relations produced a number of “men couples” whose personal relations went beyond professional interaction and turned into friendships. They include Giscard-Schmidt, Kohl-Mitterrand, and Dumas-Genscher. In reverse, other interpersonal relations were difficult and often strained. The lack of personal affinity between key personalities has not, however, fundamentally undermined or led to ruptures in the processes that define Franco-German relations.<sup>161</sup>

Second, not only the changes of governments and persons in Paris, Bonn, or both, but also the partisan *composition* of French and German governments, the party coalitions (for Germany) or *cobabitation* configurations (for France) have failed to cause rift. “One imagines the everything but utopian case,” Ziebura warned at the Elysée Treaty’s fifteenth anniversary in January 1978, “that in France the ‘united’ left takes over the government, and that in the Federal Republic the CDU/CSU wins the majority. Surely, the treaty will ensure that the two governments will still talk to each other; but what will be left under such circumstances of the so often evoked ‘organic connection?’”<sup>162</sup> The “united” left took over government in France in 1981. From 1982 on, the German government was led by a CDU/CSU majority. The fourteen years with socialist President Mitterrand and Christian Democratic Chancellor Kohl have sometimes been viewed as the third Franco-German honeymoon following de Gaulle-Adenauer and Giscard-Schmidt.<sup>163</sup>

<sup>159</sup> Simonian 1985, 7. For more forceful statements of the point see Brigouleix 1987; Guérin-Sendelbach 1993, 29.

<sup>160</sup> Who likes whom and how much, who dislikes whom and how much, frequently receives extensive press coverage in France and Germany. Such matters seem part of the Franco-German public space. Journalists, in particular, often expect that such personal inclinations will affect Franco-German relations at large.

<sup>161</sup> Nor, for that matter, have these relations dramatically improved as a function of personal “chemistry” among top functionaries, diplomats, or civil servants, nor dissolved some regularly recurring and lasting problems and basic differences between the two. As former Defense Ministry *Staatssekretär* Lothar Rühl points out, “friendship between decision-makers does not infallibly lead to common goals.” Rühl 1997.

<sup>162</sup> Ziebura 1978b.

<sup>163</sup> After both Mitterrand and Kohl had left office, a few journalists – surely a great deal less thoughtful than Gilbert Ziebura – put forth the somewhat esoteric conclusion that what Franco-German relations really needed were governments composed of parties from different ends of the political spectrum. Valéry Giscard d’Estaing, UDF, was a liberal conservative, Helmut Schmidt, SPD, a social democrat, Jacques Chirac, RPR, a neo-Gaullist. Whether the majority of the French ministers were Gaullists or whether communists hold posts as ministers, whether the German foreign minister is a liberal or a green, the defense minister a conservative or a social democrat, does not seem to exert a significant impact upon the bilateral relations between France and Germany.

Also the rise of *cobabitation* in France, in which president and prime minister and ministers are from different political camps, did not disrupt the relationship. In March 1986, it happened for the first time in the Fifth Republic’s history that a French president did not have a majority after elections to the national assembly, and had to rule with a prime minister and a government, the ministers of which were neither from his own party, nor from parties allied with his own party. This first *cobabitation*, as the novelty quickly became known, lasted until May 1988. During the first *cobabitation* socialist President François Mitterrand co-ruled with neo-Gaullist Prime Minister Jacques Chirac (March 1986-May 1988). The second *cobabitation* lasted from March 1993 to May 1995 with President Mitterrand and Prime Minister Edouard Balladur (March 1993-May 1995). The third *cobabitation* (June 1997-May 2002) brought together President Chirac with socialist Prime Minister Lionel Jospin. This stresses especially the resilience of Franco-German relations against the first *cobabitation* government.

### Process, Structure, Change

None of the effects of regularized intergovernmentalism (nor their limits, for that matter), rules out change in Franco-German relations themselves, or in French and German foreign policies. But they make dramatic change and sudden rupture in this area of European politics less probable.<sup>164</sup> They structure change and allow for continuity within change, and change within continuity. Regularized intergovernmental relations, as social relations in general, change when the interaction patterns and the meaning that they incorporate are reproduced differently over time. But even if they evolve, they typically display a certain regularity and stability over time. This is what makes them social structures; and this is what distinguishes different sets of regularized intergovernmentalism among states from one another, cross-nationally or historically.

The characteristic features of Franco-German regularized intergovernmentalism in the wake of the Elysée Treaty has been a defining component of Europe's postwar regional international structure. Fundamental change in the set of processes that make up this regularized bilateralism would constitute the transformation of a structural element of the European polity as it has evolved over the past half century. Such a shift were likely to have consequences well beyond the bilateral Franco-German realm.

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Thies 1986, D 233. The adaptation of the third cohabitation, for example, to Franco-German relations in 1997, led some commentators to spell *cohabitation* "Kohlhabitation." See von Münchhausen 1997.

<sup>164</sup> Compare Sverdrup 1994, 117-125.

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