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THE LEGITIMATION OF AUTHORITY IN THE EUROPEAN UNION

**A Study of the European Commission with special reference to the
Commission Presidency of Jacques Delors, 1985-1995**

Helen Drake

Doctor of Philosophy

The University of Aston in Birmingham

April, 1996

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Helen Drake, Doctor of Philosophy, 1996

Thesis Summary

The founding Treaties of the European Union (EU) provide the Commission with bureaucratic structures and functions, and the authority to take a political leadership role in the integration process. However, the legitimacy of the Commission's authority to act either as a bureaucracy or as a political institution is periodically contested, as is the authority and leadership of its President. Max Weber's theory of the legitimation of authority suggests itself in this context as a working tool for assessing the nature of institutional and individual authority and leadership in the Commission and the broader EU context.

Weber's typology of authority offers both an understanding of the changes in the Commission's fortunes within the 'would-be polity' of the European institutions, and an appraisal of claims to authority at the individual level by the Commission President. When applied to two contrasting moments in the Commission's life during the presidency of Jacques Delors (the generating of the White Papers of 1985 and 1993), Weber's typology provides an explanation for the evolution of the legitimation of these forms of authority in terms of, first, the Union's imperfect provisions for legitimate claims to leadership authority on 'charismatic' grounds and, second, the absence in the Union of resources for leadership legitimacy based on 'traditional'-type authority, such as explicit, popular, or party political European-wide support for the project of European union. These are resources which, if present in the EU, would legitimise calls to reform the EU's institutions in the direction of more integration and a more federal polity.

The case studies offer an appraisal of the functioning and malfunctioning of authority within the Union, as well as a critical assessment of the applicability of the Weberian model to the legitimation of authority in the EU.

**Keywords: political leadership, legitimacy, bureaucracy, democracy,
Max Weber**

For my family

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Glossary of principal terms

Authority

1. 'Power or right to enforce obedience; delegated power; person or body having authority; personal influence, especially. over opinion; (...) person whose opinion is accepted, especially expert in a subject. (From the Concise Oxford Dictionary of Current English, 1982, seventh edition.)

2. 'In every society there are some people, and some rules, which ought to be obeyed in appropriate circumstances; such people have authority, and such rules are laws. Rules in turn become law because they have been authorized by some recognized process. The word authority derives from the Latin *auctoritas* and registers the enormous impact of the Romans upon subsequent European politics. (...) In the modern European state authority came to be recognized as supremely possessed by whoever was sovereign, and it depended upon current political beliefs. (...) Democracy must be understood as a theory of authority, not (as it is sometimes suggested) its antithesis. (...) Authority is quite distinct from power: the authority of the governments which went into exile as a result of Nazi conquest in 1940-1 was not affected by defeat, but their power certainly was.' (From V. Bogdanor (ed.), *The Blackwell Encyclopaedia of Political Science* (Oxford, Blackwells, 1987), pp. 34-5.)

From these definitions, and for the purposes of this thesis, we take AUTHORITY to be in a critical and formative relationship to democracy. It can refer to the authority of INSTITUTIONS and their RULES, or to the authority of INDIVIDUALS. Whether or not AUTHORITY is converted into POWER will depend on political circumstances and context. AUTHORITY is based on OBJECTIVE fact (law and due process) and SUBJECTIVE criteria (such as beliefs). It is closely related to LEGITIMACY.

Legitimacy

1.¹ ‘Of ‘legitimate’: lawful, proper, regular, conforming to standard type. Legitimation: of ‘to legitimate’: make legitimate by decree, enactment or proof; justify; serve as justification for.’ (From the Concise Oxford Dictionary of Current English, 1982, seventh edition.)

2. ‘This concept denotes one or more aspects of the lawfulness of a regime, its representatives and their ‘commands’; it is a quality derived not from formal laws or decrees but from social acceptance (or acceptability) and ‘appropriateness’ as judged by reference to norms to which ‘subordinates’ accord (more or less) active assent. It has become central to debates first over how, and whether – in terms of an accepted pattern of values, or value-based norms, within a community or society – rulership, government or power is validly exercised, and second about the extent, grounds and sources of such validity. The debate over legitimacy extends and reformulates traditional discussion of political obligation. For the legitimacy of a rule rests upon a sense of obligation within a shared sense of what is appropriate or right.’ (...) (From V. Bogdanor (ed.), *The Blackwell Encyclopaedia of Political Science* (Oxford, Blackwells, 1987), pp. 333-4.)

From these definitions, and for the purposes of our thesis, we understand LEGITIMACY to be the conforming of the authority of political institutions and individuals to the OBJECTIVE criteria of democratic laws and norms, and to the SUBJECTIVE criteria of societal beliefs and expectations regarding these laws and norms.

Chapter 1

INTRODUCTION

Introduction: defining our terms of reference

This thesis is a study of politics and political leadership within the European integration process.¹ We shall take democratic political leadership to mean claims to and the exercise of legitimate authority in the form of deliberative, ends-orientated, consequential activity.² Our study concerns the legitimation of authority in the European Union (EU),³ with particular reference to Jacques Delors's presidency of the European Commission between 1985 and 1995. This period provides us with a range of empirical material for case-studies of the functioning and malfunctioning of the provisions for political authority and leadership and their legitimation in the European Union. It also raises questions associated with the nature of individual authority and leadership within the Commission, their consequences for the Commission's institutional authority to act in the integration process, and their lessons for the exercise of individual authority within the Union system.

¹We have adopted the following definition of European integration: '(...) we mean the process of political and economic unification of the nation-states of Europe, and primarily those of Western Europe, in the period since the end of the Second World War in 1945. "Integration" is distinguished from "cooperation" by the fact that participants in integration must delegate a proportion of their national sovereignty to a body with supranational powers.' Roy Willis, *European Integration* (New York, New Viewpoints, 1975), p.ix. To this definition we would add that the process of post-war European integration is also characterised by the building of new institutions charged with guiding the process and setting its goals, and which are an expression of the arrangements for the delegation of sovereignty to which Willis refers.

²The history of the modern state in Europe is not about democracy; it is first of all about authority. In twentieth-century Europe a central issue has been whether or in what circumstances a modern state has become a democratic state.' R. Rose, 'Dynamics of Democratic Regimes', in J. E. S. Hayward and E.C. Page (eds.), *Governing the New Europe* (Cambridge, Polity Press, 1995), p.67. We demonstrate below that the history of the European Union can be seen in similar terms, in that its founders prioritised the institutionalisation of authority over the organisation of democracy.

³Throughout our study we will refer to each of the European Economic Community (EEC), the European Community (EC) and the European Union (EU) in accordance with the terms as they arose in the various stages of the European integration process. The EEC (and 'the Communities') will generally refer to the period 1957-1985; the EC to 1985-1993; and the EU to the period thereafter.

Our aim is to develop our understanding of the legitimation of authority in the EU, and to contribute to the scholarly study of political leadership in Western liberal democracies. Our central argument is that the EU's institutional provisions for the democratic exercise of leadership authority are inherently ambiguous, and were designed to be so, and as such are themselves obstacles to the emergence of a stable and cohesive EU polity. Our claim is that Jacques Delors's presidency had the effect of enacting and highlighting many of these ambiguities, thereby raising questions relating to the legitimacy of Delors's Commission presidency, of the Commission as an institution, and of authority in the broader EU system.⁴ The European Commission, of all the EU institutions, is the most problematical and contradictory in terms of the legitimation of its authority, and we demonstrate in this thesis that the study of this case provides insights into the legitimation of authority in the EU more generally.

Demonstrating that such questions have been a preoccupation of the literature on European integration is the purpose of Chapter One. The review illustrates the difficulty for scholars of European integration to define a conceptual model for studying the EU's institutions, for assessing the distribution and relations of power and authority between these institutions, and for accounting for the exercise of authority and leadership by individuals as well as institutions. It emphasises the experimental (or so-called *sui generis*) nature of the EU, and its inherent obstacles to the emergence of a fully democratic polity. We see how the 'democratic deficit', or 'crisis of legitimacy', identified and discussed by scholars in the 1990s, are the direct results of the experimental working model for the EU employed by the 'founding fathers' in the 1950s. This model prioritised the rationality and legality of economic policy-making by appointed experts over the direct and democratic representation of the peoples of the new European Communities in the goal-setting and directing of the integration process. It also emphasised the exercise of authority by college,

⁴Taking 'polity' in the broad sense to mean 'any politically organized society', and closely synonymous with the concept of political 'system': V. Bogdanor (ed.), *The Blackwell Encyclopædia of Political Science* (Oxford, Blackwell, 1991), p.484.

consensus and collectivity, rather than by individuals bearing personal political authority and responsibility.

The Commission was and is at the heart of this model, and was the site – particularly in the late 1980s and early 1990s – of many of the model’s ambiguities. The Commission provides the bureaucratic machine responsible for the management of the integration process, but in the College of Commissioners it also provides a potential source of political leadership of the integration process – yet it is not elected. The College decides by majority, and its President is only *primus inter pares*, yet historically the Commission President has claimed significant personal authority and responsibility within the Commission and the EU more widely, particularly in the case of Jacques Delors. As regards the legitimation of its authority, the Commission appears to be legitimated as a bureaucracy and as a collective body of experts, rather than as a democratically-elected political institution with provisions for personalised leadership claims.

During Delors’s presidency, however, the Commission was increasingly perceived and portrayed both as a political institution (and Jacques Delors as a political personality), and as a powerful and expanding bureaucratic machine. More and more Commissioners were previously leading national politicians and, moreover, held the promise of a political future, while Delors himself, in the role of Commission President, behaved like a national leader in his relations with national leaders within and outside Europe, and with the media; and he maintained a political discourse and comportment that were more like those of a major political leader than of the unelected leader of an expert body. Delors had held national political responsibility in the past, and during the decade of his Commission presidency became a serious contender for the highest French political office: the presidency of the Republic.⁵ The trappings of political office were increasingly conferred upon Delors, moreover, by the media and world leaders alike, to the extent that during Delors’s presidency the

⁵In December 1994, after months of media and political speculation, Delors announced on French television that he would not stand as Socialist presidential candidate.

Commission and the Commission presidency became increasingly considered as sites of political authority and leadership.⁶ Simultaneously, moreover, the Commission's range and scope of 'competencies' (the policy areas in which it had authority to initiate and execute legislation) grew more extensive and pervasive.

The organising principle of our review of the literature of European integration is the identification of the complexities of political authority, leadership and legitimacy in the EU context as outlined above. These complexities invite us to formulate a normative line of enquiry regarding the study of the Commission which, in its focus upon the nature of authority and leadership in modern democratic politics at the institutional and individual levels, will offer findings that can be expected to go beyond the specific case of the Commission. In Chapter Two (*The Legitimation of Authority (I): Defining Political Leadership*) we review the literature of political leadership and address the question of an appropriate conceptual and methodological framework for our study. We see that the scholarship in this area is vast and inconclusive, particularly as regards its treatment of the role of the individual, in relation to that of institutions, in the exercise of political authority and leadership. From within this literature, Max Weber's categorisation of types of authority ('traditional', 'charismatic' and 'rational-legal') and their different claims to legitimacy – their legitimation – suggests itself as an appropriate working tool for our

⁶Here we are entering into discussions of the so-called 'public space' dimension of contemporary democratic politics, public space referring to the increasing significance of the amplification of the national public debates about European integration, which transmits assumptions and perceptions about politics, which in turn affect the debate, and politics itself. Opinions are voiced (by citizens, voters, the political class, intellectuals, organised interests, media personalities and so on) in terms filtered through, and often simplified by, national perspectives in the absence of, say, a European-wide media, or a well-established and active European citizenship, or, more broadly, a European political culture, in the sense of shared values and expectations about the nature and goals of European integration and union. Any or all of these elements would offer the possibility of a more realistic and productive assessment of the EU's political legitimacy than tends to be true of a highly fragmented European public space in which 'Europe' itself is very often the most divisive factor. Under these conditions, the terms of the debates about politics and its leadership are not necessarily made explicit, hence the ambiguities surrounding the nature of the Commission and its President are amplified. There is a growing literature on the public space dimension of democratic politics in the national and EU contexts; see M. Abélès, 'A la recherche d'un espace public communautaire', *Pouvoirs*, no. 69, April 1994, pp.117-128; D. Wolton, *La Dernière Utopie. Naissance de l'Europe démocratique* (Paris, Flammarion, 1993); Roberto Alejandro, *Hermeneutics, Citizenship and the Public Sphere* (New York, State University of New York Press, 1993); S. García (ed.), *European Identity and the Search for Legitimacy* (London, Pinter, 1993).

enquiry for a number of reasons, which we develop in Chapter Two and summarise here by way of introduction.

First, in its focus upon authority and its legitimation, Weber's typology provides us with a terminology for the theoretical treatment of the Commission and the EU as we have outlined above. Second, his typology is apposite in that it emerged from his effort to understand the relationships, in a democratic society, between individual authority and institutional efficiency; between what in the EU between 1985 and 1995 might have been called 'conviction politics', and bureaucratic encroachment into the political space. Third, Weber's typology, by emphasising the relationship between political institutions, authority and leadership, on the one hand, and the society that they organise and that supports them, on the other, accounts for the temporally developmental nature of politics and political institutions. This is a dimension of Weber's study of authority that we can apply to the concept of the EU as a continually evolving site of political, economic and social integration, and its implications for the institutional design of the Union.

In Chapter Two we define more precisely our interpretation of Weber's typology, and deal with the theoretical and methodological problems it presents. These problems include the contradictions in Weber's own work between his sociological typology of authority, and his own application of the typology in his more directly political writings. We are particularly concerned with his political writings and with the chronological development of his work for our understanding of his 'ideal-types' of authority, and how to apply them to our case. We take 'rational' and 'legal' forms of authority to apply to the bureaucratic structures of the Community, of which the Commission is the example *par excellence*; 'charismatic' authority to mean the exercise of personalised leadership authority by political individuals; and 'traditional' authority as a resource of the charismatic leader. These terms, and our interpretation of them, require a preliminary explanation here.

'Rationality' was used by Weber to refer to the *modus operandi* of the type of organisation that was prevalent in modernising capitalist countries. State

bureaucracies were one, but not the only, example of a 'rational'-type organisation. 'Legality' referred in a restricted sense to public bureaucratic organisations, which were in the service of the state and charged with executing political decisions and instructions. Legality referred to the bureaucracy's official status in a constitutional system of powers. As part of Weber's threefold typology of authority, 'rational-legal' authority referred specifically to public, state bureaucracies, which therefore, for Weber, had a specific type of internal structure and a specific role in the polity: that of executing and implementing political instructions.

Weber's concern was that state bureaucracies, thus defined, would escape effective political control; this was the situation he observed in Germany. Ultimately, the dilemma of modern democratic politics, as he saw it, concerned the question of political control over the bureaucracy of state. In many respects, which we develop in the following chapters, Weber came to reduce the bureaucratic-political relationship, and its inherent tension, to one between institutions and individuals, asking how individuals could exercise political authority over institutions. He drew a sharp distinction between the political and bureaucratic realms, and in this respect underestimated the extent to which modern democracy would be characterised by the interpenetration of politics and bureaucracy. In this study we apply the terms 'rational-legal' and 'bureaucracy' with caution, since the Commission, which in EU terminology has come to be defined as a bureaucracy, exceeds the Weberian definition of that term, encompassing as it does a variety of roles which Weber would have considered as **political**, and therefore inappropriate to a bureaucracy.

When we use the Weberian terms 'rational', 'legal' and 'bureaucracy' in relation to the Commission, we seek primarily to distinguish the Commission's authority as it is set down in the Treaties ('legal') and in its internal working norms and practices ('rational'), from its ill-defined authority to act politically; and to differentiate its role in executing and implementing political decisions taken elsewhere (its 'bureaucratic' roles), from its more political duties of initiative and representation of the general interest of the Communities. We also use the term 'rational' in a more general sense

throughout this study to describe the Community system's emphasis on institutions rather than individuals in the integration process; on, in other words, what is predictable and stable as opposed to unpredictable and changeable. Moreover, we also use the term 'rules' as a broadly-defined expression of the norms, conventions and environment of political office; this is not a variant of 'legal-rational' and is not to be understood as such. By interpreting Weber's categories of 'rational', 'legal' and 'bureaucratic' authority in terms of the factors which distinguish institutionalised from personalised authority, and predictable and durable from unpredictable and short-lived authority, we both approximate to Weber's own, later, uses of the terms, and develop a way of addressing the EU's system for the exercise of authority. It is an interpretation, moreover, which allows for a logical application of the Weberian term 'charisma'.

In his later political writings, Weber applied the term 'charismatic' to political party leaders recruited to leadership positions through parliament; then to political leaders directly elected to national office in a plebiscite (such as a President), and, more generally, to a **type** of individual who would live for rather than off politics; who would have a 'vocation' for politics. Foremost in Weber's discussions of the charismatic leader, and in his later application of the concept to political practice, were the personal qualities and characteristics of the leader, and his ability to inspire the loyalty and obedience of followers; this, moreover, is the sense in which the term 'charismatic' is popularly used. The **democratic** characteristics of the leader – in other words, the route by which the leader had risen to power – were in many respects of secondary importance to Weber; moreover, in his sociological classification of the term, as non-routine, he suggested that charismatic leaders tend to operate outside the rules of democratic (or other) procedures and structures, and that their leadership subsequently alters these rules; in other words, he depicts them as potentially in opposition to political structures and rules, be these democratic or otherwise.

'Charisma' and 'charismatic' are problematical terms when used for political analysis, and we return to these problems in Chapter Two. Nevertheless, by defining

these terms for our purposes as follows, we can usefully apply them as an explanatory factor both of Delors's exercise of authority in the EU, and of the various perceptions of and reactions to this leadership. We interpret 'charismatic' leadership as the relationship that pertains between the individual leader and the rules and procedures of his leadership position; that is to say, as the ways in which the individual interprets his/her post on the basis of his or her unique set of political skills; and the claims s/he invokes in interpreting the rules, in part through his/her discourse. Such a definition allows us to account for the individual's personal characteristics and qualities and the way he/she brings these to bear on the post, and on his/her relationships with the constituencies and followers that the post implies. We are more concerned, therefore, with the degree of 'charisma' involved, that is to say, the extent and consequences of an individual's impact on a given post, than with determining whether or not an individual leader such as Delors is charismatic, in the popular sense of compelling. Applying this definition to Delors's presidency of the Commission allows us analytically to address Delors's leadership in relation to the structures which surrounded it, and to his impact on those structures.

Weber's category of 'traditional' authority is in several respects more problematical still, since while Weber confined it in his sociological writings to the description of ancient, non-modern and religious societies, it describes a form of authority which, in its emphasis on the individual, and his/her ability to articulate values and principles shared by given groups of followers, can be seen to operate in contemporary democratic society as a leadership resource; and in particular as a resource for the charismatic leader, as defined above. In the EU context, moreover, this is the most problematic form of authority for a potential European leadership, since 'Europe' has yet to develop the sense of identity and belonging associated with such authority, as we discuss in our final chapter, Chapter Five (*Conclusions*).

Weber's discussion of authority and leadership suggests, then, that he perceived, in the democratic process, a dichotomy, or potential dichotomy, between 'politics' on the one hand, and 'bureaucracy' on the other; this dichotomy, we have suggested,

provides us with a way of addressing contemporary democracy, including and especially that of the EU. Our reading of Weber (and he himself called on political scientists to interpret and apply his ideal-types as they saw fit) is that what he called 'charismatic' and 'traditional' types of authority equate to what he thought of as (and called) 'politics': the domain of impassioned individuals claiming authority on the grounds of ideology, shared traditions, values and beliefs and so on, and representative of a particular political or sociological constellation: in the modern period, the party political, or plebiscited leader. 'Rational-legal' type authority, on the other hand, pertained to 'bureaucracy': the domain of unelected officials charged with the efficient administration of society and its institutions according to sets of rules and fixed procedures.

Weber conceived of democracy (in the early twentieth century) as a permanent and dynamic process of tension between 'politics' and 'bureaucracy', both of which were essential to the democratic process, but in combination and in equilibrium. Too much politics could be just as harmful as too much bureaucracy, although his most immediate preoccupation seemed to be that in Imperial Germany, bureaucracy would dominate politics.⁷ In this context, we understand the 'traditional' and 'charismatic' ideal-types as integrally linked parts of this enquiry; and consider that they are not to be seen as spatially or temporally-bound categories, but as different resources on which leaders can draw for support and allegiance; they are bases of political leaders' claims to authority over and above the structures of democracy. In these respects we differ from some interpretations of Weber, and we elaborate on these differences in Chapter Two.

⁷H. H. Gerth and C. Wright Mills, *From Max Weber. Essays in Sociology* (London, Routledge & Kegan Paul, 1948), p.55: 'The "philosophical" element in Weber's construction of history is this antinomic balance of charismatic movements (leaders and ideas) with rational routinization (enduring institutions and material interests). Man's spontaneity and freedom are placed on the side of heroic enthusiasm, and thus there is an aristocratic emphasis upon elites ("virtuosos!"). This emphasis is intimately associated with Weber's attitude towards modern democracy (...).'

Despite its limitations, Weber's classification of types of authority, taken in the context of his development of a 'theory of modern politics',⁸ provides us with a conceptual tool for developing our understanding of some of the more intangible aspects of politics, such as authority, legitimacy, and leadership by individuals, and which the terminology of politics, especially when applied to the EU, tends to obscure rather than reveal. In Chapter Three (*The Legitimation of Authority (II): Defining the Commission*), we develop our application of the Weberian model to the case of the Commission. In this, moreover, we align ourselves with those scholars who either implicitly or explicitly use a similar framework in their evaluation of the relationship in the EU between its bureaucratic and political structures and roles; a relationship which centres on the Commission.⁹

The founding fathers of the Community, by deliberately favouring the economic over the political sphere of activity ('low' over 'high' politics); the 'rationality' and 'legality' of economic policy-making by unelected experts over the politically-motivated goal-setting of elected politicians; decision-making by collectivity over leadership by individuals, reversed the priorities normally associated with national democratic polities. In these respects, they instituted a bureaucratic system *par excellence*, at the centre of which was the Commission. When applied to the Commission's historical development, Weber's typological model of authority as we interpret it serves as an explanatory tool for the changes which have occurred over time in the Commission's political significance within what has been called the 'Community system', or the 'would-be polity' of the European institutions, and accounts for claims to authority at the individual level by the Commission President, as well as by the Commission institutionally. The history of the Commission can be seen as symptomatic of the ambiguities which accompanied the building of the

⁸From D. Beetham, *Max Weber and the Theory of Modern Politics* (London, George Allen & Unwin, 1974).

⁹D. Coombes, *Politics and Bureaucracy in the EC: a portrait of the Commission of the E.E.C.* (London, George Allen & Unwin, 1970); E. C. Page, *Political Authority and Bureaucratic Power. A Comparative Analysis* (Brighton, Harvester Wheatsheaf, 1992, second edition); E. C. Page and L. Wouters, 'Bureaucratic Politics and Political Leadership in Brussels', *Public Administration*, vol. 72, no. 3, Autumn 1994, pp. 445-459.

Community, and which developed within the Community as authority and leadership emerged from competing sources, according to different conditions. One aspect of the Community's development, in Weberian terms, is the periodic re-establishment of the primacy of politics over economics and the bureaucratic; of the personal over the impersonal; of the charismatic/traditional-type claims to allegiance over the legal-rational. In this development, the Commission is the most problematical of institutions, since it is simultaneously bureaucracy and political institution. From theoretical and empirical points of view, the Commission is a focal point for the ambiguities inherent in the Community's structure of authority, which we develop in Chapter Three.

When applied specifically to two contrasting, although superficially similar, moments in the Commission's development during the presidency of Jacques Delors (the generating of the Commission White Papers of 1985 and of 1993), Weber's typology of the legitimation of authority provides a method for evaluating in greater detail the authority of the Commission and of its President to act consequentially in the integration process. Specifically, it allows us, in Chapter Four (*The Legitimation of Political Authority (III): the 1985 and 1993 White Papers*) to identify, assess and explain the evolution of the legitimation of this authority. This evolution was characterised, during Delors's presidency, by the Commission's increasing claims to rational-legal authority, by Delors's apparent tendency to act as if laying claim to charismatic forms of authority, and by the growing tendency for **both** types of claim to be seen as increasingly illegitimate by national political leaders and opinion-leaders, and in some cases citizens. By contrasting the two periods covered in the cases we can offer an explanation for such trends in terms of the Union's imperfect provisions for legitimate claims to leadership authority on charismatic or traditional grounds and, in particular, the absence in the Union of bases for leadership legitimacy such as explicit, popular, partisan, organised, European-wide support for the project of European union. These are bases that, if present in the EU, and as we discuss in Chapter Five (*Conclusions*), would be involved in any reform of the EU's institutions

in the direction of more integration and a more federal polity, and which would have implications for the Commission's status as an executive body. These case studies therefore offer an appraisal of the conditions, functioning and malfunctioning of authority within the Union; an appreciation of Delors's Commission presidency; and a critical assessment of the applicability of the Weberian model to the legitimation of authority in the EU. We now turn to the literature of European integration and to the study of the questions we address in this thesis.

Political authority, leadership and legitimacy in the European Union: a review of the literature.

Introduction

Much of the extensive literature on European integration has, explicitly or otherwise, addressed the ambiguities of the EU's institutional provisions for the exercise of authority in the organisation and control of the integration process. A considerable proportion of the literature has confined itself to describing the EU and its institutions as the *sui generis* products of the *sui generis* polity-building exercise of the immediate post-war years. Many scholars, however, have addressed the problems we raised above in theoretical, conceptual and methodological terms. In their attempts to conceptualise and model the EU, their approaches have ranged from the specific adaptation of theories first developed for the analysis of national politics to the EU (federalism to neo-federalism; functionalism to neo-functionalism to liberal intergovernmentalism); to the analysis of the EU using the various sets of classical political science (or constitutional/legal) terminology (the separation of powers; comparative politics). These analytical approaches are the ones which form the basis of this review because of their contribution to our discussion of the fundamental political concepts of authority, leadership and legitimacy as outlined above.¹⁰

¹⁰We note here that other disciplines, such as anthropology, sociology and linguistic and communication studies, have also addressed the conceptual conundrum that is the EU. Furthermore,

Generally, and chronologically-speaking, such approaches also tended to move from large-scale, theoretical, deductive constructs, designed not only to explain but to predict the course of integration (such as neo-functionalism), to more empirically-grounded, inductive, case-study approaches seeking to explain the dynamics, but not necessarily the direction, of the integration process. Such an evolution reflects a number of realities. First, the unpredictability of the integration process, which grew into one of the most significant features of this process; second, the fact that the Community/Union has not evolved from its so-called *sui generis* beginnings into a recognisable (i.e. nation-state) type of polity, for reasons which we explore in this thesis. Third, the evolution of analytical approaches is also a response to what emerged over time as a polarised debate between so-called intergovernmentalists on the one hand, and supranationalists (or ‘Europeans’, or ‘federalists’) on the other; this debate itself being a reflection of the growing divergence of views and attitudes amongst the EU’s member states over the direction and end-point of the integration process. This end-point, other than as expressed in abstract terms such as ‘union’, grew into an increasingly divisive issue between the member states’ governments. Addressing integration without reference to a pre-conceived end-point was, therefore, increasingly the only way for scholars to avoid entering a debate whose terms (such as ‘federalism’) were both artificially fixed and ambiguous.

A fourth factor influencing the direction of study of European integration was the way in which integration itself evolved from being a more or less exclusively elite-led process in the 1950s and 1960s into a process which, by the late 1980s, was characterised increasingly by its exposure to the judgement of ‘ordinary’ people in the member states of the EU – voters, citizens – and to the forces responsible for articulating and forming the preferences of these individuals – the various national

scholarly organisations such as ECSA (the European Communities Studies Association) and the CES (Council for European Studies) in the USA; and UACES (University Association for Contemporary European Studies) in the UK, deliberately foster the interaction between academic disciplines in the study of the EU, a process which has in itself created the field of ‘European studies.’ See P. A. Hall, ‘The State of European Studies’, *European Studies Newsletter*, vol. XXIV, nos.5/6, June 1995 (25th Anniversary Issue), pp.6-13. The article assesses the contributions of political science, sociology, anthropology, economics and history to the study of the EU.

media, amongst others. This trend led scholars to address the question of the role and significance of the individual voter and the citizen in the integration process, and the ways in which he or she was or was not represented.

Hence in the 1990s, in response to institutional developments by then frequently dubbed ‘the democratic deficit’ or the EU’s ‘legitimacy crisis’, studies emerged which addressed the EU in terms similar to our own: concerning the distribution, exercise and legitimation of authority in the EU’s institutions.¹¹ In a similar manner, scholars from disciplines other than political science, and in particular from the fields of law, anthropology, public administration, and communication studies, addressed the EU’s development from the perspectives of, amongst others: citizen’s rights; the formation of popular identity; the efficiency of day-to-day administration and management; political leadership ‘skills’ such as discourse, and ‘charismatic’ appeal; and the difficulties, at national as well as EU level, of reconciling the short-termism of electoral politics with the long-term planning demanded of politicians and bureaucrats in the wider European (and global) framework.¹²

A further significant development of the EU of the 1980s and 1990s, and of its study, was the extent of the interpenetration of national and domestic politics with the politics of the EU. The effect of this development was that EU developments increasingly came to influence domestic, national-level politics; not simply in terms of economic and social decision-making constraints, but in terms of constitutional and ideological developments. One manifestation of this was the extent of the influence of ‘Europe’, often as a divisive factor, on the political parties of the EU’s member states, a development which contributed to the adverse reaction of some populations to the Maastricht Treaty (such as in Denmark and in France).

¹¹We also note that as the pace and scope of integration grew from the mid-1980s onwards, studies of common European policies – their formulation, implementation, impact on national states and so on – became more numerous and far-reaching.

¹²For an overview of political science research in European integration worldwide, see: G. Ciavarini Azzi (ed.), *Survey of Current Political Science Research on European Integration Worldwide: 1991-1994*, presented for the Research Committee on European Unification of the International Political Science Association at the XVIth IPSA World Congress, Berlin, August 1994.

Partly in response to this situation the EU's member states, in the 1990s, sought to revise the Union's institutions in ways which would take more account of political parties (and so, indirectly, of the citizens they represent); hence the developments in certain member states (such as France) for a greater involvement of national parliaments in EU decision-making; and, more generally, the gradual expansion of both the European Parliament's powers, and of its potential to strengthen its link between the EU's citizens on the one hand, and decision-makers on the other, through the Maastricht Treaty's provisions for tighter links between the European Parliament and the appointment of Commissioners and the Commission President. Significantly in terms of our thesis (and for the development of the EU), this stronger link between the EP and the Commission was not universally approved by member states (although all signed up to it in the Treaty of Maastricht), and the preparations for the 1996 Intergovernmental Conference (IGC) reflected the diversity of views amongst the EU member states concerning the most appropriate method for the representation of citizens in the EU's institutions, and for the exercise of authority and leadership therein.

Our study demonstrates how both a 'democratic deficit', and differing perceptions of it, were made inevitable by the initial design of the European project, and above all by its institutional provisions for leadership claims to authority: 'To speak of the European Community having a "democratic deficit" because the Brussels Commission is not accountable to the popularly elected European Parliament is to assume that it is a regime like any other. However, it is not a regime in the conventional sense. The important actions of the Union require the approval of the Council of Ministers, which represents the national governments of each member state. National governments argue that their accountability to their national electorate justifies this arrangement.'¹³ Our review of the scholarship of European integration provides the background to our own approach which, in its conceptualisation of

¹³R. Rose, 'Dynamics of Democratic Regimes', p.89.

authority, legitimacy and leadership in the European Union, links some of the themes of the existing schools of thought and literatures of European integration.¹⁴ In identifying and analysing some of the first principles of the European Union's political theory and practice, our approach offers to the literature of integration a view from beyond the supranational-intergovernmental and federalist-functionalist divides.

Explaining the European Community

FEDERALISM AND FUNCTIONALISM (I)

The process of European integration launched in the immediate post-war years was characterised by a set of needs (to reconcile two hereditary enemies, France and Germany; to reconstruct Europe's economies; to bring peace and prosperity to a continent marked by two wars in the space of one generation); a set of solutions (the creation of new institutions and policy-making instruments through the mechanism of international treaties and law); and a set of political actors and institutions (national leaders; former members of the resistance movements against Nazi Germany; political parties; national administrations; incumbents of newly-created European institutions and posts; a new European bureaucracy and legal system). The process was characterised by a palpable sense of urgency; a readiness to experiment; and a

¹⁴From the outset, the Community has presented a challenge to scholars, particularly political scientists, accustomed to studying national political systems. The precise nature of the challenge has been to account for what is *sui generis* in the Community while also comparing the Community – an emerging polity, we have said – with existing national systems. For an early statement of the dilemma see W. Pickles, 'Political Power in the EEC', *Journal of Common Market Studies*, vol. II, no.1, 1963, pp. 63-84, p.63: 'The EEC presents two difficulties, both stimulating, to the political scientist. First, it is a conscious and deliberate attempt, partly rationalist (in the Oakeshott sense of that term) and partly empirical, to create quite a new type of political entity. There is, therefore, no *corpus* of writing about it, providing criteria of judgement and ready-made frames of reference, as there is, for instance, about the newly-created States of the world, which can be judged by comparison with other States. (Is it unitary or federal, one-party, two-party or multi-party? – and so on.) The criteria and the standards by which the EEC is to be judged are themselves just as much in process of formation as is the Community itself. The second difficulty is that it is in constant evolution. It is an embryo, and will remain so for considerably longer than the transitional period, which is due to end in 1970.' But (p.78): '(...) however true it becomes [that the Community turns out to be a new kind of political institution and the members of the Commission develop new political *mores*], it is difficult to see how either the new institution or its personnel can escape judgement by some, at least, of the criteria applied to existing forms of government. It will still be important to know who exercises what powers, from whence the holders of power derive their authority, how it can be taken from them, and how their work and be supervised and their decisions checked.'

sense of a time-frame within which new solutions to far-reaching problems would be feasible, but beyond which these solutions would encounter the resistance of renascent national interests and differences. The situation was complex, novel and multi-faceted, and the literature which developed to explain the European integration process reflected these characteristics in its search for the appropriate research tools, methods, concepts and terminology with which to address and explain the new phenomenon. Drawing on existing theories of 'federalism' and 'functionalism', studies and explanations of the emergent Communities reflected the originality of the context of the post-war rebuilding of Europe, and of the institutional idea which emerged from this context.

Federalist and functionalist theory were both based on the premiss that the nation-state had ceased to be the most relevant level of political activity for peaceful and efficient international relations, and that some form of regional integration was the logical response to such developments. Where they differed was in the role they ascribed to the **level** at which they saw integration occurring (or where it was being driven), and where it would occur over time. Federalism had as its guiding force a critique of the nation state as the natural unit for political activity and sovereignty, and stressed the importance of the **peoples** of former nation states in transferring their allegiance to new institutions; their knowledge of and familiarity with each other; their desire for peace and prosperity over feelings of nationalism or isolationism and so on.

In theory, **federalist** perspectives of the new EEC institutions of the 1950s assumed that these institutions, part of a new constitutional blueprint for relations between Europe's nation states would offer a new and more rational focus of popular loyalty, with the effect of weakening nation states from within, as new European institutions fulfilled the needs of individuals whichever European nation-state they happened to live in; and that leading national politicians would demonstrate the political will to transcend the nation-state in pursuit of peace. Michael Burgess, in *Federalism and European Union: Political Ideas, Influences and Strategies in the European*

*Community, 1972-1987*¹⁵ traced the various strands of European federalism before and after the creation of the European Communities and emphasised how Jean Monnet, in his focus upon the **elite** level of politics, in fact brought to the EEC a **functionalist** variant (or mutation, in Burgess' view) of federalism; Monnet is portrayed by Burgess as a hindrance to committed federalists such as Spinelli, who had to make the best of Monnet's legacy: an economic-oriented EEC run by antagonistic national elites lacking the political leadership to engender a dynamic of federal integration.¹⁶

Functionalism, therefore, when applied to the case of the European Communities, emphasised the identification, by national elites, that many of the functions of government could best be carried out on a supra-national rather than national level, and that the supra-national level was henceforth the site for the negotiation and reconciliation of their interests. In his focus on levels of organised activity other than the nation state, in his quest for peace, and in his faith in the potential of international institutions to reorganise and marshal functional activity, Jean Monnet's thinking bore similarities to the functionalism of David Mitrany, although Monnet did not appear to have been influenced by Mitrany's work, if he was aware of it.¹⁷ However, Mitrany's functionalism was not intended to be a means of achieving regional integration; if anything, it was opposed to the formation of regional political entities, since these could become as dangerous to world peace as nation states. His working

¹⁵(London, Routledge, 1989).

¹⁶F. von Krosigk, in 'A Reconsideration of Federalism in the Scope of the Present Discussion on European Integration', *Journal of Common Market Studies*, vol. IX, no. 3, 1971, pp.197-223, also identifies and contrasts the various dimensions to European federalism, and Monnet's functionalist-federalism; as do L. Lindberg and S. Scheingold in *Europe's Would-Be Polity. Patterns of Change in the European Community* (Englewood Cliffs, N.J., Prentice-Hall, 1970).

¹⁷See D. Mitrany, 'The Prospect of Integration: Federal or Functional', *Journal of Common Market Studies*, vol. 4, no. 2, 1965, pp.119-149. In this article, Mitrany dubs Monnet's approach to integration as 'federal-functionalism' (cited in S. George, 'Supranational Actors and Domestic Politics: Integration Theory Reconsidered in the Light of the Single European Act and Maastricht', paper presented to the Political Studies Association Annual Conference, University of Leicester, April 1993). See also: D. Mitrany, *A Working Peace System* (Chicago, Quadrangle Books, 1966); D. Mitrany, *The Functional Theory of Politics* (London, Martin Robertson, 1975).

principle was that authority should be linked to activities – functions – rather than to a definite territory.¹⁸

Neither federalism nor functionalism have in their pure and original forms offered theoretical explanations of European integration; rather, the literature on integration has always sought to explain the Communities, and particularly their beginnings, **with reference to** these theoretical schools of thought, and it is around the poles of federalist-type and functionalist-type theories of integration that the literature of European integration has essentially been organised.¹⁹ For example, in the same way as both functionalism and federalism offered explanations of the beginnings of the European Communities, so they appeared to fit the relaunch of the integration process of the 1980s and 1990s, at a time when the functional scope of integration had increased, and when the drift towards a European Union suggested that member states, in drafting skeletal common policies in the sectors defining of national sovereignty and interest – economic and monetary union; foreign, security and defence policy – were manifesting a political commitment to a federal polity in which national sovereignties would be subsumed into a federal, general, interest.

Whereas both federalist and functionalist-type explanations of integration in the 1950s emphasised the positive role of the supranational Commission (for the functionalists it was the archetypal expert policy-making unit driving economic integration; for the federalists it was a prototypical federal government in the making), functional and federal perspectives of the Commission in the 1990s were more critical of this central institution, questioning its capacities to fulfil either the functional or the democratic aspects of government. Put in the terms we employed

¹⁸See R. J. Harrison in *Europe in Question* (London, George Allen&Unwin, 1974); also P. Taylor, 'Functionalism: the approach of David Mitrany', in A. J. R. Groom and P. Taylor (eds.), *Frameworks for International Co-operation* (London, Pinter, 1990).

¹⁹Lindberg and Scheingold, in *Europe's Would-Be Polity*, pp. 6-11, present a slightly different but corresponding perspective on this organisation of the thinking and writing about European integration, which they portray as differing over the *goals* of integration (rebuilding or transcending the nation state) and over the *strategies* (which separated economic from political determinists). Federalists and neo-functionalists agree over the goal of further integration but differ over whether political (federalism) or economic (neo-functionalism) determinism will be the force driving towards this goal; 'nationalists' (also identified in our study as 'realists' or 'intergovernmentalists') favour the goal of rebuilding the nation state by political means; pure 'functionalists' by economic means.

above, the literature of the 1990s increasingly challenged both the Commission's authority as bureaucratic manager of integration, and its legitimacy to act as the political conscience, memory and viewfinder for the EU's member states. We return to the developments of the 1990s below.

To the extent that the 'founding fathers' of the Communities – national statesmen such as Robert Schuman, Konrad Adenauer, Alcide de Gasperi, Paul-Henri Spaak, Joseph Bech, Johan Beyen – fostered a new European political system which explicitly substituted the general interest of the Communities for the national interest in some situations, federalism, we can say, appeared to operate as a political philosophy and movement driving the integration process from the late 1940s.²⁰ Simultaneously, however, Jean Monnet, in his roles first as President of the High Authority of the European Coal and Steel Community (13 August 1952–10 June 1955), and then, from 1955, as Chair of the Action Committee for the United States of Europe, appeared to be enacting and creating a polity in the functional mode: 'Supra-national technocrats were going to make "Europe" whilst both governments and peoples took a back seat.'²¹

The functionalist and federalist theses, therefore, while emphasising different roles for political elites and popular opinions, both focused upon the possibilities for a new European – supranational – level of political activity as a means of resolving Europe's propensity to internecine war. Both federalist and functionalist-related interpretations of integration identified and acknowledged the fact that supranational authority had a role in the integration process. To this extent we can say that federalist-functionalist theses of integration **taken together** represent a further organising principle of the literature of integration: so-called supranationalism, or Europeanism, or pro-

²⁰(...) although the Communities resulted mainly from the action of members of the European Movement, who saw as their aim a "United States of Europe", they did not represent any formal commitment to a particular type of political union. The building of a political union was left to the future, a future which was essentially uncharted. This was considered to be a highly commendable way of avoiding destructive arguments of principle and ideology.' D. Coombes, *Politics and Bureaucracy in the EC*, p. 24.

²¹S. Henig, *Power and Decision in Europe* (London, Europotentials, 1980), p.15.

integrationism (the first organising principle being itself the differences between federalist and functionalist thought, and their variants).

The 1951 Treaty of Paris effectively established a functionally-competent, European organisation: the European Coal and Steel Community (ECSC), responsible for the creation of a common market in steel and coal. Robert Schuman and Jean Monnet hoped that this organisation would serve as a model and inspiration for further functionally-focused organisations, and thus contribute to a new sense of identification amongst European citizens, who would increasingly look towards a level other than the national for responses to their needs. Monnet in particular placed considerable faith in the potential of such institutions to structure men's thinking and habits, and to reform their ways; in this case, learning how to collaborate voluntarily with individuals from other member states for the good of all.

In this way, competition and rivalries between national states would be channelled and diverted into collaborative ventures. Monnet personally considered that such collaboration would occur between political and administrative elites, and his blueprint for the ECSC was designed to organise these elites institutionally. The Treaty of Paris bore the hallmark of Jean Monnet, who seemed to believe in the leadership both of men of vision, and of institutions and structures: men of vision would provide the vital *élan* required at times to alter circumstances, break bottlenecks and strangleholds, but would be structured in such attempts by older, and therefore wiser and knowing institutions. He particularly counted on a supranational institution to embody and pass on this cumulative wisdom and experience, which was born of cooperation and collaboration on an international level in the pursuit of peaceful political, economic and social relations between European peoples.²²

²²In his memoirs, Monnet cited a passage from the Swiss philosopher Amiel, which he said had deeply impressed him: 'L'expérience de chaque homme se recommence. Seules les institutions deviennent plus sages: elles accumulent l'expérience collective, et, de cette expérience et de cette sagesse, les hommes soumis aux mêmes règles verront non pas leur nature changer, mais leur comportement graduellement se transformer.' (With each man, learning and experience start anew. Institutions alone can grow in wisdom: they can accumulate collective experience and, thanks to this experience and wisdom, men subjected to the same rules will not change in nature, but will see their behaviour gradually transform itself.) Jean Monnet, *Mémoires* (Paris, Fayard, 1976), p.577, our translation.

The new European Communities, in their focus on levels of organised activity other than the nation state, in their quest for peace, and in their faith in the potential of European-level institutions to re-organise and marshal political activity and win legitimacy, could be said therefore to have been inspired both by functionalist thought and federalist ideals. Both federalism and functionalism lay emphasis on the rationality of policy and decision-making, assuming that by rationally meeting elite and popular needs, common institutions would develop a legitimacy unhindered by existing, more emotional attachments, by the peoples of Europe, to existing nation states and national figures. This was a view which was bolstered by the politicians who themselves were concerned with making a more unified Europe possible. For the most part, the elected politicians shared a common experience (the war, the Resistance); common values (a commitment to Christian Democracy; to peace; to cosmopolitanism; to anti-nationalist sentiment) and common goals (a peaceful, and prosperous Europe), which fostered a willingness to co-operate politically. Simultaneously, rebuilding Europe's economy was a task which called for expertise and efficiency, hence the need for unelected but pivotal men such as Jean Monnet. Europe's founding fathers then, in their own behaviour, and in the ideals which they promoted and enacted, suggested a particular style of politics for Europe: rational, institutionalised, and supra-national, in the sense of transcending the nation-state. National governments would, it was assumed, learn from the process of integration and become ever more willing to support the process; they would in other words be willing and able to proceed with integration. Henig described what was novel in the Community as the notion of 'agreeing to agree', 'revolutionary in international organization; and it has been deliberately and deeply buried in the European structure.'²³

NEOFUNCTIONALISM (I)

²³Henig, *Power and Decision*, p.7.

Neo-functionalism was the first complete theory of European integration to emerge to account for the unusual, federalist-functionalist characteristics of the new Community system. Neo-functionalism was functionalism revisited, used to explain and predict regional integration of the kind taking place in Western Europe, rather than to devise a 'working peace system' of the Mitrany kind. Ernst B. Haas, the 'father' of neo-functionalism and author of its first major work, *The Uniting of Europe: Political, Social and Economic Forces, 1950-1957*,²⁴ explained the roots of the theory in a retrospective analysis, in 1971: 'Why have we been studying something we call "regional integration" for about fifteen years? We were stimulated by two otherwise unrelated trends: the flowering in the United States of systematic social science, and the blooming in Europe of political efforts to build a united continent, to "integrate" Western Europe at least.'²⁵

The neo-functionalists assumed that the unelected, independent Commission, charged with implementing and guarding the treaties, would formulate and lobby for common policies with the effect that national elites (political parties; employers' organisations; trade unions, for example) would push national governments to shift their attention, and modes of operation, into the arena of the new European institutions; political integration was therefore '(...) the process whereby actors in several distinct national settings are persuaded to shift their loyalties, expectations and political activities towards a new centre, whose institutions possess or demand jurisdiction of the pre-existing national states.'²⁶ So-called functional 'spill-over' would occur, from one policy area to another, hastening the integration of the European Community member states. Leon Lindberg defined spill-over as a process

²⁴(Stanford, C. A. Stanford University Press, 1958, first edition). See also, by E.B. Haas: 'International Integration. The European and the Universal Process', *International Organization*, Summer 1961, pp.366-392; 'The Study of Regional Integration: Reflections on the Joy and Anguish of Pretheorizing', *International Organization*, vol. 24, no. 4, Autumn 1970, pp.607-646; 'The Challenge of Regionalism', in S. Hoffmann (ed.), *Contemporary Theory in International Relations* (Westport, Greenwood Press, 1977); 'The Limits of Liberal Nationalism in Western Europe', in B. Crawford and P. W. Schulze (eds.), *The New Europe Asserts Itself. A Changing Role in International Relations* (Berkeley, University of California, 1990).

²⁵E. B. Haas, *The Study of Regional Integration*, p.607.

²⁶Haas, *The Uniting of Europe*, p.16.

where ‘a given action, related to a specific goal, creates a situation in which the original goal can be assured only by taking further actions, which in turn create a further condition and a need for more action, and so forth.’²⁷

Economic spillover lay at the heart of the neo-functionalists’ early conceptions of European integration, with the term ‘spillover’ referring to a momentum, or dynamic and self-perpetuating process, which would carry integration from one economic sector to another, as economic and political actors in each member state – the elites – recognised that their interests could no longer be assured at the strictly national level: ‘Each of the Six, for individual national reasons and *not* because of a clear common purpose, found it possible and desirable to embark on the road of economic integration using supranational institutions. Converging practical goals provided the leaven out of which the bread of European unity was baked. It was not the fear of the Soviet Union nor the envy of the United States that did the job. (...) Converging economic goals embedded in the bureaucratic, pluralistic, and industrial life of modern Europe provided the crucial impetus. The economic technician, the planner, the innovating industrialist, and the trade unionist advanced the movement – not the politician, the scholar, the poet, or the writer.’²⁸

The neo-functionalists saw in Western Europe’s new political patterns empirical evidence of a more general trend towards regional integration, and one to which the traditional tools of US-grown political science could be applied. In particular, they came to base their explanations of integration on their observations of the persistence of nationally-formulated interests, articulated by competing elites. Where David Mitrany’s functionalism had foreseen the creation of socio-psychological communities characterised by common loyalties and allegiance (a *Gemeinschaft*, in the nature of a church, or family), the neo-functionalist school of thought saw, in the nascent European Communities, more of a *Gesellschaft*, a situation characterised by competitiveness and contract, by the management of interests through bargaining and

²⁷L. Lindberg, *The Political Dynamics of European Economic Integration* (Stanford, C. A., Stanford University Press, 1963), p.10.

²⁸Haas, in author’s preface to the 1968 (second) edition of *The Uniting of Europe*, p.xix.

negotiation.²⁹ These were views which emphasised the elite nature of decision-making in the new European Communities, and in this respect, neo-functionalism accurately reflected the ongoing nature of the European integration process.

Spillover itself was, however, less predictable. In the mid-1950s, a first attempt at spillover (albeit not in the strictly economic sense predicted by the neo-functionalists) from the economic to the political realm of defence and security – the plans for a European Defence Community (EDC) – failed as a result of French resistance to supranationalism.³⁰ Yet by 1958 a full-scale relaunch of economic integration – economic spillover? – had occurred with the establishment of the EEC and Euratom by the Treaties of Rome. What seemed to be occurring was a process of the renationalisation of ‘high’ politics (such as defence and foreign policy) in a context of the increasing internationalisation of economics (‘low’ politics). Charles de Gaulle’s advent to power in France in 1958 as the founder and first President of the Fifth French Republic was, in this context, a significant event for the Community, specifically in terms of the changes it initiated in the exercise of leadership authority.

²⁹The terms *Gemeinschaft* and *Gesellschaft* are from Ferdinand Tönnies, *Gemeinschaft und Gesellschaft. Grundbegriffe der reinen Soziologie* (Darmstadt, Wissenschaftliche Buchgesellschaft, 1963, based on last, eighth edition of 1935): ‘[*Gemeinschaft und Gesellschaft*] sums up two opposed ways of philosophising about society. (...) To give the barest sketch of the typology, *Gemeinschaft* is community, instantiated by social groups in which the members constitute a unity, bound together by liking (family, friends), custom (the medieval village with its common fields), or devotion to common goals (guild, religious community). The *Gemeinschaft* is, for its members, an end in itself. (...) At the opposite pole is *Gesellschaft*, association, in which each individual seeks his own good, associating with others only for the sake of an ulterior payoff (the capitalist free market).’ William Stafford, ‘Ferdinand Tönnies: A Candidate for the Canon?’, *Politics*, vol. 14, no. 1, 1994, p.16. The notion of *Gemeinschaft* bears similarities with Karl Deutsch’s work on transactionalism, social communication and community-building. Karl Deutsch, writing in the 1950s, took a view of international relations that was similar to Mitrany’s functionalism, in that he believed that closer ties between states would come about primarily at the popular level – the level of the citizen. Political and security communities would be formed first and foremost because popular values and attitudes dictated such a course of action. He undertook much empirical work on the volumes and types of transactions between peoples (which underly and indicate changes in popular attitudes), and into the attitudes and values of the elites responsible for managing the transition to peaceful communities. For Deutsch as for Mitrany, the ‘leaders’ of the process of setting up new, pluralistic, communities, would be a groundswell of opinion – popular support – managed by bureaucratic and political elites. This assumed, significantly, that citizens are able to see (figuratively) beyond national boundaries for the satisfaction of their needs and interests, and that national elites are responsive to such shifts. See K. W. Deutsch *et al*, *Political Community and the North Atlantic Area: International Organization in the Light of Historical Experience* (Princeton, N.J., Princeton University Press, 1957); K. W. Deutsch, *Nationalism and Social Communication* (New York, Wiley, 1953); K. W. Deutsch, *Political Community at the International Level* (Garden City, Doubleday, 1954).

³⁰See P. Gerbet, *La Construction de l’Europe* (Paris, Imprimerie nationale, 1983), pp.145-90.

De Gaulle's European policy has been discussed in depth elsewhere,³¹ and we return to certain aspects of it in Chapter Three below; of interest here is how de Gaulle's attitudes and behaviour towards the EEC altered the nature and course of integration, and how these changes were addressed in the literature.

The received view is that de Gaulle seriously damaged the Community's fragile but nascent supranationalism, and that he substituted it with a strident form of inter-governmentalism. In more measured terms, we can say that de Gaulle's long-lasting effect on the Community was to emphasise the tendencies within the Community towards the assertion of national interests and sovereignties over more nebulous common, supranational, interests; and to create a precedent for decisive **individual** intervention in the integration process (as well as in the French domestic context) in the charismatic manner as we defined it earlier in this chapter: 'The uncertainties and ambiguities surrounding the process of integration and its likely end point certainly antedate General de Gaulle's press conference of January 14, 1963. Yet there was an undeniable tendency during the salad days of the Community to concentrate on what united and not on what divided, on the spectacular successes of the first years and not on what was left to do, on the real or imagined benefits of integration and not on its likely costs.'³² What had changed was that 'Henceforth the Commission was politically weaker – not so much because France insisted on unanimity in the Council, but rather because it could no longer work within the context of the old political consensus.'³³

³¹M. Camps, *European Unification in the Sixties: From the Veto to the Crisis* (London, McGraw-Hill, 1966); M. Camps, *What Kind of Europe? The Community Since de Gaulle's Veto* (Oxford, Oxford University Press, 1965).

³²L. Lindberg, 'Decision-making and Integration in the European Community', *International Organization*, vol. XIX, no.1, Winter 1965, p.56. In other terms: 'In retrospect the Commission often seems to have been bolder in its proposals before 1966 than it has been subsequently. The reason for this is that up to that time it could make its proposals in the reasonably confidence knowledge that the agreement on European ends which had spawned the Communities still existed. After 1966 this was no longer the case, but the crucial difference was a change in political will rather than failure to implement certain mechanical institutional arrangements. This changed political will has gradually affected other members of the Community, removing the consensual "European" basis on which the Commission had previously founded its proposals. Without that basis the Commission style has gradually changed. The roles of independent proposer and impartial mediator have merged, with the second growing in importance at the expense of the first.' Henig, *Power and Decision*, p.52.

³³Henig, *Power and Decision*, p.18.

These developments were reflected in the literature on European integration, which, as we see below, henceforth developed its focus both on the nature of individual leadership authority in the integration process; and on the so-called growing ‘realism’ of the relations pertaining between the Community member states, in which national governments acted first and foremost in order to foster, if not protect, the national interest. De Gaulle’s intervention in the integration process had had the effect of highlighting the assumptions hidden in the Communities’ founding treaties: that post-war European politics would be dominated by ‘low’ politics on which European governments would reach consensus, and where they would be content to delegate authority to the Commission; that individual national leaders would see no need to challenge the authority of the Commission, but would decide by majority and consensus view in the Council of Ministers on the next steps of integration. Neo-functional predictions of spill-over were built on these assumptions, and on that of the idea of the ‘end of ideology’, which assumed a European consensus on the grand questions of high politics (in the broader context of US foreign policy), and a willingness to commit the substance of the low politics of economics to a competent and independent body, and these assumptions had to be revised in the light of de Gaulle’s activity within the Community. In response to de Gaulle’s dramatic intervention in the EEC’s business and direction, neo-functionalists revised their earlier work, adding the role of national leadership and leaders to their lists of variables and factors shaping Community decision-making.

NEOFUNCTIONALISM (II)

In 1968, for example, E. B. Haas undertook a review of his own theory of neo-functionalism, in the form of a preface to the second edition of his earlier study.³⁴ In this preface, he emphasised that his earlier model of European integration had not taken into account the effects of ‘background variables’ in the situation of member states, such as a change of national leadership, perhaps in the form of a ‘single

³⁴E. B. Haas, *The Uniting of Europe: Political, Social and Economic Forces, 1950-1957* (Stanford, CA., Stanford University Press, 1968, second edition).

charismatic figure who is able to rule because of a crisis in a portion of the union'.³⁵ More precisely, of his earlier work, he said: 'The phenomenon of a de Gaulle is omitted'.³⁶

His conclusions concerning the momentum, or dynamics, of integration, following the experience of de Gaulle in 1965 and the empty-chair policy,³⁷ were that incrementalism in decision-making would prevail unless disturbed by a visionary using 'high politics'. A Bismarck or a de Gaulle, he said, would 'always be more effective than a Monnet, Hallstein or an Erhard', in that he would effect durable change; in the absence of such men of vision, energy and force, there would be no alternative to gradualist functionalism as a rather sluggish motor of integration. De Gaulle had brought high politics back into the European realm, whereas Haas in 1958 had devised a theoretical explanation of integration which 'relied on technology as the fuel, and on the logic of the market as the motor of integration: the drive for economic modernization would lead to political unity'³⁸; and when Haas had drawn the following conclusions concerning the dynamics of integration:

Thus the symbiosis of interministerial and federal procedures has given rise to a highly specific, and certainly corporate, series of techniques whose tendency to advance integration is patent even though it is neither clearly federal nor traditionally intergovernmental. Yet this symbiosis and the codes connected therewith are the essence of supranationality. It is *sui generis* not only in the legal and institutional sense but also in terms of the relationships it sets up among civil servants and ministers, trade unions and cartel executives, coal consumers and administrative lawyers. Even though supranationality in practice has developed into a hybrid in which neither the federal nor the intergovernmental tendency has

³⁵Haas, *The Uniting of Europe* (1968), p.xiv.

³⁶Haas, *The Uniting of Europe* (1968), p.xxii. We return to Haas' analysis in greater depth in Chapter Three where we trace the evolution of the Commission since 1957.

³⁷Charles de Gaulle, in 1965, withdrew his ministers from the Council of Ministers for a period of approximately six months: this became known as the 'empty-chair' policy. De Gaulle's action, at one level, was intended to mark his disapproval of Commission proposals to link a settlement of the financing of the Common Agricultural Policy, of which the French approved, to increased control for the European Parliament over this financing, to which the French were opposed; at another, more fundamental level, it was in protest at moves to implement widespread majority voting within the Council of Ministers, as provided for in the Treaty of Rome. At yet another, more general level, de Gaulle was reacting against a climate which appeared to favour a more politicised role for the Commission. One feature of the outcome of the empty chair policy was effectively to have questioned the nature of the Commission's role in sensitive political issues. See J. Lambert, 'The Constitutional Crisis 1965-66', *Journal of Common Market Studies*, vol. 4, no. 2, 1965, pp.195-228.

³⁸S. Hoffmann, 'Reflections on the Nation-State in Western Europe Today', *Journal of Common Market Studies*, vol. 21, September-December 1982, p.29.

clearly triumphed, these relationships will have sufficed to create expectations and shape attitudes which will undoubtedly work themselves out in the direction of more integration. (...) Though not federal in nature, its consequences are plainly federating in quality merely because it activates socio-economic processes in the pluralistic-industrial democratic milieu in which it functions, but to which conventional international organisations have no access. And to this extent the vision of Jean Monnet has been clearly justified by events.³⁹

In 1968, Haas recognised the limitations of this theory of neo-functionalism: ‘I suggest that the theory can be amended with the lessons de Gaulle has taught us and still tell us something about the logic of functional integration among nations. The chief item in this lesson is the recognition that pragmatic-interest politics, concerned with economic welfare, has its own built-in limits. (...) Pragmatic interests, because they are pragmatic and not reinforced with deep ideological or philosophical commitment, are ephemeral. (...) And a political process that is built and projected from pragmatic interests, therefore, is bound to be a frail process susceptible to reversal.’⁴⁰

Other neo-functionalists were making similar revisions to their earlier theoretical models of European integration. It had already become the view of Leon Lindberg, in 1963, that events were indicating that a theory of European integration would have to take into greater account the influential part played in the process by national governments in their task of protecting and furthering national interests.⁴¹ At the outset of his volume, Lindberg proceeded on the basis of Haas’s key assumptions, namely the key role of process (in comparison to policy substance), and of economic spill-over in creating the dynamics of integration. From these assumptions, and on the basis of empirical data collected from case-studies of European integration carried out during the six years following the signing of the Treaty of Rome, Lindberg posited that there existed a ‘procedural code’ at work in the Communities, whereby, essentially as laid down in the Treaties, supranational institutions, chiefly in the form of the Commission, indeed played the role that Haas had described – the provider of

³⁹Haas, *The Uniting of Europe* (1958), pp. 526-7.

⁴⁰Haas, *The Uniting of Europe* (1968), p.xxiii.

⁴¹Lindberg, *The Political Dynamics*.

the framework for the dynamics of integration – but under certain conditions relating directly to the role of national governments.

Above all, substance, in the form of policy salience and national interest, entered into Lindberg's system of integration, muting the determinism of economic spillover. Lindberg was aware, even in 1963, that his 'procedural code' could indeed be violated by wilful acts - a form of political leadership – on the part of national actors: 'It is clear that the Community's procedural code depends entirely on the willingness of the Member States to defer to each other's needs and interests, and to accept the mediating activities of the Commission.'⁴² And: 'We can claim that the price to be paid for withdrawal or for a manifest violation of the EEC procedural code is likely to be very high, but not that some decision-maker might not underestimate it or be willing to pay it. We can claim that so many individuals and groups have restructured their actions and expectations that a responsible politician would hesitate to reverse the process, but not that this would deter a de Gaulle from pursuing his particular vision.'⁴³ (De Gaulle's veto on British entry to the EEC in January 1963 had alerted him to this possibility). Henceforth, theories of European integration were explicitly to take into account realities such as de Gaulle: a forceful, determined, and charismatic national leader.

The reality of European integration by the late 1960s was therefore such that the federalist-functionalist beliefs in the relevance of the supranational level of politics – centred on the Commission – were increasingly challenged by views that marginalised this supranational, central level of activity, pointing as evidence to the 'proof', provided by de Gaulle that national leaders could, if they wished, interpret and distort the founding texts in order to withhold authority from the Commission, and decide principally amongst themselves on the course of future integration. The 'phenomenon of a de Gaulle' had had the effect of making space, in the political and scholarly arenas, for dissenting voices; that is to say, for those who **opposed** the

⁴²Lindberg, *The Political Dynamics*, p.291.

⁴³Lindberg, *The Political Dynamics*, p.293.

underlying philosophy of European integration: the desirability and inevitability of European unification; for those who saw it as, largely, an ‘act of faith in a kind of modern *saint-simonisme*, as appealing and as erroneous as Saint Simon’s gospel in his days.’⁴⁴ Lambert had anticipated this development when, in his study of the 1965 crisis, he wrote: ‘The crisis of 1965-66 is to be seen as a constitutional clash, involving an attempt to change certain basic rules: but it was also probably part of a more long-term political conflict over the nature of the Community that in no way ceased when the immediate crisis ended on 29 January.’⁴⁵

REALISM

So-called **realists**, drawing on international relations theory of this period, were disbelieving of the relevance of either federalism or neo-functionalism to the case of Europe, believing instead that national governments and their agents, and the cooperation between them, would always characterise relations between the West European states, certainly at least in policy areas traditionally defining of national sovereignty such as foreign policy. For Michael Shackleton, the realists emphasised how nation-states sought to **protect** their interests; unlike the federalist-functionalist perspectives – ‘idealists’ – who believed member states would **redefine** their interests.⁴⁶ In any case, growing economic and geo-political interdependence, and the flow of circumstances and events, would provide the motor of integration, confining the role of political leadership to the politics of coping with the inevitable by means of inter-national cooperation and negotiation.

Stanley Hoffmann became the best-known proponent of this view. Writing in ‘Obstinate or Obsolete? The Fate of the Nation-State and the Case of Western Europe’⁴⁷, he argued that the nation state had survived the process of European

⁴⁴S. Hoffmann, ‘The European Process at Atlantic Crossroads’, *Journal of Common Market Studies*, vol. 3, 1963, p.94. I thank John Gaffney for drawing my attention to this point.

⁴⁵Lambert, ‘The Constitutional Crisis’, p.228.

⁴⁶M. Shackleton, ‘The European Community between Three Ways of Life: A Cultural Analysis’, *Journal of Common Market Studies*, vol. XXIX, no. 6, December 1991, pp.575-601.

⁴⁷*Daedalus*, vol. 85, no. 3, 1966, pp.872-907. See also, by the same author: *Decline or Renewal? France Since the 1930s* (New York, Viking Press, 1974); ‘The European Process at Atlantic Crossroads’, *Journal of Common Market Studies*, vol. 3, 1963, pp.85-101. For a later perspective by

integration, even if transformed, and that its survival was a factor which tended to work against further European integration, particularly since: 'If we look at the institutions of the Common Market as an incipient political system for Europe, we find that their authority is limited, their structure weak, their popular base restricted and distant'⁴⁸, this in a context characterised by the fact that: 'Today's reality is complex and messy. The nation-state has survived as the centre of political power and the focus of the citizens' allegiance; nationality remains the basis of citizenship, the main countervailing force that resists all the dissolvents of community. However, the nation-state coexists with a European enterprise that has limited but real powers, and considerable resilience.'⁴⁹

Alan Milward's arguments, published as *The European Rescue of the Nation-State*⁵⁰ expressed similar views, which principally emphasised the primacy of the context of European integration, and in particular Europe's relations with the USA and in the global world, over the process of integration, such as the momentum of spillover, as stressed by the neo-functionalist perspective. Milward maintained too that the 'European saints', such as Monnet and Schuman, were in fact themselves convinced that the nation state would be the 'fundamental organizing principle' of the EEC: 'Far from renouncing the nation-state as the foundation of a better European order, they achieved prominence and success because they were among those who developed an accurate perception of the positive role it would play in the post-war order and who also recognized or stumbled upon the need for those limited surrenders of national sovereignty through which the nation-state and western Europe were jointly strengthened, not as separate and opposed entities, but within a process of mutual reinforcement.'⁵¹

Hoffmann see: 'Reflections on the Nation-State in Western Europe Today', *Journal of Common Market Studies*, vol. 21, 1982, pp.21-37; 'The European Community and 1992', *Foreign Affairs*, no. 69, 1989, pp. 27-47; *The European Sisyphus. Essays on Europe, 1964-1994* (Boulder, Westview, 1995).

⁴⁸From the version of 'Obstinate or Obsolete?' which appeared as 'Obstinate or Obsolete? France, European Integration and the fate of the Nation-State' in Hoffmann, *Decline or Renewal?*, p.380.

⁴⁹Hoffmann, 'Reflections on the Nation-State in Western Europe Today', p.21.

⁵⁰A. S. Milward, *The European Rescue of the Nation-State* (London, Routledge, 1994).

⁵¹Milward, *The European Rescue*, p.319.

In summary, the realist perspective on the Europeans' creation of the Community system was that: 'what came to prevail (...) was, on the one hand, a somewhat mystical faith in political integration as an end in itself – a way of overcoming the poison of nationalism and the debility of the old nation states – on the other hand a rather pragmatic concern with solving step by step the concrete problems at hand, starting with those of economic life.'⁵² Furthermore, the so-called realist view of integration was characterised by its recognition that high politics had remained the domain of the nation-state⁵³, and by its rejection of Haas' claim that 'supranationality corresponds exactly to the main economic component of the new Europe – industrialism – and to the prevailing style of political activity in Europe – collective bargaining with a strong participation by "technocrats". The new Europe is dominated by the welfare calculus; consequently designs (like de Gaulle's) inspired by a power-and-grandeur calculus are likely to lose their relevance just as the old ideologies have lost their appeal.'⁵⁴

NEOFUNCTIONALISM (III)

Leon Lindberg and Stuart A. Scheingold's *Europe's Would-be Polity*,⁵⁵ was an attempt to adapt neo-functionalism to the course which integration had taken in more turbulent and conflictual circumstances than had previously been imagined, and to which the realists' response, as we have seen, was to question of the Community system itself. The Community system had to be described for what it was: complex, and vulnerable to what the authors now explicitly referred to as political leadership. This essentially could come from two sources – the national (governments and their leaders) or the supranational (the Commission) – and could realistically be expected to intervene in the dynamics of integration in order to achieve – or prevent – a given

⁵²Hoffmann, 'The European Process at Atlantic Crossroads', p.87.

⁵³'But in the area of high politics, the subject matter is composed of discrete issues, among which there may be discontinuity and which show no or little solidarity among the contenders. Thus here politics as usual – Machiavellian or Bismarckian or Gaullist – prevails without any of the subtle tributes which vice elsewhere is forced to pay to virtue.' Hoffmann, 'The European Process at Atlantic Crossroads', p.90.

⁵⁴Hoffmann, 'The European Process at Atlantic Crossroads', p.92.

⁵⁵Lindberg and Scheingold, *Europe's Would-Be Polity*.

outcome. In these respects, Lindberg and Scheingold's contribution was to challenge and make explicit certain of the assumptions held by the neo-functionalists in earlier years concerning the dynamics of integration, and which the growing body of evidence of intergovernmentalism called into question.

A large part of Lindberg and Scheingold's study was thereby devoted to analysing the factors determining the influence of either of these sources of leadership. National interests (defined by policy issues) were shown to be crucial, as Haas had recognised by 1968, and as we saw above. Nevertheless, the authors' work demonstrated too that the central institutions of the Community, and particularly the Commission, still had a role to play in the management of these interests. The Commission, for the authors, continued to embody a Community interest, and conscience, and they demonstrated cases where the Commission had successfully orientated the integration process.

Despite the optimism of such studies, and their expectations that the course of integration was predictable, they nevertheless failed to predict the piecemeal fashion in which integration occurred during the 1970s and early 1980s, and the extent to which, during that period, **neither** the 'central institutions of the Community' **nor** the member state governments would predictably orient the integration process. Neo-functionalism as a predictive theory declined in relevance during this period as a result. Furthermore, neither supranationalism (whether of the federalist or functionalist form) nor, in fact, intergovernmentalism, seemed to work as a guaranteed explanatory mode of analysis for an integration process whose underlying logic – the consensus of European statespeople and citizens on low politics – was increasingly challenged by a number of factors: international economic change; divergent domestic circumstances within the Community; and the enlargement of the Community in 1973 to include, notably, the United Kingdom.

Some studies, such as David Coombes' and Glenda Rosenthal's studies of the Commission,⁵⁶ provided some evidence that the Commission, under certain conditions (such as a strong Commission President), could still operate as the motor of European integration; but they also highlighted the limitations of the Commission in a Community system marked by national differences over the goals and methods of integration and, in the case of Coombes, they drew the conclusion that the Community system, were it to retain its supranationalist philosophy and goals, required fundamental constitutional reform that would provide for true political representation at the supranational level.⁵⁷

In the political climate of the 1970s, however, there was little sign of the political will required to contemplate such reform, and subsequent studies were accordingly more pragmatic and limited in their scope and intentions. They focused on specific policy areas and analysed the factors which had contributed to the progress or failure of integration; and kept an open mind about the most appropriate research framework for studying integration.⁵⁸ One source of such approaches was the British academic community, in its response to the entry of the UK into the Community in 1973, and

⁵⁶D. Coombes, *Politics and Bureaucracy*; G. G. Rosenthal, *The Men Behind the Decisions. Cases in European Policy-Making* (Lexington M. A., Lexington Books, 1975). See also: C. Sasse, E. Poullet, D. Coombes and G. Deprez, *Decision Making in the European Community* (New York, Praeger, 1977).

⁵⁷Other authors reached similar conclusions about the need for institutional reform; see R. J. Shepherd, *Public Opinion and European Integration* (Farnborough, Saxon House, 1975), pp.237-8: '(...) European integration has reflected the desire to establish a unique form of transnational collaboration which reflects the realities of the modern world and which therefore is far better equipped than the isolated nation-state to overcome the crises which face the people of Western Europe today and which will face them in the future. Yet it was the crises which the Community faced in 1973 that served to demonstrate that, unless institutional reforms which enable the Community to pursue a more positive form of integration are affected, then the outlook for the Nine is indeed bleak. We must conclude that the Community can be sure of successfully negotiating this transitional phase in its development only if the reforms that are introduced also secure for the Community's institutions a large degree of democratic legitimacy.' W. J. Feld and J. K. Wildgen, *Domestic Political Realities and European Unification. A Study of Mass Publics and Elites in the European Community Countries* (Boulder, Westview, 1976), cover similar ground, calling for an 'attitudinal framework' for studying the EC.

⁵⁸'(...) the conceptual underpinning of *Policy-Making in the European Communities* [H. Wallace, W. Wallace and C. Webb (eds.), *Policy Making in the European Community* (Chichester, John Wiley, 1977: first edition; 1983: second edition)] (...) was the fundamental point that serious analysis of integration should be pursued through a number of distinct theoretical approaches, including the "inter-governmental" model stressing the primacy of inter-state trade-offs as well as the "neo-functionalist" one which interpreted integration as an incremental or "spillover" process (...). This awareness that the complex, halting and uneven progress of European integration was susceptible to a number of interpretations – including the idea that in most cases the preferences and policy-decisions of the member states would be decisive – was very widespread.' Roger Morgan, 'European Integration and National Interests (Review Article)', *Government and Opposition*, vol. 29, no.1, 1994, pp.128-135.

the changes this had occasioned in the Community and the UK in policy-making processes, and in debates about institutional and constitutional affairs.

NEW APPROACHES TO STUDYING EUROPEAN INTEGRATION

The most significant of these case-study approaches to integration was the volume by Wallace, Wallace and Webb⁵⁹, in which the authors related EC policy-making processes and outcomes to the degree of salience of a given policy area for national governments: the more salient the policy area, the harder the EC negotiations. They emphasised the significance of national interests and national domestic constraints on member states' EC policy activity, and concluded that member states would use the EC as a negotiating framework for the management of international economic interdependence to the extent that this framework was the most appropriate, and not because of any overriding commitment to integration; in this they were reflecting the position of the UK in the EC at that time.

Of note is the emphasis placed by the authors of this study on the question of the relationships which pertained between national public opinion and 'interested publics' on the one hand; and national government policy towards Europe on the other. In acknowledging and emphasising (while not conclusively defining) this relationship and its significance, the editors pointed to the need for sensitivity to such phenomena in order for the integration process to be properly understood: 'The prevailing image projected through a transnational and interdependence focus is one of an increasingly fragmented and less controllable political process.'⁶⁰ Such analyses were significant for their recognition that earlier supranationalist and intergovernmentalist explanations of integration had tended to overlook the role of public opinion in shaping national attitudes and behaviour towards integration.

Questions of public opinion and domestic support for national policy on integration gradually seemed to become more relevant to understanding the integration process,

⁵⁹ H. Wallace, W. Wallace and C. Webb (eds.), *Policy Making in the European Community* (Chichester, John Wiley, 1977: first edition; 1983: second edition). See also C. Webb, 'Policy and Boundary Problems', *Journal of Common Market Studies*, vol.15, no.7, 1976, pp.199-205.

⁶⁰ Wallace, Wallace and Webb, (1983), *Policy Making in the European Community*, p.35.

however, as the reality of integration demonstrated the difficulties for either the Commission or the member state governments to define the general interest of the Communities, or to pursue it purposefully. Was this in part because there was no popular support for European unification? Because Europe's publics did not feel concerned by, related to or represented in the integration process? Federalist hopes for the Community had, we remember, assumed that citizens would push forward the process of creating a federal European polity. The notion that national governments were in fact constrained in their European policies by the state of public opinion, whether this was in favour of, or against more integration became a question for the literature of integration. The blind spot of earlier integration theory vis-à-vis the role of public support for integration, in other terms, was increasingly contested by political realities; hence the development of studies of integration through the 1980s and 1990s characterised by both the revival of federalist-type critiques of integration; and by a general questioning of the relevance of the elite mode of integration. Coombes' earlier preoccupation (see above) with the democratic credentials of the Community system became increasingly relevant during this period.

We note here that there had been some approaches to integration in the 1970s that consisted principally in attempts to move away from theories treating European integration as an extension of nation-state politics, and towards theories of international relations, and which also addressed the question of non-elite participation in and influence on the integration process. These approaches had begun to account for the significance of non-elite actors in integration (such as Charles Pentland's 'political man';⁶¹ or Donald Puchala's theory of 'the mass populations of the Concordance system'⁶²). Pentland developed this perspective the furthest, drawing on the socio-psychological theories of behaviour typical of 1970s political science research in the USA. M. Slater, in 1982, also addressed the

⁶¹C. Pentland, *International Theory and European Integration* (London, Faber & Faber, 1973).

⁶²D. Puchala, 'Patterns in West European Integration', *Journal of Common Market Studies*, vol.9, no.2, 1970, pp. 117-142; D. Puchala, 'Of Blind Men, Elephants and International Integration', *Journal of Common Market Studies*, vol.10, March 1972, pp. 267-284.

significance of the relationship between elites and public opinion ‘in the building of the European Community’, and in particular in relation to the legitimacy of the EC’s institutions.⁶³

Nevertheless, such approaches were largely eclipsed by the trend towards pragmatic, case-by-case studies of the integration process to which we referred above, and did not form an acknowledged new departure point for integration theory; we note them here as evidence of changing trends amongst scholars of integration; trends which gathered strength during the second half of the 1980s and the early 1990s in keeping with changes in the integration process itself, as introduced above in the first section of this chapter.⁶⁴ The feasibility and complexity of measuring and assessing public opinion as a factor affecting the integration process were also questioned by other scholars; and still in the 1990s, the study of public opinion in relation to European integration lay outside mainstream political science literature.

We can see at this stage in our review that the polarisation of views on European integration that characterised the early approaches to integration were overlaid, in time, with approaches more sensitive (if inconclusive) to the growing complexities and fragmentation of the integration process, in which both intergovernmentalism and supranationalism appeared to be at work, but neither systematically or predictably so. When in the mid-1980s the process of integration was relaunched by the events of 1984 and 1985 (which we cover at length in our case studies in Chapter Four, but which consisted essentially in the ‘1992’ project to complete the single market; and the Single European Act enabling the project to be achieved), scholarly accounts of the so-called *relance* once again seemed to organise themselves around the federalist-functional poles of thought. What, precisely, it was asked, had caused the process to tip over into a phase of virtually unprecedented consensus and reform?

⁶³M. Slater, ‘Political Elites, Popular Indifference and Community Building’, *Journal of Common Market Studies*, vol. 21, nos. 1-2, September-December 1982, p.69.

⁶⁴See also: R. O. Keohane and J. S. Nye, *Power and Interdependence. World Politics in Transition* (Boston, Little, Brown & Co., 1977); R. J. Harrison, *Europe In Question* (London, George Allen & Unwin, 1974).

There were a number of factors which the revived approaches had to account for. First, there had been a long line of national Heads of State and Government enjoying unprecedentedly long and stable periods of power: British Prime Minister Margaret Thatcher (from 1979); French President François Mitterrand (from 1981); German Chancellor Helmut Kohl (from 1982); Spanish Prime Minister Felipe González (from 1982) were the most notable of these, leading as they did four of the largest Community member states. Second, there was Jacques Delors, a highly visible Commission President who was apparently fearless in the face of formidable national leaders such as Margaret Thatcher, and who was also to enjoy an unusually long term of office (ten years by January 1995, when he stepped down from the presidency). Third, there had been a need for the resolution of matters of key national interest – mainly revolving around finance – for three of the ‘big’ members: France, Germany and Britain, which, along with unexpected international events (the unification of Germany in 1990; the end of the cold-war era) and the job of completing the agenda of 1992, provided considerable scope for leadership activity and called for firm leadership roles.

NEOFUNCTIONALISM (IV)

Amongst those reviving neo-functional thought in explaining the relative significance of such factors to the new phase of integration, Stephen George and Andrew Moravcsik provided comprehensive accounts. Stephen George, in the second edition of his seminal work, in which he reappraised neo-functional theory in the light of European integration in the 1980s, aligned himself with the view that the Delors-Mitterrand tandem was in many respects responsible for breathing life into the Community in the mid-1980s: he did not accept that Delors and the Commission alone could be considered to have engineered the reforms of that period. He also stressed the role that shifting circumstances played in determining how effective this leadership was: ‘Leadership is only effective when others are willing to be led. How did circumstances change in such a way as to take the momentum out of the EC [in

the 1970s] and then allow it to be put back again?’⁶⁵ One way in which circumstances had changed related to the economic climate, increasingly shaped by growing economic interdependence and rivalry, both within the EC, and between the EC and its trading partners (particularly the US).

Economic factors in turn shaped national governments’ perceived interests; these interests, for Moravcsik, provided the key to understanding how political leadership operated during this time.⁶⁶ He suggested that the shifting nature of member states’ interests (particularly of the big three, France, Germany and the UK) and the windows of opportunity that could arise when interests temporarily converged to allow for ‘interstate bargains’, were the determining factors in the interstate negotiations leading to the signing of the Single European Act. In a later article, Moravcsik asserted that interests are formed at the national level amongst producers, or the national domestic constituency more generally. National politicians, when bargaining internationally or supranationally, find themselves in more or less autonomous positions, depending on how diffuse or confident given interests are. International bargains are struck on the basis of their relative positions, and integration is advanced or thwarted as a result, with the Commission shaping the process only to the extent that it has authority over certain of the procedural aspects of the negotiations.⁶⁷ Neo-functionalism thus revived seemed therefore to serve intergovernmentalist explanations of integration, whereas its predecessor had primarily explained and predicted supranational integrative outcomes, as we saw above.⁶⁸

⁶⁵S. George, *Politics and Policy in the European Community* (Oxford, Oxford University Press, 1991, second edition), p.29.

⁶⁶A. Moravcsik, ‘Negotiating the Single European Act: national interests and conventional statecraft in the European Community’, *International Organization*, vol. 45, no. 1, 1991, pp. 19-56.

⁶⁷A. Moravcsik, ‘Preferences and Power in the European Community: A Liberal Intergovernmentalist Approach’, *Journal of Common Market Studies*, vol. 31, no.4, December 1993, pp.473-524. For more on the respective role of national governments and leaders, and other actors in the integrative advances of the 1980s, see also: P. Taylor, *The Limits of European Integration* (London, Croom Helm, 1983); J. Lodge (ed.), *The European Community and the Challenge of the Future*, (London, Pinter, 1989, 1993); A. J. R Groom and P. Taylor (eds.), *Frameworks for International Cooperation* (London, Pinter, 1990); R. Pryce (ed.), *The Dynamics of European Union* (London, Routledge, 1989); W. Sandholtz and J. Zysman, ‘1992: Recasting the European Bargain’, *World Politics*, part 42, October 1989, pp. 95-128.

⁶⁸See too, for related perspectives of the relevance of neo-functionalism to the integration of the 1980s: P. Taylor, ‘The New Dynamics of EC integration in the 1980s’, in J. Lodge (ed.), *The European Community and the Challenge of the Future* (London, Pinter, 1989: first edition).

It was true that by 1993, national political leaders, through the increasingly familiar institutions and procedures of the Community, clearly carried the most significant weight in shaping both the incremental and the history-making developments of the EC – in backward as well as forward directions. Furthermore, the EC had by then evolved towards the greater institutionalisation of top-level, national forms of government (such as summitry, in the form of the European Council); this situation was underscored by the relentless media focus upon personalised leadership.⁶⁹ But Lindberg and Scheingold's revision of neo-functional theory, written in 1970, held true for the 1980s too: leadership had always been available from two sources, the supranational institutions and the national governments; the Community had been most successful when both were simultaneously active.⁷⁰ The evidence of the 1980s invoked by the neo-functionalists in fact pointed to the Commission's role in contributing to the political leadership which resulted in the mid-1980's relaunch of economic integration: '(...) 1992 emerged because the institutions of the European Communities, especially the Commission, were able to exercise effective policy leadership. (...) The renewed drive for market unification can be explained only if theory takes into account the policy leadership of the Commission.'⁷¹

FEDERALISM (II) AND NEO-FEDERALISM

Simultaneously, moreover, there seemed to be signs that the Community was developing in a more federalist direction. The developments of the European Community from the mid-1980s onwards – the agreement to complete the single market, and to proceed to common economic, monetary and defence policies, and to

⁶⁹For an interesting perspective on summitry, see: J. Robert Schaezel and H.B. Malmgren, 'Talking Heads', *Foreign Policy*, vol. 39, Summer 1980, pp.130-142. See also: S. Bulmer and W. Wessels, *The European Council. Decision-Making in European Politics* (London, Macmillan, 1987); S. Bulmer, 'The European Council's First Decade: Between Interdependence and Domestic Politics', *Journal of Common Market Studies*, vol. XXIV, no.2, December 1985, pp.89-104.

⁷⁰Lindberg and Scheingold, *Europe's Would-Be Polity*; See too: R. Pryce, *The Dynamics of European Union*; E. Kirchner, *Decision-Making in the European Community* (Manchester, Manchester University Press, 1992); A. J. R. Groom and P. Taylor (eds.), *Frameworks for International Co-operation*; R. O. Keohane and S. Hoffmann (eds.), *The New European Community. Decisionmaking and Institutional Change* (Boulder, Westview, 1991).

⁷¹Sandholtz and Zysman, '1992: Recasting the European Bargain', p. 96.

the establishment of a European Union, at last – seemed to support federalist views of integration, for at stake in such developments were precisely the same kind of issues which gave birth to modern European federalist thought: responsibility for areas traditionally seen as defining of national sovereignty. In the federalist view, national responsibility for such areas was typically the source of war in Europe; federalism was therefore concerned to reassign these responsibilities between national, supranational and sub-national institutions to ensure future peace. Committed federalists such as John Pinder and Ernest Wistrich wrote about the relevance of federalist principles to the development of the Union.

Pinder, for example, in *European Community: The Building of a Union*, set out to demystify federalism by demonstrating where, in the EC, it already existed as an incrementally changing relationship between the EC's political institutions. He suggested that federal-type solutions had historically been associated with mutual gains and advantages, and resistance to them with costly consequences; and he showed where national interests coincided with the common European interest. He employed the concept of neo-federalism to emphasise the practical and pragmatic virtues of federalism, as he saw them; his vision of a neo-federal Europe was unsensationalist, and consisted in identifying the existing federalist characteristics of the Community: 'The concept of steps towards Union, promoted by federalists and supported by more specific interests, may be seen as a neo-federal idea, more conscious than neo-functionalism of federalist motives and exogenous forces favouring movement towards Union, more explicit than classical federalists about the process that can lead up to acceptance of a federal constitution.' (pp.215-6)⁷²

Michael Burgess' federalist account of the development of the Community was less optimistic concerning the likelihood of such a federal constitution. He revealed the dilemma of the federalists: the EC is unique and so fits no existing federal model; the

⁷²See H. Drake, 'European Integration and Federalism in the 1990s: a Review Article', *Contemporary European Affairs*, vol.4, nos.2/3, 1991, pp. 259-270 for a review of three major contributors to this literature: M. Burgess, *Federalism and European Union*; J. Pinder, *European Community: The Building of a Union* (Oxford, Oxford University Press, 1991); E. Wistrich, *After 1992: The United States of Europe* (London, Routledge, 1991).

federal goal therefore remains elusive. For Burgess, the federal idea was based on a multiplicity of multilayered institutions that must ‘consolidate and preserve an assortment of salient diversities while simultaneously possessing the capacity to go beyond what exists’ (p.4); and he distinguished between federal union – in fact a confederation – and a federal state (more integrated than a confederation, yet not a unitary state – and the federalists’ goal).

The revival of federalist explanations of integration in the 1980s and 1990s reflected the development of the Community into the Union, and the Union’s extension into policy areas traditionally defining of national sovereignty. The process of treaty revision and reform, moreover, which characterised the development of the Union and which dominated the agenda of European integration from the mid-1980s onwards, inevitably provoked studies of integration that sought to identify the political principles and philosophy of such reforms. The member states of the Union, in explicitly revising the functions of the various Community institutions, and in altering the relations between the institutions themselves, as well as between the Community institutions and the member state governments, were bringing to the fore fundamental questions about the Union’s identity: what were its democratic credentials? How would individual citizens be represented in, say, any Union-level foreign policy-making? What were the grounds for the Commission’s legitimacy when, for example, it proposed far-reaching suggestions for economic and monetary policy?

As the EU’s member states developed strategies for reforming the Union to respond to the ending of the Cold-War European order, the literature of integration responded by analysing the **principles** of reform; in place of the earlier search by scholars for a unique theoretical model, often sought for in theories of international relations, and which would perfectly capture and express the theory and reality of European integration, the literature of the 1990s was one of first principles, which recognised and addressed the significance of the fundamental questions of democracy, legitimacy, authority and political representation that had been largely brushed aside

in the idealism and optimism of the first Community institutions: ‘The international relations approaches may be appropriate for the study of European **integration**. However, comparative politics approaches are more appropriate for the analysis of European Community **politics**.’⁷³

We saw above how, in the 1950s, federalist-functionalist analyses of integration had stressed the importance of the new Community institutions, of which the Commission was the most significant, in formulating and implementing the Community’s general interest. This was in keeping with a political mood in which post-war economic recovery was a first priority of continental European states, and in which context the Commission derived its legitimacy from its status as a competent body of experts authorised by the member states to use its independence – its European-ness – to propose rational projects for European integration.

By the late 1980s, when the tasks of the European Community, then Union, were both more far-reaching and significant in terms of national sovereignties and identities, involving as they did questions of monetary and defence identity; and more extensive and complex, the legitimacy of an unelected, expert institution such as the Commission to propose and manage the process was not as self-evident. If the Union was developing federal-type competencies, then should it not also develop federal-type structures and institutions? These questions of power, authority, and democracy were the dominant questions of the literature of integration of the 1990s. Terms such as the ‘democratic deficit’, the Union’s ‘crisis of legitimacy’, and the provisions for the Union’s ‘governance’ characterised the debate on integration; Coombes stated, for example, that ‘(...) the Community’s institutions and member states increasingly admit that European integration, both in theory and in practice, gives rise to new problems of governance. (...) The following analysis and recommendation deal with principles and do so deliberately, because it is precisely with respect to the principles

⁷³S. Hix, ‘The Study of the European Community: The Challenge to Comparative Politics’, *West European Politics*, vol. 17, no.1, January 1994, p.23, author’s emphasis. This distinction – between integration and politics – is significant, and corresponds to our description of the literature increasingly concerned with the *political* principles and philosophy of the EU.

of good government that the Maastricht Treaty, like all its predecessors, is most unsatisfactory.’⁷⁴

The federalist-functionalist, and supranational-intergovernmentalist poles of the literature of integration, which we identified above, were, therefore, in the 1990s, superseded to a large extent by what we have called a literature of first principles, which in fact had been foreshadowed by studies such as Coombes’, and Sasse *et al*’s in the 1970s.⁷⁵ Such studies addressed the constitutional questions raised by the EU’s development, in which the role of the Commission, its authority and legitimacy, were of primordial importance: was, for example, the Commission the source of the Community’s ‘democratic deficit’? In what respects? And what was the solution? It is to these questions and their study that we turn in the final section of this chapter.

The Legitimation of authority in the EU: conclusions

The events which took place in the late 1980s in Eastern and Central Europe and the former Soviet Union, and which led to the ending of the cold-war European order, had a significant impact on the development of the EC (as did the widespread economic recession and growing unemployment in the EC member states). One of the direct consequences of these developments was to encourage the EC’s member states (led by Franco-German initiatives) to renew their commitment to European integration, and in particular to Economic and Monetary Union (EMU), and to what was known as ‘Political Union’. This renewed commitment took the form of a new treaty – the Treaty on European Union (the ‘Maastricht’ Treaty) – which finally

⁷⁴D. Coombes, ‘Problems of Governance in the Union’ in A. Duff, J. Pinder and R. Pryce (eds.), *Maastricht and Beyond. Building the European Union* (London, Routledge, 1994), p.158.

⁷⁵And even by the neofunctionalists: ‘(...) European integration studies have been characterized by a relative neglect of the problem of the kind of political system that might be evolving in the Europe of the Six. Not much is known about the actual *impact* that the decisions taken in Brussels or Luxembourg, the common policies set in motion, or the resultant changes in elite attitudes and strategy have on the *internal politics* of the member states and on their *statecraft*. This is tantamount to saying that we have relatively little secure knowledge of the fundamental *significance* of the processes of political integration for the preexisting systems.’ Lindberg, ‘Decision Making and Integration in the European Community’, p.58 (author’s emphasis).

instituted a European Union⁷⁶ that committed 11 of the 12 member states to EMU (by 1999) and to a common framework for social policy; and which prepared the Union for future common policies in foreign, security, and defence policy.

Of interest to us here is the significance of the Treaty: its substance; its form; the form of its negotiation; its reception in the member states during the ratification process – each of these in relation to what has been called the ‘elite capture’ manner in which European integration had been conducted up to then. This is a term used by Kevin Featherstone in his article, ‘Jean Monnet and the “Democratic Deficit” in the European Union’⁷⁷ to describe the elitist character of the Community-building process, which had contributed to the democratic deficit of the 1990s: ‘The argument of this article is that Monnet established the European integration process with a particular character – which was marked by technocracy and elitism – and that the legacy of this early strategy has been to afford the Commission a weak and fragile democratic legitimacy.’ (p.150) Delors’s charismatic-style leadership of the Commission, which we discuss in Chapters Three and Four below, only exacerbated the gap between the Commission’s perceived powers and its legitimacy: in strengthening the Commission’s political profile, he highlighted the Commission’s lack of democratic (that is to say, elected) legitimacy.

The process of ratifying the Treaty in the 12 member states appeared to provoke a period of doubt amongst various constituencies, not simply of the Treaty, but of the European integration process more widely, and in particular of the elitism and opaqueness of its decision-making procedures; this resistance included the Commission in its targets. Protest was most obvious amongst the public opinions of certain countries, in particular France and Denmark, where referendums revealed

⁷⁶The Treaty on European Union, Article A: ‘By this Treaty, the High Contracting Parties establish among themselves a European Union, hereafter called “the Union”. This Treaty marks a new stage in the process of creating an ever closer union among the peoples of Europe, in which decisions are taken as closely as possible to the citizen. The Union shall be founded on the European Communities, supplemented by the policies and forms of cooperation established by this Treaty. Its task shall be to organize, in a manner demonstrating consistency and solidarity, relations between the Member States and between their peoples.’ Taken from Council of the European Communities and Commission of the European Communities, *Treaty on European Union* (Luxembourg, EUR-OP, 1992).

⁷⁷*Journal of Common Market Studies*, vol.32, no.2, June 1994, pp.149-170.

public discontent over 'Europe' and the manner in which it was conducted.⁷⁸ Such discontent seemed to spell the stalling of this latest phase of integration, questioning specifically the 3-stage plan for EMU; and the prospect of enlargement of the Union; and the objectives, organisation, cost, principles and values of that Union.

The precise grounds for such public manifestations of awareness, interest and disapproval of Europe; and the response of the political class in the various member states to such developments, seemed to centre on the exclusive, secretive (as it was perceived) and elite-led manner in which EC decision-making occurred; this has been expressed precisely in the following terms, by Michael Shackleton: 'From my perspective the crisis [of governance or legitimacy] is a product of the realisation that we do not yet have the means to move from a system essentially concerned with the administration of things to one concerned with the governance of people. (...) Governance (...) needs broader support within society, a support that can only be acquired through some form of democratic legitimation.'⁷⁹

Popular opinion was concerned by the undemocratic quality of such processes, and the elites themselves by the idea that such public perceptions could lose them votes. Such criticisms were targeted at national leaders and governments; but also at the EC institutions themselves, foremost of which was the Commission and its President, Jacques Delors, who was seen as being as guilty if not more so, of building Europe without consulting the people it affected most: ordinary citizens, workers and so on. Such criticisms tended to be amplified, if not exaggerated, in the various national

⁷⁸See A. Duff, 'Ratification' in A. Duff, J. Pinder and R. Pryce (eds.), *Maastricht and Beyond*; M. Franklin, M. Marsh and L. McLaren, 'Uncorking the Bottle: Popular Opposition to European Unification in the Wake of Maastricht', *Journal of Common Market Studies*, vol. 32, no. 4, December 1994, pp.455-472; T. Worre, 'First No, then Yes: The Danish Referendums on the Maastricht Treaty 1992 and 1993', *Journal of Common Market Studies*, vol. 33, no. 2, June 1995, pp.236-257; H. Rattinger, 'Public Attitudes Towards European Integration in Germany after Maastricht', *Journal of Common Market Studies*, vol. 32, no. 4, December 1994, pp. 525-540; R. Ladrech, 'Europeanization of Domestic Politics and Institutions: The Case of France', *Journal of Common Market Studies*, vol. 32, no. 1, March 1994, pp.69-88; C. Lord, 'Sovereign or Confused? The "Great Debate" about British Entry to the European Community 20 Years On', *Journal of Common Market Studies*, vol. XXX, no. 4, December 1992, pp. 419-436. These studies differ in their account of the major factors behind the expressions of popular discontent with integration, but point to the significance of domestic and party agendas in influencing public opinion on Europe.

⁷⁹M. Shackleton, 'The Internal Legitimacy Crisis of the European Union', Europa Institute *Occasional Paper 1*, May 1994, p.5.

media and, significantly, by national political parties: ‘(...) we have also emphasized that the natural distrust of the EC and the European project by voters has been exacerbated by the behaviour of political parties. Europe is poorly served by national parties and politicians whose local interests often lead them to resort to obfuscation about European matters. If there is a crisis of legitimacy in Europe today, it seems to us that national parties and their leaders are far more responsible than the people of the European Union or the Eurocrats of Brussels.’⁸⁰

The response of national parties and leaders to the intensifying public and media interest in Europe was limited, although the Maastricht Treaty itself had responded to earlier signs of public discontent in the form of a commitment to subsidiarity; to transparency and openness, and to the concept of European citizenship;⁸¹ it had also altered the relationship between the European Commission and the European Parliament (EP) by providing the EP with closer control over the nomination and appointment of Commissioners and the Commission President; this new procedure was exercised for the first time in 1994-5.⁸² Furthermore, the process of drafting the Treaty itself raised the question of democracy in the context of the EU’s institutions. Lodge assessed this as part of a process whereby the member states were signalling to

⁸⁰M. Franklin, M. Marsh and L. McLaren, ‘Uncorking the Bottle’, p.471.

⁸¹The Treaty on European Union: Article 3b introduces the concept of subsidiarity; Part Two (Articles 8 to 8e), that of European citizenship.

⁸²The Maastricht Treaty revised the appointments procedure to allow the European Parliament more control over the member states’ appointees, especially the President, and theoretically to allow the President some say over the choice of his fellow Commissioners: Article 158, the Treaty on European Union: ‘(...) 2. The governments of the Member States shall nominate by common accord, after consulting the European Parliament, the person they intend to appoint President of the Commission. The governments of the Member States shall, in consultation with the nominee for President, nominate the other persons whom they intend to appoint as members of the Commission. The President and the other members of the Commission thus nominated shall be subject as a body to a vote of approval by the European Parliament. After approval by the European Parliament, the President and the other members of the Commission shall be appointed by common accord of the governments of the Member States.’ We note that these provisions separate the nomination from the appointment procedure, which was not the case in previous treaties, and in this way the Maastricht Treaty provides the EP with the opportunity to pronounce on the choice of the national governments, and so exercise a minimum of direct control. The Maastricht procedures were implemented for the first time with relation to Jacques Santer’s nomination in July 1994, and the EP demonstrated its new influence in only very narrowly voting its approval of Santer, raising the possibility of the nominee by ‘common accord’ being rejected and obliged to withdraw. Furthermore, the member state governments had, in June-July 1994, struggled to find this common accord in the first place, drawing attention to the many informal criteria habitually used to arrive at a common accord on the presidential nomination. On subsidiarity, see: K. van Kersbergen and B. Verbeek, ‘The Politics of Subsidiarity in the European Union’, *Journal of Common Market Studies*, vol. 32, no. 2, June 1994, pp. 215-236.

potential new EU members the importance that they adhere to western liberal notions of democracy.⁸³

In response to the Treaty's new provisions, in particularly for transparency, certain of the EU institutions, such as the Commission, formulated new information and communications policies; Lodge described these developments as 'part of a strategy to enable decision-makers and the public to make informed choices, and to create a transnational participatory political culture'; concluding that 'the new information and communication policy alone cannot redress the democratic deficit, but [that] it prepares the ground for reassessing efficiency, transparency and democracy at the next Intergovernmental Conference.'⁸⁴

Lodge considered too that member state governments' welcomed such developments as part of their strategy to divert attention away from a true appraisal of the EU's provisions for democratic legitimacy – 'Thus attention was diverted from interinstitutional relations and the relative position of the Council and the European Parliament to the Commission' (p.345) – and that greater Commission openness would not necessarily work towards legitimising its authority, something that required more far-reaching reforms of the distribution of authority between the Union's institutions: 'Democratic legitimacy is not just about the distribution of political authority. It mirrors public perceptions as to the "rightness of authority". Sceptical publics will not necessarily be any the more confident in and convinced of the rightness of authority once the Commission has implemented transparency as forseen and implemented its new information and communication policy.' (p.365) Moreover,

⁸³J. Lodge, 'The European Parliament and Euro-elections: A Quest for Legitimacy and Integration?', in J. Lodge (ed.), *The 1994 Elections to the European Parliament* (London, Pinter, 1996), p.17: 'Not only were additional states clamouring for membership, but the very question of what "democracy" meant to the EC was being defined and outlined in the treaty. This definition was derived from contemporary liberal democratic practices and assumptions in the member states. It rested on notions of parliamentary pluralism and open, representative government. but its function was not to set out an ideal type of political system to be realized at supranational level. Rather, the crude attempts at definition both symbolized core, shared political values and sent a signal to applicant states, notably in Central and Eastern Europe, as to what the EC meant when it set "political maturity" as a precondition of EC membership (...). This led both to a reappraisal of the question of democratic legitimacy in the EC context and to a reassessment of the question of the durability of existing, and even newly-reformed, legislative practices and institutional arrangements.'

⁸⁴J. Lodge, 'Transparency and Democratic Legitimacy', *Journal of Common Market Studies*, vol. 32, no. 3, September 1994, p. 344.

‘One of the curiosities of the IGC negotiations is how little detailed attention they paid to the workings of the Council and the Commission or to the relationships between these two principal organs of EC decision making. Instead, it became a governing precept of the IGC that the broad balance of the relationship between Council and Commission should remain undisturbed. The Commission was not to become the focus of governance for the Union.’⁸⁵

Lodge’s conclusions, that the Commission’s ‘(...) new approach, derived from considerations of subsidiarity, explicitly links transparency, efficiency and democracy (...) is the start of a new phase in preparing the ground for a more thorough debate on all three as well as on the nature of the European Union’s polity, its liberal democratic credentials and participatory culture (...)’ (p.366), are to some extent reflected in the focus of a new generation of studies, responding to the developments of Maastricht, upon the ways in which European integration had failed to develop stable and reliable processes (and institutions) for the democratic representation of its objects – individual citizens.

This perspective represented a call for the application of ‘traditional’ political science concepts and tools (and those from other disciplines such as anthropology and law) to European integration, and an end to the more *sui generis* approaches which, as we have said and demonstrated above, had tended to characterise research in this field.⁸⁶ Approaches varied, with authors placing more or less emphasis on the role of the Commission, the European Parliament, national parliaments, national governments, the European Council and Council of Ministers in the exercising (or

⁸⁵H. Wallace, ‘The Council and the Commission on the Brink of Maastricht’, *The Annals of the American Academy of Political and Social Science*, vol. 531, January 1994, p. 64.

⁸⁶See B. Laffan, ‘The Treaty of Maastricht: Political Authority and Legitimacy’ in A. W. Cafruny and G. G. Rosenthal, *The State of the European Community. Volume 2. The Maastricht Debates and Beyond* (Harlow, Longman, 1993); M. Newman, *The European Community – Where Does the Power Lie?*, European Dossier Series, no.25 (London, University of North London Press, 1993); The Philip Morris Institute for Public Policy Research, *How can the EU’s voters have their say?* (December 1995). For an earlier perspective on similar questions, see: J. H. H. Weiler, ‘Parlement européen, intégration européenne, démocratie et légitimité’ in J.-V. Louis and D. Waelbroeck (eds.), *Le Parlement européen dans l’évolution institutionnelle* (Brussels, l’Université de Bruxelles, 1988). Of the anthropological and sociological studies, see: V. Goddard, J. Llobera and C. Shore (eds.), *The Anthropology of Europe. Identities and Boundaries in Conflict* (Oxford, Berg, 1994); S. García (ed.), *European Identity and the search for legitimacy* (London, Pinter, 1993).

abuse) of legitimate authority. While recognising the more ‘expansive interpretation of democratic legitimacy [that] has evolved’ in the EU⁸⁷, Lodge, for example, focused on the role and limitations of the European Parliament in ‘redressing the democratic deficit and addressing the democratic legitimacy problems’,⁸⁸ concluding that the EP must be part of the process whereby integration as a whole is legitimised in the public view: ‘(...) the EP must continue giving voice to constitutional and policy concerns if it is to be seen as a legitimate player and if citizens are to internalize the EU’s legitimacy, identify in some way with it and become active rather than passive subjects in the emergent, integrated polity serving the EU.’⁸⁹

Authors from other disciplines such as anthropology focused on aspects of the question of legitimacy which had been relatively overlooked, as we said above, in the mainstream political science literature of European integration, such as the processes by which popular consent to European integration is fostered, hindered or withheld; and the processes by which a ‘community of Europeans’⁹⁰ might emerge; certain of these studies implicitly or explicitly re-examined the theories and assumptions of K. Deutsch’s earlier studies of community building (see above), and returned to Lindberg and Scheingold’s identification of a ‘permissive consensus’ in favour of integration⁹¹: ‘Monitoring and understanding the cultural changes taking place at the local level in, for example, common perceptions of national identity, behavioral changes regarding work and social life, and the perceived role and function of the EC,

⁸⁷Lodge, *The 1994 Elections*, p.19.

⁸⁸Lodge, *The 1994 Elections*, p. 19.

⁸⁹Lodge, *The 1994 Elections*, pp. 37-8.

⁹⁰From P. Howe, ‘A Community of Europeans: The Requisite Underpinnings’, *Journal of Common Market Studies*, vol. 33, no.1, March 1995, pp.27-46. See also: M. J. Bull, ‘Widening Versus Deepening the European Community: The Political Dynamics of 1992 in Historical Perspective’ in T. M. Wilson and M. E. Smith (eds.), *Cultural Change and the New Europe: perspectives on the European Community* (Boulder, Westview, 1993). Within this category we include studies based on the regular polling of public views on European integration, such as K. Reif and R. Inglehart (eds.), *Eurobarometer: the dynamics of European public opinion: essays in honour of Jacques-René Rabier* (London, Macmillan, 1991), although it is our view that the more focused approaches of socio-anthropological studies (see references above) provide the most convincing and valuable insights into the significance of the attitudes of defined groups in society. See too F. Butler, “‘Political Community’ in Integration Theories: A Blind Alley?”, *Politics*, vol. 16, no. 1, 1996, pp.53-61.

⁹¹Lindberg and Scheingold, *Europe’s Would-Be Polity*, p.43; pp.249-278.

are areas which traditionally have received much less attention. Their importance now is such that they can no longer be overlooked.’⁹²

Michael Shackleton’s emphasis on the significance of the Community’s ‘way of life’ similarly offered an alternative perspective, drawn from cultural theory, on the politics of integration: ‘Cultural theory provides a means of putting behind us the stark dichotomy between the forces of intergovernmentalism and integration and the idea that the latter are starting to gain the upper hand. Rather we need to recognize that the decisional process reflects a much deeper clash of values about the way in which Europe should be governed.’⁹³ Still other theorists investigated the role that political parties, particularly given their mention in the Maastricht Treaty,⁹⁴ could play, nationally and transnationally, in redressing or distorting perceptions of the EU’s legitimacy deficits. Hix, for example, identified the limitations of transnational parties as ‘integrators’, but underlined the more realistic contribution they could make to EU legitimacy in their role in ‘the adoption of a long-term socio-economic agenda for the EU.’⁹⁵ Such schools of thought testified to the complexity of the definition and practice of questions of political authority and legitimacy in the EU; they also challenged both the assumptions of federalist-functionalist and intergovernmentalist thinking in their ‘top-down’ focus on the governing elites of the EU member states and institutions; and those who addressed the democratic deficit in terms of the European Parliament alone: ‘Discussion of the democratic deficit in the Community is frequently reduced to a debate on the powers of the European Parliament. The legitimacy crisis has deeper roots.’⁹⁶

⁹²M. J. Bull, ‘Widening Versus Deepening the European Community’, p.41.

⁹³M. Shackleton, ‘The European Community between Three Ways of Life’, p.600.

⁹⁴Treaty on European Union, Article 138a: ‘Political parties at European level are important as a factor for integration within the Union. They contribute to forming a European awareness and to expressing the political will of the citizens of the Union.’

⁹⁵S. Hix, ‘Parties at the European Level and the Legitimacy of EU Socio-Economic Policy’, *Journal of Common Market Studies*, vol. 33, no. 4, December 1995, pp.527-554. See too: J. Gaffney, ‘Introduction. Political Parties and the European Union’, in J. Gaffney (ed.), *Political Parties and the European Union* (London, Routledge, 1996).

⁹⁶B. Laffan, ‘Comment on Wallace’, in S. Bulmer and A. Scott (eds.), *Economic and Political Integration in Europe. Internal Dynamics and Global Context* (Oxford, Blackwell, 1994), p.100.

In examining these roots, J. H. H. Weiler emphasised the complexity of the question of legitimacy in the EU context, noting how legitimacy in the EU cannot be restricted to a discussion of the so-called ‘democratic deficit’: ‘(...) the question of legitimacy of the European Community has not received adequate treatment, principally because it has always been conflated with the issue of the democratic deficit of the Community – the implicit, erroneous assumption being that, if only the democracy deficit were addressed, there would be no issue of democracy. My view is that certain very real issues of legitimacy go well beyond the question of any democracy deficit.’⁹⁷ In conceptual terms, for Weiler, ‘democracy’ is not interchangeable with ‘legitimacy’, since: ‘(...) while the existence of democratic structures surely influences the legitimacy of governance structure, it does not guarantee it.’⁹⁸ Nor, moreover, can we assume that judgements about the EU’s ‘democratic deficit’ are made on the grounds of democratic theory; on the contrary: ‘the outcry about the democratic deficit is fueled at least in part by a different agenda – furtherance of European integration.’⁹⁹ Our own foregoing discussion has demonstrated, in this context, that one of the dimensions to legitimacy in the EU not covered by the definition of ‘legitimacy’ as synonymous with ‘democracy’, can be traced to the European Commission in its dual role as administrator and bureaucracy of the European Union on the one hand, and as a provider of leadership initiatives and directions on the other. As a bureaucracy, the Commission was, for example, by the 1990s, depicted as overstretched and invasive;¹⁰⁰ as a ‘political leadership’¹⁰¹, the Commission’s authority, particularly in the manner this had been articulated by President Delors, was questioned on the grounds of its democratic legitimacy: as an unelected

⁹⁷J.H. H. Weiler, ‘After Maastricht: Community Legitimacy in Post-1992 Europe’ in W. J. Adams (ed.), *Singular Europe – Economy and Polity of the European Community after 1992* (Ann Arbor, University of Michigan Press, 1992), p.12.

⁹⁸J. H. H. Weiler, ‘After Maastricht’, p.19.

⁹⁹J. H. H. Weiler, ‘After Maastricht’, p.26.

¹⁰⁰See: L. Metcalfe, ‘After 1992: Can the Commission manage Europe?’, *Australian Journal of Public Administration*, vol. 51, no.1, March 1992, pp.117-130; R.Vahl, ‘The European Commission on the road to European Union: The consequences of the Treaty on European Union for the Commission’s power base’, *Acta Politica*, 1992/3, pp.297-322.

¹⁰¹The term used by Coombes in *Politics and Bureaucracy*.

institution, what were the grounds of its claim to leadership authority?¹⁰² Such questions related to the institutional authority of the Commission, and to the individual authority of its President. Biographical and other studies of Delors's presidency of the Commission concluded that the political skills, philosophy and personality of President Delors had been crucial factors in the Commission's 'renaissance' after 1985, but had contributed to the process whereby the precise nature of the Commission's authority had come into question.¹⁰³

In this respect, studies of the Commission in the 1980s-1990s questioned the significance of the link (strengthened by the Maastricht Treaty) between the Commission's appointment and the European Parliament, that is to say, the link between the electoral, partisan politics of the EP, and the character of the college of Commissioners. Authors pointed to the fact that this link would not in itself resolve the complexity of the Commission's claims to legitimacy:

The problem of political control through political leadership within the Commission is both an institutional and a cultural one. If political leadership based on electoral legitimacy is to offer an important constraint on bureaucratic politics in the European Community, the post of Commissioner, with its emphasis upon detachment from a previous (national) political career, would have to change fundamentally. Perhaps more importantly European-wide political authority requires European wide interest articulation and aggregation through cross-national parties. To raise such matters in a Europe at present concerned with coping with a recession and basic questions about the rate, pace, and scale of further integration appears fanciful. As long as the belief persists that giving more power to the legislature is a remedy for the problem of democracy in the European Community, the central issue of democratic control can be ducked.¹⁰⁴

¹⁰²See K. Featherstone, 'Jean Monnet and the "Democratic Deficit" in the European Union', *Journal of Common Market Studies*, vol. 32, no. 2, June 1994, pp. 149-170; E.C. Page, *Political Authority and Bureaucratic Power. A Comparative Analysis* (Brighton, Harvester Wheatsheaf, 1992, second edition).

¹⁰³G. Ross, *Jacques Delors and European Integration* (Cambridge, Polity Press, 1995); C. Grant, *Delors. Inside the House that Jacques Built* (London, Nicholas Brealey, 1994); H. Drake, 'Political Leadership and European Integration: the Case of Jacques Delors', *West European Politics*, vol. 18, no.1, January 1995, pp.140-160.

¹⁰⁴E.C. Page and L. Wouters, 'Bureaucratic Politics and Political Leadership in Brussels', *Public Administration*, vol. 72, no. 3, Autumn 1994, pp.458-9.

From another perspective, ‘anti-Europeans’ objected to a Commission linked to partisan politics through the EP since ‘this would make it even easier for the Commission to manipulate public opinion against the Governments.’¹⁰⁵

Questioning the Commission’s place in the integration process in these terms raised the essential problem of the EU’s legitimacy: how to balance the organisation of efficiency and democracy within the EU’s institutions: ‘The institutional balance, political accountability, and the extension of the Community’s policy scope are part of the continuing debate in the EC about policy competence, authority, and legitimacy. This debate is dominated by a concern for the effectiveness of the EC on the one hand, and the democratic deficit on the other.’¹⁰⁶ These are questions which became more acute during the presidency of Delors when, as we saw above and develop in Chapter Three below, the Commission had extended both its bureaucratic and its political role and profile; and which centred on the Commission’s proper role and authority in the EU system.

The IGC convened in 1996 demonstrated that most member states of the EU favoured an institutional framework in which the so-called ‘democratic deficit’ – the lack of representation for citizens in EU decision-making – would be addressed through national channels: more national parliamentary control over the Council of Ministers; more authority for the European Council, for example.¹⁰⁷ Such proposals were reminders of the continuing coincidence of national sovereignty and democratic legitimacy: citizens are still politically and socially represented first and foremost by their nationally elected political representatives, and territory is still the defining factor of identity and citizenship, despite the changes to national sovereignties that the

¹⁰⁵M. Camps, *What Kind of Europe*, p.91.

¹⁰⁶B. Laffan, ‘The Treaty of Maastricht: Political Authority and Legitimacy’, p.50; H. Wallace, ‘The Council and the Commission on the Brink of Maastricht’, p.68: ‘Decision makers on the whole want to make their actions credible and convincing. In that case, they need to take a more hardheaded approach to both drawing constitutional lines and to improving management practice.’

¹⁰⁷On this subject, see: K. Neunreither, ‘The Democratic Deficit of the European Union: Towards Closer Cooperation between the European Parliament and the National Parliaments’, *Government and Opposition*, vol. 29, no.3, 1994, pp.299-315. For a discussion of the IGC and its scope, see Federal Trust Papers 3, *Building the Union. The Intergovernmental Conference of the European Union, 1996* (London, Federal Trust, 1995).

integration process has brought about: 'The European nation state is in retreat. It might again be rescued, through striking a further bargain between sovereignty and integration and adjusting the idea of national sovereignty to a more explicitly confederal regional framework. But that would require a redefinition of the European nation-state, and a political leadership to persuade disillusioned publics to accept that redefinition, of which in 1993 there was little sign.'¹⁰⁸

Our review of the literature has demonstrated that federalism alone emphasised the need for a United States of Europe arrangement with, potentially, its own leader; and that although federalism has survived, it has not prospered as a dominant explanatory paradigm of integration, despite its several eloquent and persuasive protagonists. Early neo-functionalism, too, had to revise its perspective on the capacity of the new European institutions – especially the Commission – to guide member states towards ever deeper integration, particularly when confronted 'with the phenomenon of a de Gaulle.'

In such a context, the questions of authority and representation as raised above will continue to be problematical in their EU context, hindering the development of a stable and predictable polity. We saw above how the literature of integration reflected but did not resolve the ambiguities inherent in the founding treaties of the Communities: the coexistence of provisions for a federally and functionally-integrated European space; of provisions for inter-governmental and supranational authority: 'The EU "polity" has avoided making the choice between intergovernmental and federal paths; indeed, it has often eschewed consideration of the coherence of its political system. This is a unique and difficult combination born out of Monnet's launch of the ECSC over 40 years ago. This combination served

¹⁰⁸W. Wallace, 'Rescue or Retreat? The Nation State in Western Europe, 1945-93', *Political Studies*, vol. 42, Special Issue 1994, pp.52-76. See also D. Beetham, *The Legitimation of Power* (Basingstoke, Macmillan, 1991), especially pp. 134-5; also see M. Abélès, 'l'Europe en trois questions', *Esprit*, no. 202, June 1994, pp.98-108 for Abélès' concept of *échelle* (scale). The *changement d'échelle* (change in scale) associated with EU politics – the increasing complexity and European-wide nature of political problems – has altered the nature of political activity and calls for adjustments on the part of the member states.

earlier purposes, but its continuation in the 1990s threatens instability and an increasing lack of legitimacy in the system.’¹⁰⁹

Our thesis, in focusing upon the Commission, its role in the Community system, its enactment of its authority, and the role of its President in claiming authority for the Commission, provides a further perspective on the ‘first principles’ of the Community system, that is to say, its provisions for democracy, leadership and government. This seems an appropriate focus since: ‘The costs to the Community of integration by stealth are now being borne not only in terms of democracy, but also in terms of political authority and effectiveness. The EC suffers the double burden of a capacity deficit and a legitimacy deficit.’¹¹⁰

In particular, our study focuses on the Commission as a case-study of the EU’s provisions for reconciling democratic legitimacy and bureaucratic efficiency, in the context of an EC system created at a time when political realities and preoccupations favoured a new departure in political practice. It highlights the consequences of the founding fathers’ assumptions about the primacy of economics and of efficient consensus politics, and the dangers for Europe if popular representation is unsatisfactory at either the national or supra-national level.

We begin in our next chapter by formulating a conceptual framework for the study of the legitimation of leadership authority in the EU. This framework, in emphasising and analysing the problematical relationship in democracy, and particularly in the EU, between both bureaucracy and political control; and between individuals and institutional structures, with specific reference to the Commission and its presidency, forms part of that trend in the literature of integration, as outlined above, which identifies in the European Commission a scapegoat – not always unwitting or unwilling – for the democratic failings and illogicalities of the Community system. Our approach, in other words, assesses the Commission as one significant dimension of the EU’s complex web of competing legitimacies, and takes the concept of

¹⁰⁹Featherstone, ‘Jean Monnet and the “Democratic Deficit”, p. 168.

¹¹⁰Laffan, ‘Comment on Wallace’, p. 99.

legitimacy in its broadest sense of the acceptability and tolerance of authority: 'Legitimacy is understood here essentially as a political concept, that is as requiring more than a formal, legal basis on a written constitution or treaty or set of regulations, and more even than the effective performance of government. (...) In all the member states of the European Community the authority of governments is considered legitimate because it is thought to be based on certain principles of representation and accountability, and not just on formal, constitutional provisions or on the ability to exercise power.'¹¹¹ Specifically, our contribution is to offer an assessment of the legitimation of individual and institutional authority in the democratic political process that is the EU, and in this respect to clarify the decade of Commission leadership of President Delors.

¹¹¹D. Coombes in Sasse *et al*, *Decision-Making in the European Community*, p. 265. Such an approach, moreover, seems particularly desirable since: '(...) phobia about the Commission seems to have prevailed over any genuine concern for either the efficiency or the accountability of the Union's governance.' Coombes, 'Problems of Governance in the Union', p. 175.

Chapter 2

THE LEGITIMATION OF AUTHORITY (I): DEFINING POLITICAL LEADERSHIP

Introduction

We demonstrated and concluded in the previous chapter that the provisions in the EU's founding texts for the organisation and institutionalisation of democracy and authority were ambiguous and optimistic, particularly in relation to the potential of supra-national level politics. First, the founding treaties left ambiguous the relationship between the institutions they created, and the individuals who would lead those institutions; they seemed to prioritise the authority of institutions themselves, and of individuals acting collectively, over personalised and individualised forms of authority. More specifically, the founding texts emphasised the legitimacy of rational and predictable forms of authority rooted in technical expertise, functional service, and majority views. In this context, when political individuals did bring personalised sets of leadership skills to bear on the rules of the Community, such leadership, both by definition and through its innovative potential, challenged these rules. Historically, and, we might say, systemically, when the assertion of such leadership emerged from national governments, the Community's response was to change the rules in order to accommodate such claims to authority; the creation of the European Council in 1974 is to be seen in this context.

When such forms of leadership emerged from other sources, however, such as the Commission Presidency, the situation was more problematical for the Community system, a development to be understood in the context of a second defining characteristic of the Community: in this system where authority is fragmented, and where leadership authority is delegated to institutions rather than individuals, as we have just said, authority is also shared between different spatial levels of political

activity: the national, supra-national, international and transnational levels. Democratic legitimacy, on the other hand, is traditionally defined in terms of territoriality; as an expression of national sovereignties. The treaties nevertheless invoke ‘the general interest of the Communities’ as a guiding principle of the integration process, and as the justification for a supra-national level of political activity, this embodied in the Commission’s independence from the member state governments, in its collegiality and collective expertise.

This is a situation whose logic suggests that political leadership could emerge on the European – supra-national – level by means of appeals to the European-wide interests and values which might constitute the ‘general interest’. The development of transnational parties in the European Parliament (EP) is to be seen in this context, as is the presidency of the European Commission. Appeals to leadership legitimacy on such grounds, however, as our review of the literature in Chapter One suggested, raise difficult questions of democracy and legitimacy: the Commission President, for example, is not elected; and to what extent does ‘the general interest’ constitute grounds on which he can formulate appeals to legitimate authority?

Taken together, these two principles on which the Communities were founded – the primacy of institutions over individuals, and the creation of the supra-national level of political activity – have created instability, uncertainty and unpredictability regarding the legitimation of authority in the EU. The *ad hoc* and incremental revision of the rules of authority in the EU is one aspect of this situation; another is the polarisation of the debate about integration into **inter-governmental** and **supra-national** (or **national** vs. **European**) camps. In this situation, the Commission presidency of Jacques Delors (1985-1995) presents the researcher with theoretical, conceptual and empirical problems of the first order: how are we to study the relationship between Delors’s leadership and the legitimation of authority in the EU, in particular with reference to the relationship between bureaucracy and politics, which is characteristic of EU politics? The purpose of this chapter is to review the existing body of literature relating to political leadership and the exercise of leadership authority in western

liberal democracies with a view to developing an approach that will enable us to address these questions.

Understanding political leadership

The study of political leadership is as old as the study of politics for the one is inseparable from the other. Since time immemorial men have asked, debated, and sought to establish who governs or should govern, what are or ought to be the bases of political authority in a community, and why and how some individuals obtain and exercise exceptional influence over the making of public rules and policies when others do not.¹

The core concern of the study of political leadership has always been to define the relationship between the specifics and generalities of the environment in which the individual exercises political authority – what we will broadly call the ‘rules’ of leadership – and the ability of an individual leader (or, sometimes, group of leaders) to influence and interpret those rules, by means of what we will call the ‘skills’ of leadership: ‘Given the organisational form of most regimes, whether democratic or not, it is a self-evident truth that individuals affect the political process. The problem in political science, of course, is not really whether they affect it but the extent to which they do so, and whether even their greatest efforts merely maintain it, or whether they can have influence within or upon it.’² In the modern period, in seeking to explain democratic politics, this relationship between the rules and skills of political leadership has been particularly problematical for scholars and observers, since democracy inhibits unfettered individual displays of authority and power; yet the history of democracy has been characterised by the interaction of individuals with democratic structures; in times of crisis, moreover, democracies have often been either upheld or broken by the leadership of single individuals.

¹L. J. Edinger (ed.), *Political Leadership in Industrialized Societies. Studies in Comparative Analysis* (New York, John Wiley & Sons, 1967), p.3.

²H. Drake and J. Gaffney, ‘Introduction: Political Discourse and Leadership in Contemporary France’ in H. Drake and J. Gaffney (eds.), *The Language of Leadership in Contemporary France* (Aldershot, Dartmouth, 1996), pp. 11-12. For other statements of the problem, see also: J. Gaffney, ‘National Political Cultures and European Integration’, paper delivered at the ECSA third biennial conference, May 1993, Washington DC USA; A. Cole, ‘Studying Political Leadership: the Case of François Mitterrand’, *Political Studies*, vol.42, no.3, September 1994, pp. 453-468 esp. pp.453-4.

The philosophers of the Greek *demos* formulated and enacted a balanced view of the relationship between individuals and institutions, emphasising the role and potential of the individual in politics, but also the desirability of structuring the interventions and selection of such individuals by rules and rituals. Both Plato and Aristotle, moreover, defined ideal-types of individuals who possessed the skills required for political leadership: Plato's 'philosopher-king'; Aristotle's 'prudent' governor who applies practical wisdom to the task of leadership, and 'knowledge to conduct'.³

In modern history, furthermore, before the late nineteenth century, the spread of democracy and the beginnings of modern political and other social sciences, history and politics tended to be interpreted as the domination of the political process and its structures by individuals. Such a focus, to a large degree, expressed the reality of politics. Even after the end of reign of the absolute monarchs and despotic princes of sixteenth and seventeenth century continental Europe (epitomised by Machiavelli's Prince: 'Machiavelli opposed moral and Christian assumptions about leadership. Necessity, not morality, was to be the prince's guide, according to Machiavelli's advice. Leadership was political and secular, not personal and Christian; and the leader's God was Fortune'⁴), political regimes in Europe and elsewhere still seemed to be characterised by the activity of individuals and their families, and the periodic intervention of leading individuals who determined the nature of the regime. Moreover, in the absence of methodologies with which to study the increasingly complex nature of these interactions between individual leaders, institutions and the prevailing circumstances; during periods when emergent democratic institutions were, generally speaking, unstable and subject to transformation by individuals, and in the

³J. Adair, *Great Leaders* (Guildford, Adair Press, 1989), pp.148-9. See also: M. B. Foster, *Masters of Political Thought. Volume I, Plato to Machiavelli* (London, Harrap, 1942); R. W. Taylor, 'New Ways and Old to Write about Political Leaders', in R. W. Taylor, *Political Leaders in Action* (Iowa, Crucible, 1968), pp.125-6, on Plato: 'Today we may not share this Platonic purpose or method which was to discover through a process of intellectual construction the hero-founder, a *deus ex machina* who can establish the happy community.'; J. J. Wiatr, 'Introduction: Political Leadership from a Comparative Perspective', *International Political Science Review*, 1988, vol. .9, no.2, pp.91-4.
⁴J. Adair, *Great Leaders*, p.153.

long line of a traditional fascination with the individual in history,⁵ interpretations of political leadership in the modern era leading into the twentieth century tended to emphasise the role of the individual, his or her (invariably his) intervention in the political process, and the outcomes of this intervention.⁶

Such an emphasis is most obviously represented by the so-called ‘great man’ theories of history and versions of this type of theory, prevalent in the mid-nineteenth century. These stressed the qualities of an individual leader and his inalienable superiority, on the basis of which he could offer leadership of his society and, or country.⁷ They represented a belief that some men were superior to others, and that such superiority may fit them to be leaders, while others could only follow. Such beliefs were in a problematical relationship to democratic ideals of equality and egalitarianism, and to emerging sociological interpretations of society, and were intentionally in opposition to Marxist notions of economic and material determinism, since the ‘great man’ theories were attempts to defend a belief in superior, heroic individuals, and in the right of such individuals to be leaders of men, in an age when the mass of society was developing its participation in the political process.

The best known of the so-called ‘great man’ theorists was the Scottish historical philosopher, Thomas Carlyle. Carlyle’s most famous work was his collection of lectures delivered in 1840, entitled ‘On Heroes, Hero-Worship and the Heroic in History’.⁸ His chief tenet, as summarised by Bentley, was that ‘great men should rule

⁵See, for example, Taylor, ‘New Ways and Old to Write about Political Leaders’, pp. 133-4: ‘The fascination with political leadership resides in part in the hopes of many for a hero-founder who can release them from their troubles, in part on the way in which communities organize to achieve or protect proximate goals, in part on the way in which political struggles are personified or scapegoats are created, and in part on the seemingly endless search for the sequence of causes in the political process.’

⁶This is obviously not as true of the political philosophers and constitutionalists such as Rousseau, Hobbes, and Locke, who analysed the conditions for the establishment and enactment of popular sovereignty, and of the transition from systems of absolute political power to systems of direct and/or representative democracy. Our point is that during this period emerging democratic regimes were subject to disruption by individuals seeking or wielding near-absolute power, and that such interventions provided material for study.

⁷To use the pronoun ‘her’ as well as, or instead of, ‘his’ when referring to individual leaders of this period, would give a misleading interpretation of the content of such theories and, to a large extent, of political practice: ‘great men’ were ‘great men’, not women.

⁸T. Carlyle, *On Heroes, Hero-Worship, and the Heroic in History* (Boston, Houghton Mifflin, 1907).

and that others should revere them.’⁹ This was a position which highlighted the problematical relationship between the cult of the superior individual, and the proper place of the individual leader in democratic politics: ‘Universal History, the history of what man has accomplished in this world, is at bottom the History of the Great Men who have worked there. They were the leaders of men, these great ones the modellers, patterns, and in a wide sense creators, of whatsoever the general mass of men contrived to do or attain; all things that we see standing accomplished in the world are properly the outer material result, the practical realisation and embodiment, of Thoughts that dwelt in the Great Men sent into the world: the soul of the whole world’s history, it may be justly considered, were the history of these.’¹⁰

An early response to Carlyle’s theories came from Herbert Spencer, who refuted the great man theories by invoking the development of society and the notion of causality in the understanding of politics: great men, in Spencer’s understanding, and unless they are divine, are preceded by custom, evolution, traditions, and are the product of these, which must be taken into account, since they are factors equally as significant as the ‘great man himself’: ‘(...) if you wish to understand these phenomena of social evolution, you will not do it though you should read yourself blind over the biographies of all the great rulers on record, down to Frederick the Greedy and Napoleon the Treacherous.’¹¹

Such analyses were an extreme form of precursor of the more sophisticated analyses of the twentieth century, with their emphasis on the significance of factors which lay outside the immediate qualities of the individual, such as the leader’s post, office, role and function; his situation (in general terms); the web of culture and traditions defining the society and polity of which he was leader; the immediate circumstances

⁹See E. Bentley, *A Century of Hero-Worship. A study of the ideas of heroism in Carlyle and Nietzsche, with notes on Wagner, Spengler, Stefan George, and D.H. Lawrence* (Boston, Beacon Press, 1957), p.34. See also *The Guardian*, 4 April 1995, Karl Miller’s review of Simon Heffer, *Moral Desperado: a Life of Thomas Carlyle*, (London, Weidenfeld and Nicholson, 1995): ‘[Carlyle] felt there should be a cultivation of reverence in a world threatened by democracy and utility.’

¹⁰Carlyle, *On Heroes*, p.5.

¹¹H. Spencer, ‘The Great Man Theory Breaks Down’, *The Study of Sociology* (New York, Appleton, 1884, first published 1873), p.15.

(economic, military, political) of the time of his leadership: what we have called the rules of leadership. These were all factors which twentieth century political study took into account, in different proportions and using different methodologies, according to the stage of development of political science and the dominant schools of thought and trends of the time. The problem of the twentieth century in these respects was to understand two broad sets of factors in democratic politics: why and how some individuals became leaders, and what were the structural conditions of their success or failure.

One way in which these questions were addressed was with reference to the developing understanding of the human psyche, and the application of this understanding to the 'political personality'. Harold Lasswell used this term to refer to his classification of leaders by personality type and trait. His thesis was that individuals displaced subconscious personal drives and motivations, such as the quest for authority and power, into their political pursuits and the public realm. Certain types of personalities could be expected to become leaders; others followers: 'Thus Harold Lasswell, in a first attempt to introduce Freudian concepts into the study of politics, presented the politician as a man who "displaces private affects upon public objects."' ¹² Such Freudian-type analyses of the psychological traits of political leaders seemed to provide more objective approaches to understanding individual leaders than the previous highly subjective, idiosyncratic methods, and were one further form in which scholarship sought to understand and define the role of the

¹²D. A. Rustow, 'Introduction to the Issue "Philosophers and Kings": Studies in Leadership"', *Daedalus*, vol. 97, no.3, p.686. See also A. L. George, 'Power as a Compensatory value' in B. Kellerman, *Political Leadership. A Source Book* (University of Pittsburgh Press, 1986), pp.70-91; M. J. Folkerstma, *Ideology and Leadership* (New Jersey, Prentice Hall, 1988) pp.5-6: 'At all events, interest in the relationship between personality and politics is as old as Plato (...). The psychological approach illustrated by Lasswell has motivated many scholars to do detailed "psychohistories" of famous people, and no doubt has inspired much of the present research into political cultures throughout the world (...) and into the personality characteristics of citizens who live under different forms of government. Although Lasswell's work has in some respects been overtaken by more recent studies, it still retains its status as one of the classic approaches to the study and classification of political leadership - by reference to the personality types of the leaders in question.' See also H. D. Lasswell, 'Political Systems, Styles and Personalities' in L. J. Edinger (ed.), *Political Leadership in Industrialized Societies*.

individual in public life,¹³ although there were clearly limitations to the insights such an approach could bring to bear on the political process: ‘The more extreme assertions about the psychopathology of leadership provide no explanation of why some individuals are in insane asylums, while others become leaders who often contribute to a type of collective madness.’¹⁴ Psychological-type analyses of political leadership, however, in context, continued to form part of the literature on leadership, and we refer to some examples below.

The twentieth century, moreover, witnessed considerable failures of political leaders and political institutions, culminating in the defeat of certain of Europe’s democracies and the rise of fascisms.¹⁵ It equally saw instances of remarkable ‘political personalism’,¹⁶ and many variants of the focus on the individual persisted as a means of understanding those twentieth century leaders who had exercised authority with

¹³See for example D.K. Simonton, *Why Presidents Succeed. A Political Psychology of Leaders* (New Haven, Yale, 1987), pp.3-4: ‘Substantively, I examine presidential success primarily from the point of view of the political psychologist. Here I am less concerned with the institutional and historical substrata beneath presidential acts than with the psychological processes underlying the exercise of political leadership. (...) Unlike the pure political scientist, the political psychologist considers such factors as motivation, cognitive style, intelligence, childhood experiences, age, attitudes and environmental stimuli; unlike the pure psychologist, the political psychologist is also concerned with significant acts of political leadership – winning an election, initiating and carrying out legislative programmes, or serving as a wartime commander-in-chief. Political psychology is personality, developmental, and social psychology applied to political phenomena. The presidency is adopted merely as one example of political leadership; I could have scrutinised prime ministers, dictators, or monarchs without inhibition.’

¹⁴Taylor, ‘New Ways and Old to Write about Political Leaders’.

¹⁵‘What bears more iteration is the record of failures of leadership as part of the history of our times. The failure to recognize the importance of concentration of responsibility is a principle factor in the defeats of the Weimar Republic, Republican Spain, Austrian Social Democracy, the French *Front Populaire*, America in the 1920’s and 1930’s, and England during its Baldwin and Chamberlain regimes. Although these failures of leadership arose in part from constitutional limitations and political practices, including the restraint imposed by political traditions, the inadequacies in the caliber of prevailing leadership must be reckoned with. Nor were the failures in leadership confined to organs of the state alone. They also involved such voluntary associations and functional groups as labor, business and church organizations; for democracy rests upon a plurality of capable leadership rather than upon the selection of the individual leader.’ L.G. Seligman, ‘The Study of Political Leadership’ in H. Eulau *et al* (eds), *Political Behaviour. A Reader in Research and Theory*, (Illinois, The Free Press, 1956), p.177.

¹⁶Seligman, ‘The Study of Political Leadership’, pp.177-8: ‘However, if the periods of defeat prevailed when crises and men were not congruent, there has also been another source of politics by leadership in the trend of political personalism of dynamic leaders – the two Roosevelts, Wilson, Lloyd George, Clemenceau, Churchill, Poincaré – who have expanded the meaning of executive leadership. By their acts and ideas, these decisive leaders carved new sources and methods of power which have proved indispensable for democratic survival. Each, paradoxically, while resisting institutional restraints contributed to the further institutionalization of executive leadership. Today, with more “built-in” provisions for executive leadership, we have possibly become less dependent upon the dynamic individual figure.’

what might normatively be termed both beneficial and harmful effects. Biographies, memoirs, studies of political ‘character’, and socio-psychological studies of leadership in the context of international relations, are all forms of this approach to the study of leaders and leadership in politics, whereby one attempted to understand the drives and motivations of the individual leader as explanations of his success or failure, with varying degrees of reference to the environment – what we have called the rules – of leadership.

Many studies of American and French Presidents, for example, fall into this category, where the focus is upon the personality of the office-holder in interaction with the office.¹⁷ Stanley Hoffmann¹⁸, despite his enduring reputation as a realist exponent of the rationality of monolithic national governments,¹⁹ maintained that he pursued a belief in the non-rationality of individual actors, such as (and particularly) de Gaulle,²⁰ in the sense of such actors being informed as much by personally-held ethical, moral and idealist beliefs as by perceptions of the national interest: ‘ (...)

¹⁷The literature represents degrees of emphasis upon political ‘character’, and includes approaches that draw on the tools and concepts of psychology. For examples of the literature of ‘character’, see for example B. Crozier, *The Masters of Power* (London, Eyre and Spottiswoode, 1969), p. 321: ‘To look at examples as diverse as de Gaulle, Franco, Mao Tse-Tung, Nehru, Macmillan, Eden, Kennedy and Johnson is to be struck again by the overwhelming importance of character and personality in politics. Will, resolve, and limitless confidence are characteristics common to de Gaulle, Franco, Mao and Kennedy. Such qualities imply courage, both physical and moral, and all four have or had it in abundance (...). Judgement, too, is important, but probably less to the man of powerful will than to weaker leaders.’; R. S. Robins and R. M. Dorn, ‘Stress and Political Leadership’, *Politics and the Life Sciences*, vol. 12, no. 1, pp.3-17; H. M. Roelofs, ‘The Prophetic President: Charisma in the American Political Tradition’, *Polity*, vol. XXV, no.1, pp.1-20.

¹⁸For an overview, see S. Hoffmann, *The European Sisyphus. Essays on Europe, 1964-1994* (Boulder, Westview, 1994). This volume contains several of Hoffmann’s essays that touch on this subject; see also S. Hoffmann, ‘Heroic Leadership: the Case of Modern France’ in Edinger, *Political Leadership in Industrialized Societies*, pp.108-154; L. B. Miller and M. J. Smith (eds.), *Ideas and Ideals, Essays on Politics in Honor of Stanley Hoffmann* (Boulder, Westview, 1993); S. Hoffmann, ‘The Case for Leadership’, *Foreign Policy*, no. 81, Winter 1991, pp.20-38; S. Hoffmann, ‘De Gaulle as Innovative Leader’, *French Politics and Society*, vol. 8, no.4, Fall 1990, pp.78-92; S. and I. Hoffmann, ‘The Will to Grandeur: de Gaulle as Political Artist’, *Daedalus*, vol. 97, no. 3, Summer 1968, Special issue (*Philosophers and Kings: Studies in Leadership*), pp.829-887.

¹⁹ S. Hoffmann, ‘A Retrospective on World Politics’, in Miller and Smith, *Ideas and Ideals*, pp.6-7: ‘On the one hand there is a permanent demand for realism (not the doctrine, just the outlook!) It is partly a reaction against idealistic illusions in an mis-interpretations of world affairs (...). It also results from the influence of positivistic teachers of law, and from my own observations about political behaviour. (...) The idealist in me found Realism too forgetful of the role of ideals and beliefs in decisions, too morosely convinced that the perpetual struggle for power, even in moderated forms, was our only possible horizon.’

²⁰Hoffmann, ‘Heroic Leadership’. This is Hoffmann’s most explicitly analytical study of political leadership, beginning with a review of the state of the study of political leadership and focusing on the case of France (specifically, the leadership of Philippe Pétain, Pierre Mendès France and Charles de Gaulle).

statecraft is of the essence of all politics. At a time when so many regimes are nothing but a leader writ large, general and abstract frameworks and models run the risk of collapsing like sand castles whenever the leader falls. Whatever the virtues of systems theory, it is no substitute for the empirical analysis of political leadership. Indeed, when so many systems approaches appear to be based on a metaphorical assimilation of the political universe to a physical, cybernet, or economic model, the study of statecraft may become the last refuge of political analysis.’ (‘Heroic Leadership’, p.108).²¹

The basis of studies such as Hoffmann’s into all types of leaders was the observation that these individuals had been remarkable and had exercised singular leadership; the approach was designed to understand such leadership in the context of the leader’s environment: post, role, national political culture; international system and so on, but with the focus on the individual in relation to this environment. Like the earlier ‘great man’ theories, their authors believed that certain individuals could become great and admired leaders, and had specific and unique personal and moral qualities; unlike the ‘great man’ writers, they displayed a scientific interest in the interaction between the great man and his environment – the post, the role, the political culture – in order to better understand that environment and its effectiveness as a political system.²²

The socio-psychological studies typical of the 1970s also contested the claims of rational-choice theorists (see below) to be able to aggregate political activity into

²¹Hoffmann, ‘A Retrospective on World Politics’, pp.6-7: ‘The study of de Gaulle (or of any other great statesman) is the best cure against “structural” models of international relations that present the system, and particularly the distribution of power in it, as the decisive determinant of state behaviour, and reduce nations to the condition of abstract units endowed only with one significant property: measurable – i.e. mainly military – power. To be sure, anarchy creates the security dilemma, but there are more ways of coping with the latter than in the constricted universe of game theory, and even states that are not among the greatest powers can respond in a variety of ways to the constraints - not to mention the opportunities - created by the system. (...) I remain convinced that the most fruitful way of investigating world affairs is to do it from the unit level. World politics is, largely, the clash and convergence of state strategies; how these strategies are set and changed can best be understood by looking within the unit. At that level, few studies are more rewarding than those of statecraft (a field that is more art than science). The conflicts, the compromises, the rules and the institutions of world politics result from the moves of statesmen; and therefore the study of their character, of their ideas and of their style is essential.’

²²For other studies of national leaders, see: A. Cole, *François Mitterrand. A Study in Political Leadership* (London, Routledge, 1994); R. Neustadt, *Presidential Power. The Politics of Leadership. With an Afterword on JFK* (London, John Wiley, 1960).

unitary actors such as national governments or large-scale organisations; they opposed, in other words, purely structural perspectives on leadership. Their motivation was usually prescriptive, in that they emphasised how moral individuals could set desirable goals for the polity. They also emphasised the effect of leadership and leaders on their followers, the led:

The weakness of the trait definition of leadership is that it treats a characteristic of relations between people as something that can be identified by looking at only one side of a relationship. It fails to face such simple questions as: Who follows this man? Why do they follow him? Under what circumstances does he get other people to act or think as they would not otherwise do? Under what circumstances does he fail to change them? Does he simply “lead” them where they are determined to go anyway? Such questions follow naturally from a social psychological approach. The crucial point of this approach is that leadership must be studied as a reciprocal set of relationships between so-called leaders and so-called followers.²³

In 1978, James MacGregor Burns, for example,²⁴ set moral standards for leadership; his was a theory of political leadership as historical causation, that is to say, of leadership and its effects upon the course of history: ‘we will reaffirm the possibilities of human volition and of common standards of justice in the conduct of people’s affairs’ (pp.4-5), and in this respect his approach reflected a quasi-utopian view of would-be human nature and world affairs: ‘The crisis of leadership today [1978] is the mediocrity or irresponsibility of so many of the men and women in power, but leadership rarely rises to the full need for it. The fundamental crisis underlying mediocrity is intellectual. If we know all too much about our leaders, we know far too little about *leadership*. We fail to grasp the essence of leadership that is relevant to the modern age and hence we cannot agree even on the standards by which to measure, recruit, and reject it. Is leadership simply innovation – cultural or political? Is it essentially inspiration? Mobilization of followers? Goal setting? Goal

²³R. Rose, *People in Politics* (London, Faber&Faber, 1970), p.110.

²⁴J. M. Burns, *Leadership* (New York, Harper and Row, 1978). Burn’s book was also a reference in that it was a handbook, a form of ‘how-to’ of leadership; other similar studies emerged during this decade, and reflected, as well as the trend for a multivariate approach to the study of leaders and leadership, the quasi-prescriptive, moralistic tone of this decade’s research. See the useful review and summary of the 1970s literature, placing it in context, of M. Rejai and K. Phillips, *Loyalists and Revolutionaries. Political Leaders Compared* (New York, Praeger, 1988), pp.3-5; and D. A. Rustow, ‘Introduction to the Issue ‘Philosophers and Kings’ Studies in Leadership’.

fulfilment? Is a leader the definer of values? Satisfier of needs? If leaders require followers, who leads whom from where to where, and why? How do leaders lead followers without being wholly led *by* followers? Leadership is one of the most observed and least understood phenomena on earth. (...)’²⁵

Burns’s preoccupations were mirrored in the work of other scholars, who emphasised the need to understand human psychology in order to trace, study and influence communications and relations between leaders and led, in the pursuit of consensual and peaceful politics.²⁶ Such studies again ranged along a spectrum in their aim of understanding the precise nature of the relationships between the various factors of leadership, and in particular between the individual leader and the rules of leadership. Whereas those writers investigating leaders’ ‘traits’ and ‘characters’ (see above) emphasised the uniqueness of individual leadership skills, socio-psychological-type approaches broadened their focus to include relations between leaders and led; between leaders and their times; and, specifically, between leaders and any prevailing moral norms and conventions: ‘Here I am concerned only with “true” visionary leadership, one that blends idealism and realism. I therefore use the term “visionary realism”. The visionary realist has a grand design but is very much aware of environmental constraints. He is a visionary seeking historical transformations in a real world rather than utopia. I offer this leadership type, a subcategory of moral leadership, as a prescriptive model for those concerned not only with the morality of leadership but also with its effectiveness in motivating and carrying out processes of social transformation.’²⁷ Frequently, moreover, such studies arose from an interest in and quest for peaceful international relations in the context

²⁵J. M. Burns, *Leadership*, pp.1-2.

²⁶See for example: H. C. Kelman, ‘The Role of the Individual in International Relations: Some Conceptual and Methodological Considerations’, *Journal of International Affairs*, vol. XXIV, no.1; 1970; H. C. Kelman (ed.), *International Behaviour. A socio-psychological analysis* (New York, Holt, Rinehart and Winston, 1966).

²⁷M. Keren, ‘Moses as a Visionary Realist’, *International Political Science Review*, vol.9, no.1, 1988, pp.71-84.

of 'the technological revolution of the 20th century [which] had failed to bring about a peaceful and prosperous world'.²⁸

Since politics was indeed becoming, by the mid-late twentieth century, characterised by the interactions of national, supranational and international organisations, and since one dimension of the massification of democracy was the growth and development of increasingly complex organisations to sustain and manage the political process, the study of leadership had increasingly also to take such organisations – the numerous structures, conventions, norms and procedures which composed the political process at the levels of the political executive and legislature; in party politics; in the administration of politics (such as the growth of an independent civil service) – into account when explaining the role of individuals. The study of politics accordingly became increasingly characterised by the study of these institutional conditions and organisation of the leadership function; in other terms, for the confining of the individual's power by stable and predictable structures.²⁹

In the nineteenth and twentieth centuries, Marxist interpretations of history attributed few or no determining or voluntaristic qualities or capabilities to the individual; whereas later realist and rationalist explanations of politics (specifically,

²⁸M. Keren, 'Introduction', *International Political Science Review*, vol. 9, no. 1, 1988, p.5. For other perspectives on leadership in international relations, see also O. R. Young, 'Political leadership and regime formation: on the development of institutions in international society', *International Organization*, vol. 45, no. 3, Summer 1991, pp.281-308. Young develops a typology of leadership in the context of international institutional bargaining which is of relevance to our study of the EC to the extent that he underlines the significance of the international dimension to politics, and its implications for leadership roles, styles and strategy.

²⁹'Politics by leadership is one of the distinguishing features of the twentieth century. If the eighteenth century enunciated popular sovereignty and direct democracy as a major theme in democratic thought and nineteenth century was concerned with the challenge of stratification and group conflict, then twentieth century trends have made us sensitive to the role of leadership. (...) If one were to delineate this newer pattern of *politics by leadership*, it would include the following: (1) the shift in the center of conflict resolution and initiative from parliamentary bodies and economic institutions to executive leadership; (2) the proliferation of the immediate office of the chief executive from its cabinet-restricted status to a collectivity of co-adjuting instrumentalities; (3) political parties, with the subordination of the victorious parties as instruments for the chief executive; (4) the calculated manipulation of irrationalities through the vast power potential of mass communications; (5) the displacement of the amateur by the professional politician and civil servant; (6) the growth of bureaucracy as a source and technique of executive power but also as a fulcrum which all contestants for power attempt to employ; (7) the growth of interest groups in size, number and influence, with the tendency toward bureaucratization of their internal structure; (8) the changing role of the public that finds its effective voice in a direct and interactive relationship with the chief executive.' L.G. Seligman, 'The Study of Political Leadership', p.177.

of foreign policy-making), informed both by the development of the means available for the quantitative measurement of politics,³⁰ which encouraged an emphasis on quantitative, predictive-style analyses of politics; and by specific circumstances (the onset and development of the Cold War from the 1950s), ascribed determining weight to the structures and procedures of politics: ‘At the other end of the spectrum, and from the mid-eighteenth century onwards, the study of, first, history, and then sociology became associated with objectivity, scientific procedures and sophistication; hence the developing emphasis in the emerging social sciences upon social forces and institutions themselves, where structure, trends in history, and even the notion of the inevitability of historical and social developments (such as capitalism) reduced, marginalised, sometimes removed altogether the individual from depictions of how the political and historical processes work .’³¹

The existence of the nuclear deterrent in the postwar years encouraged assumptions in the political and academic communities in the USA that control of the nuclear deterrent and its use could only be a matter for rational, informed policy-making in which options were identified, weighed and prioritised; it could not conceivably be a matter for the ‘pulling and hauling’ of politics, in which individuals might act despite the rules and procedures of their institutions.³² In the predominant rational actor (or rational choice) model of the mid-twentieth century, the assumption was that national governments were unitary political actors – aggregates – and the most appropriate level of analysis of policy. One could speak of ‘America’s’ policy, on the grounds that the actor in question was an aggregate and could be analysed as such. Governments, moreover, were assumed to act rationally, in the sense of being able to

³⁰See L. J. Edinger, ‘Editor’s Introduction’, *Political Leadership in Industrialized Societies*, p.4: ‘New methods and facilities for collecting quantifiable data have provided scholars with a unprecedented amount of information about leadership patterns in past as well as contemporary societies. The “computer revolution” has made it a great deal easier than formerly to analyze and compare aggregate data and to test theoretical propositions about the behaviour of leaders and followers in various political systems. Interdisciplinary collaboration has promoted the search for new analytic models which can facilitate exact and logically consistent explanations and predictions.’

³¹J. Gaffney, ‘National Political Cultures and European Integration’, (European Community Studies Association (ECSA), Washington D. C., Third Biennial International Conference, May 27-29, 1993).

³²G. T. Allison, *The Essence of Decision. Explaining the Cuban Missile Crisis* (Boston, Little Brown, 1971).

select a best course of action towards defined aims and goals. A second assumption was that this actor, in the high politics interest of stability and balance between the superpowers in a nuclear age, would always seek to maximise 'his' choice of foreign policy options. The actor was therefore rational, in the sense of having aims and goals, between which a best course of action could be chosen.

The rational actor model, however, hides the multitude of individuals and the organisations which make up the 'unitary' actor, the government, and aggregates factors other than rational choice which can enter into an individual's decision-making, such as circumstances, pressures, position, and so on. Individuals however, even in large-scale organisations such as government departments and bureaucracies, can sometimes behave in such a way as to influence, alter, or circumvent the rules of that organisation; they can impose their individual choice on organisational aims. Allison called this the 'bureaucratic politics' model, and versions of this model have been used to explain the politics of the EC, as we shall see in Chapter Three.³³ The model states that individuals in politics, their bargaining, their 'power and skill', the contextual factors which influence power and skill (such as an individual's place in an organisational hierarchy; his performance obligations; his own personality) all affect the output of politics: 'A Secretary of State's resolution of these conflicts [the various obligations placed upon him] depends not only upon the position, but also upon the player who occupies it. For players are also people; men's metabolisms differ. The hard core of the bureaucratic politics mix is personality. How each man manages to stand the heat in *his* kitchen, each player's basic operating style, and the

³³Allison, *The Essence of Decision*, p.144: '[this model] sees not unitary actor but rather many actors as players – players who focus not on a single strategic issue but on many diverse intra-national problems as well; players (...) who make government decisions not by a single, rational choice but by the pulling and hauling that is politics. The apparatus of each national government constitutes a complex arena for the intra-national game.' B. G. Peters applies a version of this model to EC politics: 'Bureaucratic Politics and the Institutions of the European Community', in A. M. Sbragia (ed.), *European Politics. Institutions and Policymaking in the "New" European Community* (Washington D.C., The Brookings Institution, 1992), pp.75-122. We return in Chapter Three to the question of bureaucratic politics in relation to the Commission.

complementarity or contradiction among personalities and styles in the inner circles are irreducible pieces of the policy blend.’³⁴

It was partly in reaction to the limitations of the rational-actor model as discussed by Allison that the 1970s saw the development of yet more approaches to the study of the individual in politics, in which the individual was ascribed moral virtues, what some American political scientists call ‘character’, as we saw above, such as the search for international peace. We discussed these models above as examples of explanations of politics which sought in the individual the capacity to inform institutions with purpose, and to represent the aspirations of those they represented. Yet other approaches used comparative methodologies in order to definitively identify the independent and dependent variables of leadership, and, moreover, some of the most recent studies of individual leaders have emphasised the institutional and environmental factors which confine the leadership of the individual in question.

National and comparative studies of national executives, for example, have focused more specifically on the office and/or role of the executive post-holder, that is to say, in the terms we have been using, on the rules confining the individual leader’s personality and its effects, since, while ‘the primary source of a leader’s authority is his office and not his personality’, it is also true that ‘to note the importance of office is not to argue that the office gives equal influence to each occupant. Men may define their roles in varying ways, and situational changes also affect what they can do.’³⁵

What the foregoing review demonstrates is the tension that characterises politics, and so the study of politics, between the individual – his or her personality, motivations, attitudes, beliefs, goals – and the institutions in which s/he serves.

³⁴Allison, *The Essence of Decision*, p.166.

³⁵R. Rose, *People in Politics*, p.110. See too: L.J. Edinger (ed.), *Leadership in Industrialized Societies*; L. J. Edinger, ‘Approaches to the Comparative Analysis of Political Leadership’, *Review of Politics*, vol. 52, part 4, 1990, pp.509-523; J. Blondel, *Political Leadership* (London, Sage, 1987); J. Blondel, *World Leaders, Heads of Government in the Postwar Period* (London, Sage, 1980); J. Gaffney, *The French Left and the Fifth Republic. The Discourses of Communism and Socialism in Contemporary France* (Basingstoke, Macmillan, 1989); R. Elgie, *Political Leadership in Liberal Democracies* (Basingstoke, Macmillan, 1995); J. J. Wiatr, ‘Introduction: Political Leadership from a Comparative Perspective’; H. C. Mansfield Jnr., *Taming the Prince. The Ambivalence of Modern Executive Power* (London, John Hopkins, 1993).

Individual leaders have proven to be extremely significant to the development of representative democracy, and the theory of the 'great man' has some resonance, as we have seen. On the other hand, democracy by definition prioritises the regularity and fairness of the structures and procedures by which political representation is organised; cases of the failure of democracy (Germany, 1933; France 1940) have, moreover, shown how dangerous anti-democratic individuals can be to democratic structures, particularly when these structures are inherently weak. Another perspective on the same problematical relationship of individuals and institutions in democratic politics, furthermore, is to ask how individuals can have any impact at all on the structures and institutions of democracy when these organisations, such as state bureaucracies, are so complex and bound by rules, hierarchies and the procedures for ordering interactions between individuals themselves, and between individuals and the organisation. This is another side to modern democracy which relates to the understanding of political leadership and to its study. Allison's 'bureaucratic politics' model was devised from such a perspective as this.

More specifically, we have seen that research on democratic political leadership has sought to establish the nature of the relations between the provision of political direction and of efficient administration; between leaders and their times, their followers, and formal (structural; institutional) sources of power and authority. They have also enquired into the characteristics and qualities of the individual leader, and the appropriateness of these under given circumstances and in given contexts. Most research on political leadership, therefore, seeks to achieve three interrelated aims: first, to relate the individual political leader to his or her 'times', that is to say, to his or her immediate circumstances, and historical, traditional, cultural, and socio-politico-economic contexts; second, to relate the leadership of the individual political leader to the formal structures, institutions, rules within which his/her leadership is exercised; third, to relate a leader's personal qualities, characteristics, political experience and background, past and future to the type of leadership s/he provides.

Understanding the nature of such relationships was also precisely the preoccupation of Max Weber, whose study of the legitimation of authority provides us with a framework within which to reconcile the tensions which we have identified in the study and practice of democratic politics between the large-scale, rational organisations and institutional of massified society, and the input of individuals. Weber's 'theory of modern politics'³⁶ was a persuasive voice raised in an attempt to reconcile, conceptually and empirically, the tensions inherent in the democratic organisation of people and things. Weber spoke at the turn of the twentieth century, precisely at the moment which we identified above as the turning point from strongly-held, but idiosyncratic and unsubstantiated beliefs about the superiority of individuals and elites; via Freudian emphases on the motivations of individuals as an explanatory analysis of the incontrovertible evidence that individuals exercise power in democracies; to approaches accounting for coexisting but seemingly contradictory factors: some individuals are more 'skilled' than others in winning support; some individuals can be beneficial, some harmful to democracy; democracy, in order to function, has to devise structures, institutions and processes to routinise the recruitment and effects of beneficial individuals and exclude, or at the very least confine, the effects of harmful individuals. In emphasising the factors that legitimate authority in a variety of temporally and spatially differentiated situations; in underlining the evolving nature of the interaction of specially-skilled – charismatic – individuals and the mass of society, Weber provides us with a working framework for our study of the politics of legitimacy in the EU, a new political space and time.

Max Weber and the legitimation of authority

*Introduction*³⁷

³⁶D. Beetham, *Max Weber and the Theory of Modern Politics* (London, George Allen & Unwin, 1974).

³⁷For our analysis of Weber we have consulted, primarily: the text originally delivered by Weber as a lecture at Munich University in 1918 entitled *Politik als Beruf*; reproduced as 'Politics as a Vocation' in H. H. Gerth and C. Wright Mills (eds.), *From Max Weber. Essays in Sociology*, (London,

Max Weber's categorisation of leadership by source and basis of authority³⁸ has become a reference point for the study of legitimacy in politics and its leadership. Weber defined a set of ideal types of legitimate authority on the basis of his understanding of types of society and their responses to times of change. On the basis of empirical and historical analysis, he posited that certain types of societies, at given points in their development, and confronted with changing circumstances, would tend to call forth – to legitimate – a type of authority or leadership. He brought this sociological analysis to bear on the situation in Germany in the post-Bismarck era in order to suggest which forms of political development could be expected to occur, and which were desirable, in the context of the ongoing massification of political participation, and the rationalisation of economic and bureaucratic structures as these countries industrialised and modernised into the twentieth century.³⁹

At the heart of this aspect of Weber's analysis was a belief that at critical times in a society's existence, individuals would intervene in order to lead that society into the new era. History, for Weber, in other words, was not determining, and the future was not pre-destined; and politics was a question of its leadership: this was a point that Weber stressed in his later political writings. Weber's strong belief in the duty and suitability of certain individuals to lead others underlay his analysis of democratic society:

What do we understand by politics? The concept is extremely broad and comprises any kind of *independent* leadership in action. (...) 'politics' for us means striving to share power or striving to influence the distribution of power, either among states or among groups within a state. (...) Like the political institutions historically

Routledge, 1993), pp. 77-128. Also: Max Weber, *The Theory of Social and Economic Organization*, edited with an Introduction by Talcott Parsons (New York, Free Press, 1964). For related, contemporary studies of the politics-bureaucracy relationship, see: D. Beetham, *Bureaucracy* (Milton Keynes, Open University Press, 1987); B.C. Smith, *Bureaucracy and Political Power* (Brighton, Wheatsheaf, 1988); J. D. Aberbach, R. D. Putnam and B.A. Rockman, *Bureaucrats and Politicians in Western Democracies* (Cambridge MA, Harvard University Press, 1981); B. G. Peters, *The Politics of Bureaucracy* (London, Longman, 1984, 2nd edition).

³⁸In the German: *Herrschaft*, often translated as 'domination'.

³⁹'Weber's fundamental empirical interests lay in problems of institutional change. He was absorbed in problems of the structural peculiarities of modern Western society, of the conditions on which it was dependent, and of its stability and tendencies of change. (...) It must be remembered that Weber was particularly concerned with the variability of human societies, and the attendant behaviour, on the institutional level.' Talcott Parsons, *Introduction to Max Weber, The Theory of Social and Economic Organisation*, p.25.

preceding it, the state is a relation of men dominating men, a relation supported by means of legitimate (i.e. considered to be legitimate) violence. If the state is to exist, the dominated must obey the authority claimed by the powers that be. When and why do men obey? Upon what inner justifications and upon what external means does this domination rest?⁴⁰

Weber's focus was upon the institutions and organisations – the structures – of politics and society, since Weber observed that it was institutions that formed the backbone of a modernising society, and which would condition a society's ability to endure and to absorb change. His preoccupation, however, and progressively so in his political writings, was with the place of individuals in and acting upon these institutions, particularly in respect of his studies of Germany: on the 'inner justifications' which encourage and motivate followers to follow their leaders – a support which then becomes the leader's 'external means' (see above quotation). Weber's concern for Germany, from a liberal standpoint, was that the processes of industrialisation, modernisation and massification should not lead to an uncontrolled rationalisation of the activities of society and politics, and that the expansion of bureaucratic rationalisation did constitute 'a threat to individual freedom.'⁴¹ He did not reject rationalisation *per se*, but sought to define the ideal-type political man who would prevent rationalisation becoming a dehumanising and unethical process, in Germany and elsewhere, and who, therefore, would be deemed a legitimate leader: 'Weber (...) identifies bureaucracy with rationality, and the process of rationalization with mechanism, depersonalization, and oppressive routine. Rationality, in this context, is seen as adverse to personal freedom. (...) The principle of rationalization is the most general element in Weber's philosophy of history. In thinking of the change of human attitude and mentalities that this process occasions, Weber liked to quote Friedrich Schiller's phrase, the "disenchantment of the world".'⁴²

⁴⁰'Politics as a Vocation' in Gerth and Mills, *From Max Weber*, p.78, emphasis is authors'.

⁴¹Beetham, *Bureaucracy*, p.60.

⁴²Gerth and Mills, p.51

There are several contradictions inherent in Weber's analysis that have been studied in depth by the literature on political leadership and political philosophy, which has sought variously to demonstrate the shortcomings of the concept of charisma or, more usually, to re-define Weber's concepts, particularly that of charisma, and make them operational.⁴³ At the root of these lies the fact that Weber's emphasis on the saviour-type individual political leader who intervenes in historical processes was in part emotional and personal in motivation,⁴⁴ emerging more from a desire to see bureaucracy controlled effectively than from an appraisal of the intrinsic values of democratically organised political leadership.⁴⁵ He turned to the study of political structures as a means of formulating ways to control the bureaucracy, and to the political practice of types of authority because of his conviction that small numbers of

⁴³See in particular D. Beetham, *The Legitimation of Power* (Basingstoke, Macmillan 1991), p.11ff; J. Gaffney, in *The French Left and the Fifth Republic. The Discourses of Communism and Socialism in Contemporary France* (London, Macmillan, 1989), pp.18-19; R. J. Ellis, 'Explaining the Occurrence of Charismatic Leadership in Organizations', *Journal of Theoretical Politics*, vol. 3, no. 3, 1991, pp. 305-319; W. Spinrad, 'Charisma: A Blighted Concept and an Alternative Formula', *Political Science Quarterly*, Vol.106, no.2, 1991, pp.295-311. Wright and Mills, *From Max Weber*, p.24: 'A number of contradictory elements stood in tension with one another and made up the life and views of Max Weber. If, as he wrote, "men are not open books", we should certainly not expect to find even an easy index to his many-sided existence. To understand him, we have to grasp a series of irrational half-paradoxes.'

⁴⁴Talcott Parsons, 'Max Weber 1864-1964', *American Sociological Review*, vol.30, no.2, April 1965, pp.171-5: 'A grand-scale directional reorientation of the type Weber accomplished, especially when it deals with social subject-matter is very likely to be associated with major social and political crises and change. Weber's 50th birthday, when he stood at the height of his intellectual powers and was in the midst of his most important contributions, fell in the year of the outbreak of the first World War. This marked the end of an era and the beginning of another, of which the shape is still only distinctly visible half a century later [in 1965]. (...) Weber's native Germany was near the storm center of the great disturbance and he, as a highly cosmopolitan intellectual passionately concerned with politics, was acutely sensitive to its implications.' pp.171-2. And Beetham, *Max Weber*, pp.54-5: 'Any account which is to do justice to the complexity of Weber's political standpoint must recognise alike his commitment to German cultural values, his emphasis on leadership in society and his concern for liberty in an increasingly bureaucratized age. These values stood in some tension to one another. Such tension, however, was not unique to Weber, nor to the context of German politics, but was a characteristic feature of a bourgeois political standpoint in the circumstances of capitalist development of his time.'

⁴⁵Beetham, *Max Weber*, p.96: '(...) Weber was distinctive in regarding democratisation not so much as a means to giving more power to the people, but rather as a means to providing more effective political direction of the state apparatus.' Gerth and Mills, *From Max Weber*, p.38: 'He [Weber] saw democratic institutions and ideas pragmatically: not in terms of their "inner worth" but in terms of their consequences in the selection of efficient political leaders. (...) For Weber, the universal franchise, the struggle for votes, and the freedom of organization had no value unless they resulted in powerful political leaders willing to assume responsibility rather than evade it (...). The structure of German party life seemed hopeless as a check on the uncontrolled power of a politically docile but technically perfected bureaucratic machine. Later political analyses made by Weber sprang from this desperate search for a stratum that would measure up to the political tasks of leadership in an era of imperialist rivalry.'

men – an oligarchy – were required to provide that political control: Weber made a ‘more general assumption that what mattered in politics, as elsewhere, was the few people at the top; indeed, that oligarchy was inevitable, and that therefore the quality and character of the oligarchy was of the first importance.’⁴⁶ The movement in his political writings concerned his changing views regarding the ideal recruitment and qualities of such individuals.

Furthermore, Weber’s ideal types were just that – ideal. When Weber himself applied the term ‘charisma’ to his study of democratic political structures and the political control of bureaucracy, his definition of the term itself evolved, and differed from that given when he applied the term in his sociological writings to pre-modern societies. In general, the translation and application of his ideal types have led to very different understandings of their meanings and implications for contemporary politics; this applies particularly to the term ‘charisma’ which has passed into widespread usage; but also concerns the use of the terms ‘rational’ and ‘legal’ and their relation to ‘bureaucracy’. It was unclear, moreover, whether Weber’s three-fold classification of authority (traditional; charismatic; rational-legal) represented a transitional movement following the modernization and industrialization of society, or whether each was assumed by Weber to be a universal phenomenon.⁴⁷ In using the term ‘charisma’ in the context of the German politics of his day, Weber demonstrated that charismatic leadership – the belief in a person’s qualities and

⁴⁶Beetham, *From Max Weber.*, p. 2.

⁴⁷See R. Tucker, ‘The Theory of Charismatic Leadership’, *Daedalus*, vol. 97, no. 3, Summer 1968, pp.734-5: ‘(...) Western social scientists have tended in the recent past to approach the phenomenon of charisma in the context of a study of modernization and political development in ex-colonial “new states”. The result is a functional theory of charisma according to which charismatic leadership is essentially a fulcrum of the transition from colonial-ruled traditional society to politically independent modern society; and the Weberian typology is, in effect, historicized into a sequence that runs from traditional through charismatic to rational-legal forms of authority. (...) [My] perspective also differs somewhat from that of Weber himself, but preserves his underlying view that charisma is a phenomenon of universalistic significance whose *political* manifestations, however important from the standpoint of political scientists, are only one of its manifold dimensions.’ See also: B. Wilson, *The Noble Savages. The Primitive Origins of Charisma and its Contemporary Survival* (Berkeley, University of California Press, 1975), p.2: ‘In modern times, charismatic leadership persists only in the interstices between institutional orders, in the narrow social space that remains for collective behaviour, spontaneous faith, and unconstrained obedience and adulation. *Within* the institutional arrangements of society – and politics and religion are traditionally the areas most receptive – charisma persists only as a shadowy item. In politics, it sits uneasily in a system of procedures in which rationality is increasingly emphasized.’

suitability – was not restricted to pre-democratic or pre-modern (i.e. pre-institutionalised) societies; we are therefore entitled to question the temporal conditions of ‘traditional’ type authority too; and we show below how, using Weber’s definition of such authority, we can take it to mean a resource for the contemporary political leader: ‘it could be that a leader found himself drawing his authority from traditional forces and from his own charisma. Indeed, it does not seem inconceivable that a leader might partake from the three elements at the same time.’⁴⁸

For the purpose of this thesis we focus deliberately on Weber’s political writings in contrast to his extensive sociological studies. These political writings are ‘rich in themes that are absent from his sociological work: on the struggle for power within society; on the development of political leadership; on the character of modern democracy; on the effects of international conflict on national political structures and vice versa. Above all, Weber’s writings on the politics of Germany and Russia offer an analysis, unique in Weber, of the interaction between society and state.’⁴⁹ There is a chronological development in these writings, moreover, in which the treatment of the ideal-types, and particularly of charisma, evolves. The experience of wartime and post-First World War Germany demonstrated to Weber the dangers to the state of a lack of appropriate political authority, and of an ever-expanding and encroaching bureaucracy. Whereas in wartime Germany he developed ideas for political leadership through the institutions of parliamentary democracy,⁵⁰ the experience of the Weimar Republic and its weaknesses led him to alter his views in favour of political leadership by gifted – charismatic – and plebiscited individuals. For the

⁴⁸J.Blondel, *Political Leadership*, p. 51.

⁴⁹D. Beetham, *Max Weber*, p.15.

⁵⁰Beetham, *Max Weber*, pp. 50-1:‘The main theme of this work [Weber’s 1917 articles for the *Franfurter Zeitung*] is that modern government is inevitably a government by means of a bureaucracy; administration is in the hands of an expert, salaried, career officialdom. But without the *political* leadership capable of controlling this administration, all political decision making falls into their hands; it becomes government *by* and not merely *through*, bureaucracy. This had happened to Germany. Although Germany was in theory a monarchical system, in practice the monarch was merely a dilettante in face of the expertise of modern officialdom, and could not be otherwise. A properly political leadership could only exist where there were appropriate institutions, most important of which was a strong Parliament. Through lack of such institutions Germany suffered from government by bureaucracy, with pernicious results, particularly for here international position and for the vigour and consistency of her foreign policy.’ Beetham’s emphasis.

purposes of our thesis, therefore, we focus on Weber's political writings because they indicate ways to analyse the bases of the legitimacy of political leadership by individuals in democratic structures. His ideal-types of authority, as applied to this context, provide us with a working conceptual framework for understanding political authority in the emerging democratic polity of the EU, and specifically the Commission presidency of Jacques Delors.⁵¹

Interpreting Weber

It follows from what we said above that the concepts of 'traditional', 'rational-legal' and 'charismatic' authority are English-language renderings of ideal categories of leadership. In their democratic political context, as understood through Weber's writings, they refer to the distribution and exercise of authority, in the polity, between individuals and institutions; between the leaders and followers of mass democratic society; it is therefore a theory of politics – 'a theory of political institutions, in particular of their effect on the character of political activity and leadership'⁵² – that emphasises the relational dimension of leadership; what we referred to above as the relationship between a leader's skills and the rules of leadership, and which define the nature of his relations with his constituencies of followers.

That which has frequently become translated as 'rational-legal' referred to the specific qualities of the type of organisations which Weber saw as characterising modern democratic societies, and of which one form was the state bureaucracy. In his later writings Weber defined this type of authority as follows: '(...) there is

⁵¹Beetham, in *Max Weber*, p. 258, notes how in his political writings, Weber did not invoke the concept of legitimacy in a causal manner to explain the rise and fall of regimes, but as a means of describing and classifying the elements of democratic politics: '(...) its [the concept of legitimacy] purpose is to provide an organising and differentiating principle, and a means for identifying a complex of elements in particular systems of rule (patrimonial-bureaucratic, leadership-bureaucracy) rather than to serve as a tool of explanation for the rise and fall of regimes.' In his sociological writings, in contrast, the threefold typology of 'Herrschaft' was a means of explaining historical/temporal changes in society in emphasising the differences between 'traditional' and 'rational' forms of society, and between 'routine' and 'exceptional' developments. In other words, the legitimacy of 'traditional', 'charismatic' and 'rational-legal' forms of authority characterises stages in societal development: p. 259: 'In his sociological work Weber was concerned rather with the broadest historical types of administration and authority, and the concept of legitimacy was more suited to distinguishing these.'

⁵²Beetham, *Max Weber*, p.50.

domination by virtue of “legality”, by virtue of the belief in the validity of legal statute and functional “competence” based on rationally created rules. In this case, obedience is expected in discharging statutory obligations. This is domination as exercised by the modern “servant of the state” and by all those bearers of power who in this respect resemble him.’⁵³ It is in relation to these qualities that the political implications of his concept of ‘charisma’ are to be understood, since Weber’s development of the concept of charisma in politics was a response to what he saw as the dangers of an encroaching bureaucracy.

Bureaucracies, for Weber, had good and bad qualities; neutral and subjective characteristics; qualities and characteristics which were derived from both their ‘legality’ and their ‘rationality.’ ‘Legality’ referred to the fact that bureaucracies derived legitimate authority from the rules and laws on which they were based; it described their constitutional position in the machinery of state.⁵⁴ ‘Rationality’ described the *modus operandi* of such organisations: their use of knowledge, expertise and competence to act efficiently in pursuit of the goals of the organisation.⁵⁵ In a positive sense, a rational-legal bureaucracy could therefore be relied upon to carry out the administration of state legitimately (legally) and efficiently (rationally). These characteristics, however, could equally lead to negative effects, in Weber’s perspective. Bureaucracies could come to usurp the authority of

⁵³Gerth and Mills, *From Max Weber*, p.87.

⁵⁴Beetham, *Max Weber*, pp. 67-8: ‘The concept of “legality” defined the characteristic basis of authority in modern institutions, which lay in procedural correctness. According to Weber, those subject to authority, whether of a law or a person, regard it as legitimate if it is constituted according to the correct procedures. (...) This emphasis on procedural correctness as the criterion of legitimacy is consonant with the generally instrumental character that Weber ascribed to modern institutions.’

⁵⁵Beetham, *Max Weber*, pp. 68-9: ‘When Weber spoke of the “rationalisation” of modern life, he did this in a number of different senses. One was that of purpose, or means-end, rationality. Modern life as distinguished by systems of purpose-rational action, involving the explicit definition of goals and the increasingly precise calculation of the most effective means to achieve them, in contrast to action arising from habit or from traditionalism as a principle. Overlapping with this was a conception of rationality as embodying certain qualities implicit in the exercise of reason as such, whether it involved a means-end schema or not. A pattern of activity was “rationalised” to that extent that it was governed by explicitly formulated rules, that its scope was precisely delimited and involved the application of specialised concepts or knowledge, and that it was systematised into a coherent whole. (...) Bureaucracy exemplified “rationality” in all these different senses. Thus Weber called it specifically “rational” because it involved control on the basis of knowledge, in particular specialised knowledge; because of its clearly defined spheres of competence; because it operated according to intellectually analysable rules; because of the calculability of its operation; finally, because technically it was capable of the highest level of achievement.’

their status (their legality) in order to set their own goals, rather than those set for them by political leaders. This was a negative development because such goals would tend to be the antithesis of the sense of vision, purpose and drive required of politicians, and which characterised them, and which they exercised in the name of higher goals such as national unity, or foreign policy successes:

However perfect an instrument bureaucracy might be, it ceased to be so once it stepped outside its limits. This is the nub of Weber's critique; this is where he saw the ambivalence of bureaucratic rationality. The very qualities which made it such a technically effective form of administration – knowledge and expertise protected by secrecy, the confidence in its own superior competence and impartiality, – also gave it the means and impetus to wield power beyond its inherent limitations. This was not an accidental phenomenon, but integral to its nature. The central political problem posed by bureaucracy, therefore, was how to restrict it to its proper function, how to ensure that the official's concern with administrative effectiveness, and hence with power, was properly subordinate to the politician's function of defining the ends that power was to serve and taking responsibility for them.⁵⁶

It was in reaction to the potential excesses of bureaucracy that Weber developed his political (as opposed to sociological) 'theory' of charisma. Based on his experience of Germany and other countries (the USA; the UK; Russia), he developed reasons why certain individuals, supported by parliamentary political parties and majorities (in his pre-war and wartime writings); or by a plebiscite (in his post-war writings) should and would be selected to control the bureaucracy. The logic of the conclusions he drew from the Weimar Republic's weak parliamentary democracy led him to conclude that only an individual acting on the grounds of his personal qualities, and his followers' beliefs in these, could legitimately claim to transcend the partisan, economic and social conflicts that he recognised in German society. Weber's final definition of the charismatically legitimated leader was someone who lived and breathed politics; whose ambition was politics; who claimed to offer solutions to political problems; who successfully defended and transmitted these claims to others; and who on those grounds, rather than on specific partisan or

⁵⁶Beetham, *Max Weber*, pp. 78-9. And p. 95: 'The ambivalent character Weber ascribed to bureaucracy – its indispensability for handling the complex tasks of modern society on the one hand, its tendency to exceed its function as an administrative instrument on the other – defined for him one of the main problems of modern politics: how to keep the bureaucracy subject to political control.'

ideological grounds, would be swept to power to exercise legitimate authority over the bureaucracy of state. This perspective was summarised in one of his last writings, which he delivered as a speech at Munich University in 1918, and which he concluded by means of a definition of politics, and of the ideal political man:

Politics is a strong and slow boring of hard boards. It takes both passion and perspective. Certainly all historical experience confirms the truth – that man would not have attained the possible unless time and again he had reached out for the impossible. But to do that a man must be a leader, and not only a leader but a hero as well, in a very sober sense of the word. And even those who are neither leaders nor heroes must arm themselves with that steadfastness of heart which can brave even the crumbling of all hopes. This is necessary right now, or else men will not be able to attain even that which is possible today. Only he has the calling for politics who is sure that he shall not crumble when the world from his point of view is too stupid or too base for what he wants to offer. Only he who in the face of all this can say ‘In spite of all!’ has the calling for politics.⁵⁷

The significance of Weber’s application of the concept of charisma to political practice, and in particular to his call for a uniquely-gifted and impassioned individual to rise through the political machinery of state, not only to dominate and control the bureaucracy, but also to lead the masses and the country, is explained by Weber’s broader view of society and its temporal development: ‘In this context [Weber’s theory of society] a different set of contrasts presents itself, not now between the politician and the official, but between the politician who pursues his work as a calling and the one who has no inner vocation, between the politician who seeks to exercise leadership in the service of a freely chosen cause, and the one for whom politics is simply an extension of economic activity, and who pursues it solely to improve his own personal position or as the agent of economic interests. Only the former was capable of the transcendental role in relation to society that Weber’s political theory demanded.’⁵⁸ Weber’s own definition of the charismatic politician in these respects was as follows:

There is the authority of the extraordinary and personal *gift of grace* (charisma), the absolutely personal devotion and personal confidence in revelation, heroism, or other qualities of individual leadership. This is ‘charismatic’ domination, as

⁵⁷‘Politics as a Vocation’, Gerth and Mills, *From Max Weber*, p.128.

⁵⁸Beetham, *Max Weber*, pp.226-7.

exercised by the prophet or – in the field of politics – by the elected war lord, the plebiscitarian ruler, the great demagogue, or the political party leader. (...)’⁵⁹

As we indicated above, Weber’s definition of charismatic leadership created a puzzle that political scientists have tried to solve ever since. Weber’s definition suggests that ‘leaders are said to possess “charisma” precisely to the extent that they are able to inspire their followers with unshakable confidence in their own personalities.’⁶⁰ In other words, both the leader’s personality – objectively speaking – seems to be at stake, and the followers’ perceptions and interpretation of this objective reality. The process by which the charismatic leader conveys his/her charismatic qualities to his/her followers, or indeed claims these qualities, are not specified by Weber; nor are the exact ideal or necessary nature of the qualities themselves.

As a result, the term ‘charisma’ and its relation to legitimacy has been variously interpreted in the study of leadership.⁶¹ Its main function in Weber’s conception of society and politics is as a ‘balancing conception for bureaucracy’⁶², referring to Weber’s growing conviction that charismatic individuals, be they in modern or pre-modern political contexts, would periodically ‘puncture’ the ‘process of rationalization’;⁶³ in his theory of democratic politics, this puncturing; these ‘discontinuities of history’ would in fact be ensured by permanent structures for, for example, ‘plebiscitary leadership.’: ‘The “philosophical” element in Weber’s construction of history is this antinomic balance of charismatic movements (leaders and ideas) with rational routinization (enduring institutions and material interests)’.⁶⁴

The status of Weber’s concept of ‘traditional’ authority to charismatic and rational-legal authority is not, moreover, obvious. Weber’s sociological writings suggest that

⁵⁹‘Politics as a Vocation’, Gerth and Mills, p79, author’s emphasis.

⁶⁰M. J. Folkerstma, *Ideology and Leadership* (New Jersey, Prentice Hall, 1988), p. 4.

⁶¹See J. Gaffney, *The French Left*, pp.18-19; D. Beetham, *The Legitimation of Power*.

⁶²Gerth and Mills, *From Max Weber*, p.52

⁶³Gerth and Mills, *From Max Weber*, p.52.

⁶⁴Gerth and Mills, *From Max Weber*, p. 55. And Gerth and Mills, *From Max Weber*, p.54: ‘In general, Weber’s construction of historical dynamics in terms of charisma and routinization is an attempt to answer the paradox of unintended consequences. For the charisma of the first hour may incite the followers of a warrior hero or prophet to forsake expediency for ultimate values. But during the routinization of charisma, the material interests of an increased following are the compelling factor. (...)’.

the legitimacy of traditional authority is derived from beliefs in a leader's incarnating the traditions and customs of his times; Weber referred to this form of authority, which he tended to equate with pre-modern societies, in his lecture on politics: '(...) the authority of the "eternal yesterday", i.e. of the mores sanctified through the unimaginably ancient recognition and habitual orientation to conform. This is "traditional" domination exercised by the patriarch and the patrimonial prince of yore.'⁶⁵ We said above that Weber's classification of 'traditional' authority was, in his sociological writings, crucially opposed to the rationality associated with modern societies. But in the same way as Weber transferred the ideal type of charismatic authority to the political domain; and in the sense that the concept of 'rational-legal' authority can be taken to differentiate bureaucracy from charismatic forms of political leadership in political practice terms (Beetham p.256, 1974: 'bureaucracy and political leadership (...) find their obvious parallels in his types of authority'), so we can assume that the characteristics of 'traditional' type authority – the belief in an individual and in his claim to incarnate his times and traditions – can also be seen as potential resources of the leader in modern societies.⁶⁶ We can surmise, for example, that the charismatically-legitimated leader calls on collective memories (or a collective vision of a shared tomorrow) in making his transcendental appeals.

In this respect we can also suggest that the elements of the Weberian three-fold typology of authority, if we are to apply them purposefully to the study of modern politics, represent a combination of legitimating factors, which **together** describe and help to explain the legitimacy of contemporary political leaders and their leadership: 'Max Weber repeatedly emphasized that none of the three types of legitimate authority he set forth was ever found in its pure form. In his analysis of the structure of religious, monarchical, and feudal institutions, he dealt repeatedly with the

⁶⁵Gerth and Mills, *From Max Weber*, pp.78-9.

⁶⁶Hoffmann, for example, defines political legitimacy in terms which relate to the combination of Weber's ideal types: 'Political legitimacy is a notion that ties together the institutional setup and the various elements of what some writers call the political culture – the style of authority, the political opinions, and the social values prevalent in the community at large.' S. Hoffmann, 'Heroic Leadership', p.111.

coexistence of the charismatic and the other types of authority. In his analysis of modern bureaucratic-political – and to a lesser extent administrative and economic – institutions, he also dealt with the recurrent appearance of charismatic personalities in the midst of bureaucratic organizations, in conflict with them or dominating them.⁶⁷

Although not all such ideal politicians were, for Weber, necessarily charismatic, the logic of his own argument led him to propose as leaders individuals who *de facto* possessed the type of qualities he had ascribed to the ideal type of charismatic individual, on the basis of which the leader would win power by plebiscite.⁶⁸ Beetham points to the limitations of Weber's conclusions regarding charismatic leaders and 'plebiscitary' or 'leadership' democracy for the explanation of democratic societies, since these conclusions are in themselves contradictory with some aspects of democracy.⁶⁹ Others have seen Weber's emphasis on the charismatic leader as placing him in the lineage of Carlyle's 'great man' theory of history: 'In spite of the

⁶⁷E. Shils, 'Charisma, Order and Status', *American Sociological Review*, vol. 30, 1965, pp.199-200. And see J. Blondel, *Political Leadership*, pp. 51-2: 'Thus Weber's scheme could be viewed as being based on a number of analytical components which, in the manner of atoms that form a molecule, might be combined in varying degrees in concrete situations. The model seems more realistic as a result: many contemporary forms of rule have been characterized by a combination of two of the elements and, indeed, in some cases of all three.'

⁶⁸Beetham, *Max Weber*, pp.230-2: 'His conception of leadership, as typified in the charismatic figure, was of a relationship of personal trust or faith in the *person* of the leader on the part of his following, which allowed him a wide range of freedom to pursue his own convictions. (...) The conception of leadership expressed here is essentially individualistic. Weber's leader is an individualist; the source of his actions lies in himself, in his own personal convictions, and not in his following or associates. It is a conception which can be clearly distinguished from that according to which the leader's position depends upon his success in carrying out a programme laid down and accepted as a result of collective discussion and agreement within a group, and where this acts as a firm constraint upon his activity. In such a case the allegiance of members is primarily to the programme itself, only secondarily to the leader; the content is more important than the person. But this for Weber did not count as leadership. (...) The significant feature of mass politics to Weber was that it encouraged individual leadership of this kind. This was the meaning of plebiscitary democracy. The extension of the suffrage brought with it the personalisation of politics, and weighted the scales in favour of the outstanding individual who was capable of securing the mass vote by force of personality and demagogic appeal. (...) Weber clearly welcomed this development as ensuring a strong political dimension not only against the civil service but also against the play of sectional interests in party and Parliament.'

⁶⁹On the limitations of the Weberian framework see Beetham, *Max Weber*, p.266: 'The consequences of the limited conceptual framework in terms of which Weber discussed democracy, and of his insistence that in modern society it can only be "leadership-democracy", are thus twofold. The first is to direct all the emphasis in a theory of democracy away from the contribution which different groups or sectors of society can make to decision making and from the possibility of extending the areas of popular participation in the political process, on to the character and quality of the leader, and the "genuineness" of his charisma. It is this that becomes all-important. The second consequence is to present under the title of democracy something which has very little to do with democracy at all. Indeed, Weber's charismatic figure, although he requires popular acclaim, is the opposite of democratic, and Weber himself admits; the source of what he does lies in himself, not in his following.'

careful nominalism of his method, Weber's conception of the charismatic leader is a continuation of a "philosophy of history" which, after Carlyle's *Heroes and Hero Worship*, influenced a great deal of nineteenth-century history writing. In such an emphasis, the monumentalized individual becomes the sovereign of history.⁷⁰

While recognising these limitations, we also acknowledge the validity of Weber's concepts in their ideal-type form rather than purely their value as seen through Weber's own application of them to the practice of politics (although many interpretations of Weber treat the ideal-types as if they were real): 'His [Weber's] concepts are analytical tools with which he reconstructs various mechanisms. They are not descriptive categories with which one tries to "taste" the color and grasp the surface image of the "spirit of the times." They are not concepts that contemplate the supposed substances of great men and epochs. In fact, despite Weber's emphasis on charisma, he is not likely to focus on the "great figures of history." Napoleon, Calvin and Cromwell, Washington and Lincoln appear in his texts only in passing. He tries to grasp what is retained of their work in the insitutional orders and continuities of history. Not Julius Caesar, but Caesarism; not Calvin, but Calvinism is Weber's concern.'⁷¹

With Weber, in fact, we are no closer to seizing and categorising the specific and personal qualities and characteristics of the charismatic leader than with Carlyle's grandiose descriptions of heroes; hence much interpretation of Weber's concept of charisma has tried to operationalise the concept in this respect;⁷² Weber himself does emphasise the charismatic leader's qualities as a demagogue, in the barest sense of

⁷⁰Gerth and Mills, *From Max Weber*, p.53.

⁷¹Gerth and Mills, *From Max Weber*, p.55.

⁷²J. Blondel, *Political Leadership*, pp. 50-1: 'Since Weber's purpose is to examine authority, and, in particular, the basis of authority, the characteristics of leadership and the behaviour of leaders are mentioned only to the extent that they contribute to an understanding of the emergence and development of legitimate authority. It is therefore not surprising that an all-embracing theory of leadership does not come out of Weber's work. (...) The consequence is that Weber is not much concerned with the deeds of leaders and the impact of these deeds: he does not discuss whether, or under what circumstances, this impact may be large or small; and his model has little to say about such an impact. (...) His focus is on the bond between citizens and their rulers: where he believes that this bond is due essentially to societal characteristics and not to the rulers themselves, there is little or no reason for him to examine the origins, characteristics or role of leaders. Thus, Weber's is a study of the environment of leadership.'

persuasive speaker, and we shall see in the case of Delors that his discourse was a deliberate part of a broader leadership strategy. Beetham's view of this point, for example, is that 'The civil servant uses language in a precise, "objective" manner, suitable for an official memo or issuing an instruction; the politician uses language in order to win supporters in face of opposing viewpoints. His trade is to "fight with the spoken word".'⁷³

Weber's focus on the idea that one individual rather than another has qualities, however immeasurable these might be in scientific terms, that lead to him winning the support of others, provides us with a framework for identifying and describing what we have called a leader's skills, the relevance of these to the legitimation of his authority, and the centrality of this relationship to the study of leadership: 'A leader's authority requires a legitimate basis. Legitimacy may come through various sources – by appointment, by election, or through the support of followers in a less formal way. However, whatever the source, legitimacy depends on followers' perceptions about how the leader achieved his or her position. The essential point about legitimacy is that it produces the belief that the leader has the authority to exert influence.'⁷⁴

Similarly, however problematical the ideal-types of traditional and rational-legal forms of authority might be, they clearly have their equivalences in the modern political concepts of political tradition and its use by leaders as a rhetorical device, and bureaucracy as a form of rational-legal authority. Weber's typology of legitimate authority in these respects provides, first, a means of studying the relationship between bureaucracy and politics, which so characterises contemporary politics, and particularly those of the EU; second, the relationship between the individual leader and his/her leadership skills, and the rules of leadership; and third, the significance of these relationships for the legitimation of authority and political leadership.

Conclusions: studying the legitimation of authority in the EU

⁷³Beetham, *Max Weber*, p. 77.

⁷⁴E. P. Hollander, *Leadership Dynamics: A Practical Guide to Effective Relationships* (New York, The Free Press, 1978), p.44.

Weber's typology of legitimate authority allows us, therefore, to address the research questions underlying this thesis, namely: what are the sources of legitimate authority in the EU? Is it of the 'legal-rational' kind? What of charismatically or traditionally legitimated interventions by individual leaders? How does Delors's Commission presidency illustrate the EU's provisions for political authority, and how does it illustrate the problematical nature of the interaction between the skills and the rules of leadership in the EU context? We find, and show in our following chapter, that the concepts of 'legality' and 'rationality' allow us to identify the model of bureaucratic politics according to which the Community was developed. These concepts, along with that of charisma, in turn allow us to demonstrate how this model was revised historically to account for instances of charismatic-type political leadership, and what this consisted of; how such political leadership, in the case of Delors, underlined the lack of traditional-type, European-wide sources of authority in the Community (such as a collective view of Europe's past and future; or the existence, broadly speaking, of a shared, European-wide political culture); to identify the consequences of this for the future of the integration process; and to consider how Weber's notion of charismatic leadership as a form of transcendence of divisive interests and conflicts provides a perspective on Delors's enactment of his Commission presidency, and of perceptions of this.⁷⁵

⁷⁵See eg. B. Mazlish, 'Leader and Led, Individual and Group', *The Psychohistory Review*, vol. 9, no.3, Spring 1981, pp.218-28, for a discussion of extensions of the notion of 'traditional' authority – the 'psychic repository' of culture. See also: S. Hoffmann, 'Heroic Leadership', pp.110-111. Hoffmann identifies three variables which can be compared in studies of leadership: (1) 'the style of authority in the society in which the leader operates' (p.110); (2) 'the nature of the political system' (the 'institutional setup' and political legitimacy, that is, the nature of the "political formula", which consists of the way in which political leaders are selected and how power is distributed among them. (...). Political legitimacy is a notion that ties together the institutional setup and the various elements of what some writers call the political culture - the style of authority, the political opinions, and the social values prevalent in the community at large. A given style of authority, a given consensus among social groups about the structure of society, both rule out and are compatible with a variety of political systems; a political system, in order to be legitimate, must not only be congruent with the style of authority and based on a consensus about the social order but must express a consensus about the polity as well. A distinction that comes to mind immediately is that which exists between political leaders who operate within legitimate political systems and political leaders who do not, who come to power when the previous political system has broken down or who destroy it once in power.' (p.111).

A further point here is that the limitations of the Weberian framework (as discussed above) in respect of its assumptions of elitist politics (the law of the ‘small number’⁷⁶) themselves provide us with a tool for addressing and assessing what by the 1990s, as we saw in our previous chapter, had been identified and criticised by observers as the elitist character of EU politics, and this not simply in reference to the perceived distance between ordinary Europeans and the European bureaucracy, but more profoundly with regard to the nature of the representative link between leaders and led in the EU political space. This is a further element of the context in which Delors’s Commission presidency is to be understood, to which our interpretation of the Weberian framework can be applied as a conceptual tool, and this in keeping, as we saw in Chapter One, with those studies of European integration that in the mid-1990s applied Weberian concepts of bureaucratic and political authority to an understanding of the Commission’s part in the so-called democratic deficit of the EU.

Page, for example, in his comparative study of European bureaucracies, stated that: ‘(...) the EC has become so important that the questions posed by Max Weber concerning the scope for democratic control in a bureaucratic system must be raised in the European context. (...) the political and administrative structure of the Community has distinctive features which strengthen bureaucratic power and weaken the scope for political authority.’⁷⁷ Page classifies the EC system in this respect as a ‘leaderless pluralism’, ‘since this acknowledges the fact that in the absence of a focus of authority, such as that provided by a cabinet within a nation state, a variety of institutions, some dominated by politicians and others by officials, share it.’⁷⁸

In Chapters Three and Four that follow we apply the Weberian concepts of the legitimation of authority to studying the Commission and its presidency. In Chapter Three we review the theory and practice of the Community system, a model of politics which prioritised the rationality and legality of bureaucratic politics in the

⁷⁶Beetham, *Max Weber.*, p.106.

⁷⁷E. C. Page, *Political Authority and Bureaucratic Power. A Comparative Analysis* (Brighton, Harvester Wheatsheaf, 1992, second edition), pp. 178-9.

⁷⁸Page, *Political Authority*, pp. 192-3.

resolution of the problems of low politics, and which favoured the 'leaderless pluralism' type of system referred to by Page. We see how this model was distorted by the interaction of charismatically legitimated individuals, in the sense that we have defined the term above, with the rationality of the Community's institutions and the legality of their provisions; the rules of the Community system, for example, were changed on a continual and incremental basis during the history of the Commission. We demonstrate how charismatic leadership in the form of the Commission President has been problematical for the governments of the Community's member states and, ultimately, for their electorates and citizens. In Chapter Four we show how Delors became portrayed (and to an extent portrayed himself) as an individual who, on the basis of a number of charismatic-type qualities and characteristics (such as a strategic discourse of European unity; idiosyncratic working methods within the Commission; personal expertise and experience), optimised the institution of the Commission by claiming a transcendental leadership in the Weberian sense of reaching beyond partisan and national interests.

In both senses of the Weberian charismatic leader, as discussed above – the non-bureaucrat, and the leader with a vocation for politics – Delors might have been, for Weber, a charismatic leader. Moreover, although the EC polity overall might have looked to Weber like an example of the 'leaderless democracy' he rejected – a bureaucracy with too much political power and too few political constraints – Weber might, alternatively, have seen in the transnational political parties; in the enduring differences dividing the EU's member states; and in Delors's style of Commission presidency, a combination of factors making the EU an ideal site for the charismatic, transcendental leader brought to power on the basis of beliefs about his ability to deliver common European goods and to ensure a European tomorrow, and his incarnation of the European past and its mythology. Here we coincide with Page's conclusions that: 'The control of bureaucracy requires the mobilisation of elected political authority to overrule the constraints offered by it. Commissioners cannot claim this authority has been granted them in their own countries since they must

renounce national ties. In this sense the constituency of the Commission is the whole of the European Community. Yet this constituency is unlikely to be, for the most part, aware of its activity.’ (pp.192-3). Moreover: ‘In addition to the fragmentation of authority within the institutions of the EC, the multilingual structure of the Community prevents the mobilisation of political authority by Commissioners over the European bureaucracy (...).’⁷⁹

In Chapter Five we relate our findings to the broader context of the process and prospects of European integration, and reconsider the assumptions characterising the literature both of political leadership and of the EU, as reviewed above: assumptions regarding the relationship between national, territorially-defined sovereignty and the democracy of representative politics: ‘Politics in the modern nation-state has always been based on the assumption that “effective leadership” is that which serves the interests of the national political community. (...) A nationalist orientation remains, therefore, a qualification for success in attaining high office in a world where the very idea of effective leadership on a national scale and for national goals has become or is fast becoming obsolete. How, in the continuing absence of the global political community that remains to be created, can we foresee and foster the advent to power of leaders who will dedicate themselves to supranational goals (...)?’⁸⁰ Our conclusions demonstrate that the politics of legitimacy in the EU raise questions about the legitimation of authority and representative politics; questions that imply the need for philosophical as well as pragmatic debate on institutional and constitutional reform in the European Union.

⁷⁹Page, *Political Authority*, p.194.

⁸⁰R. C. Tucker, ‘Personality and Political Leadership’, *Political Science Quarterly*, vol. 92, no. 3, 1977, p.393.

Chapter 3

THE LEGITIMATION OF AUTHORITY (II): DEFINING THE COMMISSION

Introduction

...though revealing many of the features of a “bureaucracy” or “civil service”, the Commission can be just as easily seen as representing a federal political leadership in embryo.¹

In Chapter Two we concluded that Weber’s theory of the legitimation of authority provided us with a conceptual framework for studying the European Commission and its President. Weber’s typology of authority offers us a perspective, first, on the role of the individual political leader and his/her leadership ‘skills’ in relation to broader political and social structures – the ‘rules’ of leadership; and, second, on the various and competing bases of legitimate authority in the EU. Taken in the broader context of Weber’s work – his focus on the implications of mass democracy for political leadership and for control of the bureaucratic machinery of state – Weber’s theory of modern politics suggested a framework for understanding the European Commission – ‘the heart and the essence of the EEC’² – and its presidency in the context of the theory and practice of political authority in the EU. We showed in Chapter One how questions of political authority, leadership and legitimacy had, by the 1990s, come to preoccupy scholars of the EU, particularly following Jacques Delors’s presidency of the European Commission, and our use of Weber’s categories provides us with a means of contributing to that debate.³

¹D. Coombes, *Politics and Bureaucracy in the European Community. A Portrait of the Commission of the EEC* (London, George Allen & Unwin, 1970), p.102.

²A. Shonfield, ‘After Brussels’, *Foreign Affairs*, vol. 41, no. 4, July 1963, p.724.

³The terms of this debate had already been raised in the 1960s: ‘I want to consider in outline how power and influence are distributed and exercised among these bodies [the EEC institutions] and others, by examining the Rome Treaty rules and our brief experience of their working, in the light partly of what we know and have seen of the Community itself, and partly of what we have come to expect of such things from the working of other political entities.’ W. Pickles, ‘Political Power in the EEC’, *Journal of Common Market Studies*, vol. II, no. 1, 1963, p.64.

It is the purpose of this chapter to apply the Weberian framework as we interpreted it in Chapter Two to our case study of the Commission and its presidency. In this chapter we set out, through a review of the theory and the historical development of the Commission, first to identify the nature of the Commission's authority within the Community system, and thereby to define the Commission as an institution; second, to identify the role of the Commission President in shaping the Commission's claims to legitimate authority. These are research questions intended to test the central argument of this thesis, which is, we recall, that the Community's institutional provisions for the exercise of democratic authority were the result of an experiment in politics begun in the 1950s, whose logic was to redefine the politics of legitimacy within the Community area, and whose effect was twofold: to institute a quasi-permanent debate in the EU in this respect, and to inhibit the development of a 'finished' EU polity. We demonstrate how and why, in this context, the history of the Commission can be construed as the history of its construction of and claims to legitimacy.

In Chapter One we demonstrated that the Community does not correspond to the concepts of political power, authority, legitimacy or leadership as these are defined for the study of national or inter-national political systems. This is because the 'Community system'⁴ is neither a national nor, strictly speaking, an international phenomenon. It is a 'would-be polity'⁵ which is simultaneously national, international, supranational and transnational. Within this system the Commission is the most 'un-national' of its institutions, with the result that its authority has been contested in theory and in practice, and its leadership of the integration process has been uneven: 'If we define power traditionally, that is, in terms of formal authority or

⁴We adopt Sasse *et al*'s use of the expression 'Community system' to mean an identifiable set of institutions, procedures and actors with policy and decision-making scope and effect of its own: 'In the preceding pages the term "Community system" has frequently recurred. It might well be asked, however, whether a "Community system" still exists – at least if what we mean by "system" is a collective whole possessing adequate autonomy of development, especially in relation to its principal components.' C. Sasse, E. Poullet, D. Coombes and G. Deprez, *Decision Making in the European Community* (New York, Praeger, 1977), p.226.

⁵From L. Lindberg and S. Scheingold, *Europe's Would-Be Polity. Patterns of Change in the European Community* (Englewood Cliffs, N.J., Prentice-Hall, 1970).

the ability to impose sanctions or the possession of a monopoly of legitimate force, then it is clear that the Council is all-powerful and the Commission is powerless. But political scientists have tended to move away from such formal or “negative” definitions of power. In this revised view, power can be defined “positively”, that is, as **participation** in decision-making, as **objective success** in getting one’s preferences or goals accepted by others. By such a standard the Commission has wielded and continues to wield substantial decision-making power in the Community process.⁶ Furthermore, when one considers the Community not with reference to the classical model of the separation of the powers of government and its variants, but to a pattern of mixed or shared powers, the authority of the Commission is apparent. We return below, and in our final chapter (Chapter Five), to the theoretical conclusions that we can draw from our case study of the Commission concerning the model of powers and governance in the EU political system; here we demonstrate the model at work, over time, in the Community system.

We saw in Chapter One that the Commission, historically, has been associated with the provision of political leadership of the European integration process, and that under Jacques Delors’s presidency of the Commission (1985-1995), this development was most marked, and contested. In nationally-defined terms, the Commission should have no political leadership role, since it is an unelected institution; nor therefore should its President comport himself like national political leaders. But in Community terms, the Commission was established to provide both political leadership and bureaucratic management of the integration process. In Weberian terms as we have defined them the Community rearranged the grounds on which political authority would be legitimated; rearranged, in other words, the potential relationships between leaders and followers, by creating new institutions for a new political space: the European Community. The explanation for this rearrangement of legitimacies lies in the reasons why the Community was established: to alter the

⁶Lindberg and Scheingold, *Europe’s Would-Be Polity*, p.92, authors’ emphasis.

pattern of relations between Europe's nation states in a peaceful, durable, and democratic way.

Redefining legitimacy in the European Community

The concept of the European 'general interest'

As we saw in Chapter One, much of the early scholarship on the origins of the Community debated whether the Community institution-building exercise was federalist, functionalist, neither, or both. Federalism implied the end of the nation-state and a political goal for economic integration in the form of a European federation with its own institutions; federalism also focused on the loyalties and needs of individual citizens as the driving forces for a federal Europe. Functionalism predicated economic integration between nation states as a method of securing international peace through the delivery of public goods to neighbouring peoples by international specialist organisations. It did not promote the development of regional political authorities, since these might wage war between each other in the same way as sovereign nation states. It focused on the activity of national functional elites in driving the integration process.

We saw in Chapter One how the European Communities established in the 1950s could be and were in fact said to be both federalist and functionalist, and that the Commission '(...) traces its political and legislative heritage back to the European Coal and Steel Community, and is the heir not only to the functional tasks of the High Authority, but also to the federalist hopes of the era.'⁷ The Communities were federalist to the extent that Robert Schuman, in his declaration of 9 May 1950 which led directly to the establishment of the European Coal and Steel Community (ECSC), had called for the 'federation of Europe' at some time in the future: 'The pooling of coal and steel production should immediately provide for the setting up of common

⁷The Philip Morris Institute for Public Policy Research, *What future for the European Commission?* (January 1995), p.14.

foundations for economic development as a first step in **the federation of Europe**, and will change the destinies of those regions which have long been devoted to the manufacture of munitions of war, of which they have been the most constant victims.’⁸ This goal of ‘federation’ was taken up implicitly in the subsequent treaties establishing or reforming the Communities. The 1951 Paris Treaty that established the ECSC⁹ declared its intention: ‘to lay foundations for institutions which will give direction to a destiny henceforward shared’; the 1957 Rome Treaty establishing the EEC expressed, in its preamble, the determination of its signatories to ‘lay the foundations of an ever closer union among the peoples of Europe’; the Single European Act of 1987 aimed: ‘to transform relations as a whole among their States into a European Union’; finally, the signatories of the 1991 Treaty on European Union (the Maastricht Treaty) intended thereby ‘to establish among themselves a European Union’.

Some of the institutional provisions of the founding treaties were, accordingly, drafted with this federal end-point in mind, most notably that for a directly-elected European Parliament, by which one day a European electorate would elect representatives to a European legislature. The founders of the European Communities, therefore, made provisions for democratic political representation at the European level. In this sense, the founders built the contours of a federal system of which the logic, although such may not have been the intention, was that the Commission might one day become the government of a federal Europe.¹⁰

⁸Commission of the European Communities, ‘The Schuman Declaration’ in *Europe – A Fresh Start: The Schuman Declaration, 1950-1990* (Brussels, Office for Official Publications of the European Communities, 1990), emphasis mine.

⁹The Treaty was signed on 18 April 1951 by France, Germany, Italy, Belgium, Luxembourg and the Netherlands; it entered fully into force on 25 July 1952.

¹⁰‘Those of the founding fathers of Europe that I knew personally never thought, I believe, in terms of the Commission becoming the government of Europe. Neither Jean Monnet nor Paul-Henri Spaak considered such an idea, although they did think that the issue might have to be dealt with eventually. They took the view that there would be no European government without an authority embodying the interests of the Community. A balance was found between the absolute need for Community strategy to be defined in light of the Community alone, and the fact that such a strategy would never emerge until those who have to approve it are at ease with it. (...) The day when the Commission can be described as a European government will also be the day when it has become quite clear how such a government should negotiate with the existing Member States.’ E. Davignon, ‘The challenges that the Commission must confront’ in The Philip Morris Institute, *What Future for the European Commission?*, p.19.

However, the Communities were also functionalist, because they were first and foremost economic communities, designed to 'ensure the economic and social progress of their countries by common action to eliminate the barriers which divide Europe' (EEC Treaty, preamble). The bulk of the institutional provisions of the Treaties, moreover, clearly reflected the urgent need, in the 1950s, to devise institutions which could organise the rebuilding of European economies, and make Europe economically strong. The European Coal and Steel Community (ECSC), for example, invested the High Authority with the authority to make decisions binding on the member states in matters relating to the regulation of the production and supply of coal and steel; and granted it a measure of financial independence in order to do so.¹¹

The High Authority was a body of experts each sworn by oath to uphold their independence from national governmental instructions in their work. The national governments, in other words, were not to interfere with the work of this 'supranational' body which, by virtue of its independence, would have the European 'general interest'¹² in mind, not the clash of national interests, in the pursuit of limited economic goals. The members of the High Authority were not supposed to be divorced from national interests as such, but to see these interests in the wider context of the general, Community interest. In the European Economic Community (EEC, 1958), the Commission did not have the same authority as the High Authority to make decisions that would bind national governments, but it was given the exclusive right to initiate economic integrative policy, to oversee and, in some cases, implement such policy. As had been the case of the High Authority, the Commission was established as the custodian of the 'general interest' of the Communities, and was granted independence from national governments: '(...) the characteristic of

¹¹A. Spinelli, *The Eurocrats: Conflict and Crisis in the European Community* (Baltimore, The John Hopkins Press, 1966), p. 28.

¹²The Paris and Rome Treaties both cite the 'general interest' of the Communities: ECSC Treaty Article 9; EEC Treaty Article 157. The wording of the article is virtually the same in both cases. ECSC Article 9: 'The members of the High Authority shall exercise their functions in complete independence, in the general interest of the Community.' EEC Article 157: 'The members of the Commission shall, in the general interest of the Communities, be completely independent in the performance of their duties.'

independence (...) was certainly intended in the Treaties to be the crucial attribute of High Authority and Commission. It took various forms – the right of initiative; non-dismissability by member government; and responsibility to a separate and independent power base in the European Parliament.¹³ The Commission was composed of national experts who swore, on oath, their independence from the government which had appointed them. These individuals derived their importance and authority from implementing the treaties' provisions for the Commission's supranational functions. In the European Union instituted by the Maastricht Treaty (1993), the Commission retained these rights and duties in relation to the economic integration of the Union member states.

By emphasising the 'general interest of the Communities', and by linking this interest to the independence of Commission members from their national governments, the founding treaties suggested a new framework for political relations – a Community system. Logic dictates that in this system, the notion of a 'general interest', however imprecisely this was defined in the treaty texts, assumed a number of things. First, it assumed that there would emerge from the Communities an interest that would transcend and claim equality with existing national, partisan and sectoral interests; second, that the High Authority and then the Commission, in their independence and expertise, would play a significant role in formulating, securing and promoting this interest; third, that there was a body of Europeans that would perceive, articulate and claim this interest; fourth, that the interest would be mediated coherently between national and European levels. Fifth, in providing the Commission with a President – albeit formally *primus inter pares* – the founding texts created the potential for the individual, personalised articulation and representation of the general interest. Furthermore, and finally, in its emphasis on the Community's economic and social goals – on so-called 'low' politics – and on the Commission's competence in guiding the Community towards these goals, and on the Commission's role in

¹³S. Henig, *Power and Decision in Europe* (London, Europotentials, 1980), p.62.

enacting the 'general interest', the treaties blurred the distinction between bureaucratic and political activity even more than was usual in nation state politics: '(...) few political scientists (or politicians) now believe that any clear line can be drawn between policy-making and policy-execution – which is one reason why, in democratic systems, the two are placed in the same hands.'¹⁴

The Commission as a bureaucracy

This distinction, essentially, was blurred in the following manner. In the founding treaties' provisions for functional integration, and in their emphasis on new institutions, of which the Commission, there arose an example of what Weber might have called the primacy of legal-rational authority, with an emphasis on the bureaucratic form of such rule (bureaucracy being, as we saw in Chapters One and Two above, a specific form of organisation of the rational-legal type). Much of the responsibility for the daily development of the new Communities was entrusted to experts acting in the general interest of the Communities; to bodies of officials charged with respecting and implementing the legal rules for integration contained in the founding treaty texts. This was politics without the Weberian professional politician; rational politics *sine ira et studio*,¹⁵ serving and delivering the greater economic good. The High Authority, and then the Commission, constituted the major bureaucratic source of such legal-rational authority in that they were intended to be the bureaucracies of, respectively, the ECSC and the EEC.

Many studies of the Community and the Commission have emphasised the Commission's role as a bureaucracy and enquired whether as such, that is to say, when judged by the criteria of modern bureaucracies, the Commission is efficient and effective and well-organised; whether its members are suitably trained, and recruited

¹⁴Pickles, 'Political Power in the EEC', p.69.

¹⁵Max Weber, 'Politics as a Vocation', in H. H. Gerth and C. Wright Mills (eds.), *From Max Weber: Essays in Sociology* (London, Routledge, 1993), p.95: 'According to his proper vocation, the genuine official (...) will not engage in politics. (...) *Sine ira et studio*, "without scorn and bias", he shall administer his office. Hence, he shall not do precisely what the politician, the leader as well as his following, must always and necessarily do, namely, fight.'

from the right pools; whether the Commission's internal rules and procedures are such that the Commission can function as a bureaucracy in the contemporary, civil-service sense of the term; and whether the Commission, as a bureaucracy, can fulfil the full range of its tasks under the terms of the founding treaties: '(...) in some aspects the Commission is expected to act as a bureaucracy and to have the essential characteristics of an implementative, "goal-seeking" organization (...).' ¹⁶

David Coombes developed the terms 'administrative' and 'mediative' to describe and summarise the bureaucratic activities and characteristics of the Commission: 'The Commission has also come to acquire an increasingly important Administrative function. We mean by this not simply the technical tasks of preparing for decisions, producing data, and keeping records, but also the taking of the vast number of regulatory decisions arising under the Community legislation concerning the customs union, the common policy on competition between enterprises and the common agricultural policy.' ¹⁷ Scholarship has tended to conclude that the Commission's

¹⁶D. Coombes, *Politics and Bureaucracy*, p.234. Many studies have addressed the Commission from the perspective of the study of large-scale bureaucratic organisations, focusing on the Commission's rules and procedures for recruitment, training, pay and promotion, in particular in respect of its multilingual and multinational character. See: A. de Figueiredo Lopes, 'La spécificité de la fonction publique communautaire. L'exemple de la Commission', *Revue française d'administration publique*, no.55, July-September 1990, pp.497-503; J. Penaud, *Problèmes politiques et sociaux*, nos. 713-714, 22 October-5 November 1993 (*La Fonction publique des Communautés européennes*); M. Abélès, I. Bellier, M. McDonald, *Approche anthropologique de la Commission européenne*, (Brussels, unpublished, December 1993); I. Bellier, 'La Commission européenne: Hauts fonctionnaires et "culture du management"', *Revue française d'administration publique*, no.70, April-June 1994, pp.253-262; V. Goddard, J. Llobera, C. Shore (eds.), *The Anthropology of Europe. Identities and Boundaries in Conflict* (Oxford, Berg, 1994); H. J. Michelmann, *Organisational effectiveness in a multi-national bureaucracy* (Farnborough, Saxon House, 1978), p. 2: 'The primary concern of this study is organisational effectiveness in a large public bureaucracy, the commission of the European communities, using organisation theory as a guide in focusing the main concerns of the research.'

¹⁷D. Coombes, *Politics and Bureaucracy*, pp.236-7. Coombes also provides a theoretical discussion of the various definitions of bureaucracy, pp.101-119. Article 155 of the Rome Treaty (paragraphs 1 and 4) suggest the Commission's administrative tasks: '[In order to ensure the proper functioning and development of the common market], the Commission shall: – ensure that the provisions of this Treaty and the measures taken by the institutions pursuant thereto are applied; (...) – exercise the powers conferred on it by the Council for the implementation of the rules laid down by the latter.' For additional perspectives on the Commission 'as an administrative body' see : S. Cassese and G. della Cananea, 'The Commission of the European Economic Community: the Administrative Ramifications of its Political Development (1957-1967)', *Jahrbuch für europäische Verwaltungsgeschichte*, no. 4: *Die Anfänge der Verwaltung der Europäischen Gemeinschaft* (Nomos, 1992); E. Noël, 'Témoignage: l'administration de la Communauté européenne dans la rétrospective d'un ancien haut fonctionnaire', *Jahrbuch für europäische Verwaltungsgeschichte*, no. 4: *Die Anfänge der Verwaltung der Europäischen Gemeinschaft* (Nomos, 1992), p. 155; L. Cram, 'Calling the Tune without Paying the Piper? Social policy regulation: the role of the Commission in European Community Social Policy', *Policy and Politics*, vol.21, no.2, 1993, pp.135-146. L. Cram, 'The European Commission as a multi-organization: social policy and IT policy in the EU', *Journal of European Public Policy*, vol.1, no.2,

administrative load has increased sharply as integration itself has expanded, and that this increased load has placed many strains on the Commission's internal structures and procedures, with the consequence of limiting and even endangering the Commission's capacity to operate as a bureaucracy: 'Political questions about how far and how fast integration should proceed have dominated discussion [about the Commission], with little regard for administrative workloads. The "management deficit" has been seriously neglected, if not ignored. But integration is not an automatic process. It must be deliberately managed; and effective management is becoming more important, not less.'¹⁸

The other half of the Commission's bureaucratic role was composed of what Coombes termed the Commission's 'mediative' tasks, which 'arise from its duty to bring about agreement between the member States in the Council of Ministers. This is the normal function of an intergovernmental organization. The Commission often seems to be doing this in its work in the Committee of Permanent Representatives and

Autumn 1994, pp.195-217; M. Cini, 'Administrative Culture in the European Commission: the case of competition and environment', paper presented to the European Community Studies Association (ECSA) Fourth Biennial International Conference, Charleston, South Carolina, USA, 11-14 May, 1995; S. George, 'The European Commission: Opportunities Seized; Problems Unresolved', paper presented to the European Community Studies Association (ECSA) Fourth Biennial International Conference, Charleston, South Carolina, USA, 11-14 May, 1995; G. Ross, 'Sidling into Industrial Policy: inside the European Commission', *French Politics and Society*, vol.11, Winter 1993, pp.20-43. ¹⁸L. Metcalfe, 'After 1992: Can the Commission Manage Europe?', *Australian Journal of Public Administration*, vol. 51, no. 1, March 1992, p. 117. See also R. Vahl, 'The European Commission on the road to European Union: The consequences of the Treaty on European Union for the Commission's power base', *Acta Politica*, 1992/3, pp.297-322, p.310: 'On the whole, the Union Treaty clearly implies an expansion of the Commission's tasks and powers in terms of scope. (...) During the Intergovernmental Conference on European Political Union, the Commission President expressed his preference for a small number of clearly defined competencies (...) instead of a large number of ill-defined competencies (...). Mr Delors was echoing opinions expressed by senior Commission officials, who have insisted that they do not so much need an extension of powers, but rather a legitimization of existing powers, in order to make the Commission more effective in EC decision-making.' It is in this context too that we should understand Jacques Santer's slogan, for his Commission presidency (1995-) as '*agir moins pour agir mieux*' – do less, better: a recognition of the Commission's bureaucratic limitations. Cassese and della Cananea, 'The Commission of the European Economic Community', p.94, discuss how the Commission saw itself progressively delegated more and more rule-making powers in the implementation of EEC policies, a development which caused a 'gradual bureaucratization of the administrative structure' of the Commission. See also H. Wallace, 'The Council and the Commission on the Brink of Maastricht', *The Annals of the American Academy of Political and Social Science*, vol. 531, January 1994, pp.56-68.; F. Vibert, 'The case for "unbundling" the Commission', Philip Morris Research Institute, *What Future for the European Commission?*, discusses radical proposals for reforming the Commission's management and administrative tasks and capacities.

its sub-committees and it the Council of Ministers itself.’¹⁹ These were tasks which called on the Commission both to act impartially and to be highly informed about national interests and priorities concerning European policy decisions, and to bring about agreement between these interests, whilst keeping in sight the broader European interest .

Coombes noted the contradictions between the demands of the Commission’s ‘initiative’ and ‘normative’ roles on the one hand (see below), and those of administering and mediating, on the other: whereas the former required a ‘partisan’ – meaning European – Commission, the latter called for qualities of ‘impartiality and detachment and a reputation for fair-mindedness’, rather than initiation: ‘(...) the Commission must be independent in that it must treat the views of each of the member States with equal respect – it must be impartial politically and indifferent as to nationality. However, it must also be European, meaning that it must discern the common interest clearly and accurately and promote it energetically. In this sense it must be partisan and protagonistic.’²⁰ Therefore: ‘We shall also assume that in so far as it [the Commission] is a “bureaucracy”, then the Commission will be unable to ensure the political leadership which is required to bring about an effective political union of Europe.’²¹

There is further sense, moreover, in which the Commission’s bureaucratic tendencies point to a problem of political leadership in the Community, and that is in relation to popular perceptions, and misperceptions, of the Commission’s activity and role. In popular terms, ‘bureaucracy’ in general has come to symbolise the perceived distance between citizens and decision-makers, and the inability of citizens

¹⁹ D. Coombes, *Politics and Bureaucracy*, p.238. The EEC Treaty, Article 155 (3) expresses the Commission’s ‘mediative’ role: ‘[In order to ensure the proper functioning and development of the common market, the Commission shall:] – have its own power of decision and participate in the shaping of measures taken by the Council and by the European Parliament in the manner provided for in this Treaty.’ See also D. Waelbroeck, ‘Synthèse des débats’, in J.-L. Louis and D. Waelbroeck, *Le Parlement européen dans l’évolution institutionnelle* (Brussels, Editions de l’Université de Bruxelles, 1988), p.162; in underlining the originality of the Commission’s institutional status, the author writes: ‘La description de la Commission comme n’étant ni un gouvernement, ni un secrétariat, mais un médiateur met cet élément [the Commission’s originality] particulièrement en lumière.’

²⁰ Coombes, *Politics and Bureaucracy*, p.78.

²¹ Coombes, *Politics and Bureaucracy*, p.102.

democratically to affect the decision-making process; in the specific context of the Commission, the so-called 'Brussels bureaucracy' has often been portrayed as a particularly notable example of the loss of political control over bureaucratic machinery: 'Never without an image problem, the Commission is widely viewed, in Sir Leon Brittan's words, as "a secretive, self-inflating bureaucracy bent on over-regulating the lives of [the EU's] citizens just to keep its staff in business".'²²

Such perceptions reflect the fact that the Commission does have authority and influence over the governments, institutions, organisations and individuals of member states, and that the precise nature of this authority and influence tends to be obscure in the public perception. Moreover, according to the 'bureaucratic politics' model of policy and decision making, the Commission can be seen as a relatively autonomous unit in the EC's institutional framework, with goals and strategies of its own which, under certain circumstances, it may successfully impose on other actors, such as national governments: 'In this approach, (...) the component units of a governmental administrative apparatus are assumed to be quasi-autonomous actors with their own goals, which they pursue through the policymaking process. Many or most of these goals may be held in common with other organizations in government, though some are confined to a particular organization.'²³ In the case of the Delors's Commission presidency, the bureaucratic politics model suggests that: 'By trying to focus attention on himself [Delors], the power of the Commission, and very broad goals of supranationalism, the president may be able to minimize the potential national opposition to specific policy initiatives within the Council.'²⁴ We develop in Chapter Four this perspective on Delors's influence in manoeuvring the EC's policy goals agenda from his post as Commission President. Perceptions of the Commission's excesses, however, often relate more to the Commission's political role than to its

²²D. Dinan, 'The Commission, Enlargement and the IGC', *ECSA Newsletter*, vol. VIII, no. 2, 1995, p. 13.

²³B. G. Peters, 'Bureaucratic Politics and the Institutions of the European Community', in Sbragia, A. M. (ed.), *Euro-politics. Institutions and Policymaking in the "New" European Community* (Washington D.C., The Brookings Institution, 1992), p.115.

²⁴Peters, 'Bureaucratic Politics', p.116.

function as a bureaucracy. This point is central to our understanding of the Commission's legitimacy, and to that of its President, Delors, in the period 1985-1995.

The Commission as a source of political leadership

We said above that what interests us in relation to the EC, and specifically the Commission, in the context of our Weberian framework for the study of democratic politics and legitimate leadership authority, is to know what provisions were made, in the founding treaties, for the political control of the new European bureaucracy. We have already said that in keeping with the federalist thinking behind the treaties, provision was made for a directly-elected European Parliament. The Parliament, however, was only given a fragment of the powers that a Parliament in a federal state would expect to have (in budgetary and legislative fields, for example), and the real locus of political control was situated elsewhere, in the Council of Ministers where representatives of the national governments sit. (After 1974, the Council of Ministers was joined by the European Council, whose members are the member states' Heads of State or Government.) In the ECSC, the Council of Ministers, as we have seen, could be bound by decisions of the High Authority. In the EEC, the treaty provided for movement towards a situation where a majority of ministers in the Council of Ministers would agree to be bound by the Commission's proposals and, as in national democracies, that this majority would in turn bind the Council (because it was representative, indirectly, of a majority of European people). A Court of Justice was established precisely to ensure that relations between the different actors (national governments, national peoples, the Council of Ministers, the Commission, the Parliament) took place as the treaties had intended. Politics, therefore, as Weber defined it – political control and authority – seemed designed to take place via the **national** level of political activity.

However, a form of political control was also and simultaneously established within the Commission itself, in the form of the College of Commissioners appointed by the

national governments. We have already said that the Commissioners are sworn to independence from the member states. Nevertheless, they are appointed by the national governments in the first place, and the national governments can choose to renew their term of office, or not.²⁵ The Commissioners are therefore appointed by democratically-elected national politicians, and in this way they derive a form of delegated political authority from the manner of their appointment; this is a point expressed by Page and Wouters: ‘The central question posed in this article is that of the capacity for commissioners to exercise political leadership within the system of bureaucratic politics of the European Community rather than become yet another player in the bureaucratic political system. Can the Commissioner claim to represent a legitimacy which is not simply based upon bureaucratic hierarchical rank but reflects that fact that his appointment is a political one – made through the elected government of his home country? Has he both the will and the ability to sustain this claim?’²⁶ Furthermore, in keeping with a dominant mode of political organisation at the time of founding the Communities (and which was particularly prevalent in France, the country most responsible for the shape and principles of the founding

²⁵The appointments procedure has itself raised many questions concerning the Commission’s authority. Pre-Maastricht, the Treaty requirement for a ‘common accord’ between Heads of State and Government on all appointments (Article 158, EEC: ‘The members of the Commission shall be appointed by common accord of the Governments of the Member States. Their term of office shall be four years. It shall be renewable’) became in practice a source of bilateral and multilateral horse-trading between member states in which the appointees’ suitability for the job of Commissioner on the grounds of expertise and experience was often eclipsed by arguments concerning political regional, linguistic and other affiliations. A key study of this question concluded in 1973 that: ‘The present appointment procedure does not satisfy those who look upon the European Commission as a political body. For this it has three serious flaws: the dependence of the Commissioners on the governments that appoint them, the lack of Community legitimacy which is experienced as such, and the absence of democracy.’ K. van Miert, ‘The Appointment of the President and the Members of the European Commission’, *Common Market Law Review*, vol. X, 1973, p.272. See also, for an early extensive study of the appointments procedure and practice: N.-C. Braun, *La Fonction supranationale. Présidents-Membres-Juges des Communautés européennes. Etude comparée des personnalités et des colleges* (Paris, FNSP, 1967, doctoral thesis); ‘Rapport de la Commission institutionnelle sur le rôle des experts nationaux et le droit d’initiative de la Commission’, Parlement européen, documents de séance, 6 December 1993; ‘Rapport de la commission institutionnelle sur l’indépendance des membres des institutions communautaires’, Parlement européen, documents de séance, 28 January 1994; J.-V. Louis, ‘La désignation de la Commission et ses problèmes’, in J.-V. Louis and D. Waelbroeck (eds.), *La Commission au Coeur du système institutionnel des communautés européennes* (Brussels, Editions de l’Université de Bruxelles, 1989). The Maastricht Treaty revised the appointments procedure to allow the European Parliament more control over the member states’ appointees, especially the President, and theoretically to allow the President some say over the choice of his fellow Commissioners; we discussed this development and its significance in Chapter One.

²⁶E.C. Page and L. Wouters, ‘Bureaucratic Politics and Political Leadership in Brussels’, *Public Administration*, vol. 72, no. 3, Autumn 1994, p.450.

treaties), it was assumed that the members of the Commission would themselves be individuals with a link to politics, perhaps in the form of a past political career; or in terms of their range and reach of expertise and knowledge.

This link between Commissioners and representative politics was further reinforced by the treaty provision that the college of commissioners as a whole was answerable to the European Parliament.²⁷ In reality, the EP has never overturned the Commission, and even if it did, there is nothing to stop national ministers from reappointing the same college.²⁸ The development of the Communities has been such, however, that the link between the Commission and the Parliament has in fact grown stronger over time, to the point where in 1994-5, under the provisions of the Maastricht Treaty, individual Commission members, and the President, were answerable to the Parliament, and the term of the Commission's mandate was increased from four to five years to align with that of the EP, and so potentially more directly to reflect the ideological constellation of the MEPs during the five-year term. The potential authority of the Commission President, moreover, was enhanced by the Maastricht provisions, as we saw above. These were developments which had been recommended in similar terms by earlier studies of and enquiries into the Community's decision-making and institutional system, but which had not been the subject of inter-governmental consensus before the period of the Maastricht Treaty: 'it may be argued that some specific provisions of the [EEC] Treaty concerning the collegiate responsibility of the Commission to the Parliament are very close to those of the government in many countries (unlike international secretariats), with the difference that the Community is ruled by specific provisions of a written constitution rather than by constitutional conventions.'²⁹

²⁷EEC Article 144: 'If the motion of censure [on the activities of the Commission] is carried by a two-thirds majority of the votes cast, representing a majority of the members of the European Parliament, the members of the Commission shall resign as a body.'

²⁸See J.-L. Clergerie, 'L'improbable censure de la Commission européenne', *Revue du droit public et de la science politique en France et à l'étranger*, 1995, vol.1, pp.201-220.

²⁹Cassese and della Cananea, 'The Commission of the European Economic Community, p.82. Earlier suggestions for reforming the Commission had also proposed a stronger link between the Commission and the European Parliament; see S. Henig, *Power and Decision in Europe* (London, Europotentials, 1980), pp.105-117 for a discussion of the various proposals for reform of the EC's institutions and their

Our point here is that the founding treaties were deliberately ambiguous concerning the locus of political authority and control in the Communities. They had to express federalist hopes for the end of the nation state (and so, in the federalists' view, the end of international war); for the functionalists' urging towards the rational reconstruction of Europe's economic structures and strength; and for those national governmental delegates to the Treaty negotiations who were convinced that national governments remained the ultimate source and locus of democracy.³⁰ This deliberate ambiguity was consequential: whereas the High Authority's and then Commission's **functions** were clearly supranational, its **authority** was less clearly so.³¹ Jean Monnet's invention was a deliberate and experimental attempt to construct a new political system on top of (*supra*) the member state polities, with its own institutions, goals, procedures, processes and norms. It has often been described as *sui generis* because it did not replicate, or even approximate to, any existing political system: it was the

provisions for the Commission. The Vedel report of 1971 had proposed that the President of the Commission should be invested by the Parliament; as did the Tindemans report, with the added proposal that the President would, once invested, 'be able to choose his own colleagues subject only to the national quotas.' (Henig, *Power and Decision*, p.110). Dirk Spierenburg, in 1979, also recommended greater presidential control over the appointment of Commissioners, and suggestions for internal Commission reform. Finally, the Committee of Three 'urge that the Commission demonstrate greater coherence in the organization of initiatives and proposals.' (Henig, *Power and Decision*, p.116). For more detail on the Spierenburg report see C. Russell, 'Roy Jenkins: the end of an epoch', *Contemporary Review*, vol. 237, no. 1374, pp.8-9. For analysis of the various reform proposals see also: J. Vandamme, 'The Tindemans Report (1975-76)' in R.Pryce (ed.), *The Dynamics of European Union* (London, Routledge, 1989). For the text of the reports on reform, see: 'Report of the Working Party Examining the Problem of the Enlargement of the Powers of the European Parliament, Report Vedel', *Bulletin EC, Supplement 4/72*; 'Report by Mr Leo Tindemans to the European Council. Commission of the European Communities', *Bulletin EC, Supplement 1/76*.

³⁰Monnet's original plans for the ECSC's institutions included neither an assembly nor a council of ministers: 'In his original project for the European Coal and Steel Community Jean Monnet envisioned a High Authority endowed, in limits to be fixed by the treaty, with considerable independence and tied neither to a parliament nor to a council of representatives of member states. From the very beginning of long negotiations, however, he realized that it was necessary to accept these two supplementary institutions, the first because of a certain democratic necessity and the second because of the jealousy of the governments for their own sovereign rights.' Spinelli, *The Eurocrats*, p.27.

³¹P.-O. Lapie, *Les Trois Communautés. Charbon-acier, Marché commun, Euratom* (Paris, Fayard, 1960), pp.47-8: 'Voilà le grand mot lâché, la qualificatif supra-national qui a fait couler tellement d'encre. On notera que c'est la seule fois où il ['supranational'] est prononcé dans le Traité de la CECA et simplement à l'occasion de la fonction de ses membres; il ne sont pas délégués diplomatiques à une conférence internationale, ils doivent être animés de l'esprit communautaire. Ce terme ne signifie pas que la Haute Autorité soit super-nationale par une sorte de supra-souveraineté, mais que des délégations de pouvoirs ont été données par des conventions entre six Etats à une autorité européenne dans l'application de certaines mesures pratiques, d'ailleurs de grande importance. Sur le terrain politique, (...) l'équilibre doit se faire entre l'esprit communautaire qui anime les membres de la Haute Autorité, et la représentation directe des intérêts nationaux qui est apparente au sein du Conseil des Ministres.'

compromise of negotiations between member states **united** over their goal – to overcome the effects of European war and prevent it occurring again – but **divided** over the means of achieving that goal: how to arrange the sharing of power between the new Community institutions and the national governments.³² The Monnet-Schuman faith in the capacity of institutions to provide guidance to individuals in a new political and philosophical venture (the establishing of a new economic community) is clear, moreover, from the preamble of the ECSC Treaty, as seen above. The founding acts of the ‘Community system’ were, therefore, the product of a compromise based on a consensus achieved in exceptional and extraordinary circumstances, and as such was inherently vulnerable to changes in the nature of that consensus, as expressed by Coombes:³³

This important change in the pattern of government in Western Europe had been brought about without a direct or deliberate challenge to the political authority of the governments of the states concerned, and without the need for a general constitutional division of powers between the Community and the states. The treaties on which the development of the Community was based provide only for common institutions with very limited autonomy and for the most part with powers confined to the specific enactments envisaged by the treaties. (...) the Community still does not have the same constitutional basis for its authority as do the member states. (...) In making this progress, the Community relied greatly on the prevailing consensus among the national governments. What mattered was the willingness of the members to identify national interests with the successful implementation of the treaties. (...) Integration really depends on sustaining an effective balance of interests among states.

³²Coombes, *Politics and Bureaucracy*, p.329: ‘(...) the Commission is a most interesting hybrid kind of body. “Political” characteristics such as a sense of shared commitment and purpose, relative independence of the national governments, the right to publicize its views and to canvass moral support, a collegial system of leadership which is not bound by the same rules as the rest of the organization, are found alongside bureaucratic traits such as the fact that the members are appointed not elected, that its powers are delegated not intrinsic and that it is not directly accountable to a Parliament or an electorate. However, this is a good point to recall that this juxtaposition of seemingly contradictory formal characteristics is not entirely accidental or irrational. In the circumstances of the Community, as seen particularly by people such as Jean Monnet and others more or less associated with the “functionalist” approach to integration, the establishment of a supranational institution with these extraordinary features had a special appeal. In the first place, the Commission was entrusted with protecting and furthering the European idea (...). On the other hand, a directly representative kind of body was undesirable because it would have challenged the sovereignty of the member States. (...) Finally, the Commission’s task was to be an extremely technical one, particularly in the first years, and the service of men, chosen to a large extent for their competence as much as for their conviction, was essential.’

³³D. Coombes in C. Sasse *et al*, *Decision Making*, p.252. See also A. Shonfield, ‘After Brussels’, p.728: ‘(...) integration is only given shape in Brussels, but has to be willed elsewhere (...).’

In this respect, and in this new, experimental Community, the legitimacy of the High Authority (and of the Community system as a whole) was defined and determined by the urgency of the practical matter of rebuilding economies and raising standards and quality of living (and so by the need for long-term vision which put 'Europe' before France, or Germany etc; and for practical methods of addressing and resolving the economic and structural problems of the moment). As such, its legitimacy seemed to be a question of its technical expertise and knowledge and, less easy to define or measure but real nonetheless, its commitment to the 'general interest' of Europe, rather than to (or at the very least, as well as) the territorially-based interests of its component member states.

This commitment to the general interest was the reason why the High Authority's (and then the Commission's) members were granted independence from the member states (as we have seen, they had to swear to uphold this independence as a condition of taking office), who could appoint and renew their membership, but not issue them with direct instructions, or recall or dismiss them at will.³⁴ Furthermore, these members were, first, to be appointed because of their general competence;³⁵ second, to reach majority decisions (to act collegially)³⁶ and third, to be supported by a European 'civil service', for the organisation of which the President of the High Authority would have responsibility.³⁷ These were the conditions under which it was expected that the High Authority would bring about the integration of the coal and steel sectors of the six ECSC members and so realise the Community's general interest.

³⁴The members of the High Authority shall exercise their functions in complete independence, in the general interest of the Community. In the fulfillment of their duties, they shall neither solicit nor accept instructions from any government or from any organization. They will abstain from all conduct incompatible with the supranational character of their functions. Each member State agrees to respect this supranational character and to make no effort to influence the members of the High Authority in the execution of their duties.' Treaty of Paris, Chapter I, Article 9.

³⁵The High Authority shall be composed of nine members designated for six years and chosen for their general competence.' Treaty of Paris, Chapter I, Article 9.

³⁶The High Authority shall act by a vote of a majority of its membership.' Treaty of Paris, Article 13.

³⁷It [the High Authority] may institute study Groups and specifically an economic study Group. Within the framework of general organizational regulations established by the High Authority, the President of the High Authority shall be responsible for the administration of its services, and shall insure the execution of the acts of the High Authority.' Treaty of Paris, Article 16.

The outcome was a Community system in which political authority has been fragmented and shared between the Community institutions and the member state governments (these acting both within and outside these institutions), and, moreover, in which provisions for collective and collegial forms of political leadership outweigh those made for individual (and so, potentially, 'charismatic' or 'traditional') leadership: 'The European Community has no clear focal point within its various institutions. Though both the Council of Ministers and the Commission have Presidents, the buck stops with neither. No single political office-holder can lay claim to preeminent authority or influence. There is little scope for the systematic exercise of political leadership in the form with which we are familiar from the experience of the national state.'³⁸ In these respects, the question of who or what would control the bureaucracy set up by the founding treaties was never really addressed in explicit terms, nor, more to the point, resolved by experience. This is why, in 1996, the member state governments of the EU still found it necessary to convene an IGC to discuss, amongst other things, ways in which political control could be made more democratic, visible, and answerable to the EU's electorates.

Because authority was fragmented by the treaties, it proved difficult, in reality, for political leaders (whether in the Council of Ministers, the European Parliament or the national capitals) to exercise effective control over the Commission bureaucracy under the terms of the treaties. The Commission, in implementing the rules of the treaties, came increasingly to be seen as at the hub of a new polity which has been described by Page, as we saw above and recall here, as a 'leaderless pluralism': 'the term "leaderless pluralism" (...) acknowledges the fact that in the absence of a focus of authority, such as provided by a cabinet within a nation state, a variety of institutions, some dominated by politicians and others by officials, share it. (...) The policy process is characterised by a form of bureaucratic politics in which the balance

³⁸H. Wallace, 'The Presidency of the Council of Ministers of the European Community', *The Presidency of the European Council of Ministers: Impacts and Implications for National Governments* (London, Croom Helm, 1985), p.1, quoted in E. C. Page, *Political Authority and Bureaucratic Power. A Comparative Analysis* (Brighton, Harvester Wheatsheaf, 1992, second edition), p.192.

of forces and the outcome of the policy process cannot be significantly shaped by publicly articulated preferences. (...) Authority is not the property of an individual, but is exercised either as delegated authority or as the result of an extended process of negotiation between a variety of institutions.’³⁹

The mere fact of having being established by written and binding texts (the treaties) meant that the Communities tended towards becoming a polity in which authority was intended to be derived from rational-legal provisions, rather than from ‘traditional’ or ‘charismatic’ forms of legitimacy (the belief in individuals and their claims to authority), since these latter forms would imply and require that the Community was built on a shared set of traditions and sense of the ‘eternal yesterday’; or that the people of the Community would be able to agree that a particular ‘charismatic’ leader represented their best interests. The chances for a single ‘charismatic’ leader to inspire allegiance in a multi-national, multilingual community based on many different national (and infra/sub-national) traditions were clearly very small.

It follows from what we have said above, however, that, according to the Community design, the most logical place for such ‘European’ political leadership to emerge was the Commission. The Commission was invested with the authority to formulate and safeguard the ‘general interest of the Communities’, implying that it could see beyond, and reconcile, divisive national and partisan interests. It was given the bureaucratic authority to implement the general interest, and the authority associated with technocratic methods of politics. Furthermore, it was linked, indirectly, to the representation of ‘Europeans’ (through the EP and through the democratically-elected national governments), and so enjoyed the sort of political authority which Weber deemed undesirable in a bureaucracy. On all these grounds (its responsibility to act in the general European interest; its technocratic authority; its indirect political and partisan links to a ‘European’ electorate) the Commission logically could be expected to provide a form of leadership in the sense of fulfilling

³⁹Page, *Political Authority and Bureaucratic Power*, p.193.

the federalist hopes for a Community based on a sense of community and shared values, and organised on majoritarian political beliefs that representative European leaders would subsequently be able to incarnate as the basis of claims to charismatic and traditional forms of authority.⁴⁰ It is in these respects that the Commission has often been described as ‘a political leadership’. When Coombes described the Commission in this way he was referring to the Commission’s ‘goal-setting’ and ‘initiating’ and ‘normative’ functions:

The first of these [functions] is that of Initiative. This function derives from some of the Commission’s most important legal powers, particularly that to initiate legislation. It also has the power to make recommendations on any matter that it thinks fit within the framework of the Treaty. (...) Initiation requires a degree of innovative activity which is not normally found in a bureaucracy, which is designed essentially for the execution of existing programmes. (...) Closely allied to this function of Initiative is another best described as Normative. (...) The way in which the Commission regards itself as having the right to interpret the Rome Treaty and to determine the Community interest is just as famous as its acts of initiative.⁴¹

This was the Commission’s ‘power of initiative’⁴², which was portrayed, by Coombes and others,⁴³ as political, in the sense of orienting the integration process and injecting choice – on the basis of a perception of the ‘general interest’ – into that process, much as a national government sets the tone and ideological content of its overall policy

⁴⁰At this point it is worth listing the Commission’s role and functions as it itself listed them in 1996: ‘The first task of the Commission is to initiate European policies. The Commission acts as the guardian of the EU treaties to ensure that European legislation is applied correctly. As the Union’s executive body, the Commission manages policies and negotiates international trade and cooperation agreements. The limits of the Commission’s authority are clearly defined. Legislative decisions are taken by the Council and the Parliament. The Commission is a lean administrative machine, providing cost-effective services for Europe’s citizens, firms and governments.’ Source: *EUROPA*, the Commission’s service on the Internet.

⁴¹D. Coombes, *Politics and Bureaucracy*, pp.234-5.

⁴²EEC Article 155 (2): ‘[In order to ensure the proper functioning and development of the common market, the Commission shall:] – formulate recommendations or deliver opinions on matters dealt with in this Treaty, if it expressly so provides or if the Commission considers it necessary.’

⁴³See E. Noël, ‘The Commission’s Power of Initiative’, *Common Market Law Review*, vol. 10, no. 2, May 1973, pp.123-136; L. Metcalfe, ‘After 1992’; K. Neunreither, in ‘Transformation of a Political Role: Reconsidering the Case of the Commission of the European Communities’, *Journal of Common Market Studies*, vol. 10, no. 3, 1972, pp.233-248, draws up two hypothetical ‘role models’: the Commission as ‘European Government’ and as ‘European Secretariat’, and lists the ideal qualities of each. On the basis of this typology, he demonstrates how the Commission, between 1958-1965, had ‘federalist’ qualities; how after 1966 it was more characterised by ‘functional bureaucratization’: ‘If the Community is considered as a system of government, one important function of such a system, i.e. the preparation and implementation of policies, has not been performed since 1965 and no other institution has taken over the Commission’s role in this sphere.’ (p.243) We see in Chapter Four how, between 1985 and 1995, the Commission reclaimed this function.

programme. Coombes, as we saw above, in relation to this political activity, also referred to the Commission's capacity and duty to be 'partisan and protagonistic' on Europe's behalf; to enact the spirit as much as the letter of the Treaty of Rome; to behave as the Community's 'conscience'.⁴⁴ It was in relation to these Commission activities that the situation we described above is to be understood, where the Commission was provided with a tenuous link to representative politics (in the sense of representing European politics and people), and was to be staffed by a new elite of European 'professional administrator[s] cum political operator[s]':⁴⁵ 'The Treaties also gave a political significance to the exercise of the power of initiative, when they laid down that the proposals of the Commission or at least the most important – would be submitted to the European Parliament for their opinion – that is to say, that they should be publicized and made the subject of a public debate by the representatives of the peoples of the Community.'⁴⁶

In Weberian terms, the Commission's nature as part-bureaucracy, part-political institution and leader, is problematical to the extent that for Weber, state bureaucracies were ideally removed from all forms of political responsibility, and should not be linked to representative politics, whereas the Commission fails to distinguish between the two types. Weber's view was based on the belief that bureaucracies did not contain the right sort of individual to ensure the provision of politics as he defined it: politics had to be left to the professional politician driven by ambition, political beliefs and convictions. At the same time, however, it is clear that the Community system does in fact allow to some extent for the separation of politics and bureaucracy, in terms of control, and the type of person recruited for each type of activity, in that the **College** of Commissioners (and their *cabinets*) are appointed on a

⁴⁴Michelmann, *Organisational Effectiveness*, p.15, interprets the Commission's duty as the Community's conscience in terms of '(...) propagandising activities including speeches by commissioners calling for community action, and publicity and information activities aimed at keeping the goals of the community in the public mind for the purpose of furthering European oriented action.' See also N. Nugent, *The Government and Politics of the European Union* (London, Macmillan, 1994, third edition) pp.120-121.

⁴⁵A. Shonfield, *Modern Capitalism. The Changing Balance of Public and Private Power* (Oxford, Oxford University Press, 1965), p.408.

⁴⁶E. Noël, 'The Commission's Power of Initiative', p.123.

very different set of grounds and criteria to the **services** – the directorates-general and their staff – of the Commission, which are recruited and trained in the manner of a bureaucratic civil service.⁴⁷

Given this context, the Commission presidency can be interpreted as a potential source of the kind of charismatic leadership that Weber considered necessary for unifying and integrating societies: an individual whose claim to authority would be made both on the grounds of personal qualities, and because of the ‘traditional’ values and expectations which he would incarnate as a ‘European leader’.⁴⁸ What we demonstrate below, is, first, that such a position is implied in the logic of the Community system; and second, that the history of the Commission can be construed as the history of its construction, accretion of, and claims to the legitimate exercise of authority, and that its President has been a central figure in the formulating of these claims. What we mean by this is that the Commission, historically, has been the site of permanent tension between, on the one hand, its ‘bureaucratic’ quality (its right and duty to interpret, implement and safeguard the legal rules and ‘statutes’ that are the treaties; to develop its ‘functional competence’ to achieve integration); and, on the other, its potentiality (given by the treaties, as we have seen), as a site for the **control** of this very bureaucracy on the basis of the European general interest, and the link between the Commissioners and the democratic representation of Europeans.

Studying the Commission as the site of competing claims to legitimacy in the terms of the Weberian framework consequently enables us to develop, first, an understanding of the processes by which Jacques Delors came to be widely perceived

⁴⁷R. Morgan, ‘Jean Monnet and the ECSC Administration: Challenges, Functions and the Inheritance of Ideas’ in *Jahrbuch für europäische Verwaltungsgeschichte*, no. 4, 1992, (*Die Anfänge der Verwaltung der Europäischen Gemeinschaft*), p.2: ‘(...) Monnet always made a distinction between the political role to be played by the institution as such and the preparatory and supporting role to be played by the administration attached to this institution.’

⁴⁸The Commission President’s authority also derives directly from the post itself: ‘The most prestigious and potentially influential Commission post is that of the Presidency. Although most important Commission decisions must be taken collectively by the seventeen Commissioners, the President is very much *primus inter pares*: he is the most prominent, and usually best known, of the Commissioners; he is the principal representative of the Commission is its dealings with other EU institutions and with outside bodies; he must try to provide forward movement for the EU and to give a sense of direction to his fellow Commissioners and, more broadly, to the Commission as a whole (...)’.

N. Nugent, *The Government and Politics of the European Union*, p. 88. Our interest in this thesis is in understanding how Delors drew on and expanded the authority of his presidential role.

both as a political leader of European integration **and** as an invading bureaucrat; why the Commissions he presided gained the reputation for being too political **and** too bureaucratic; and why his leadership was both asserted and contested on both grounds. Second, on the basis of the analysis of this chapter, and the more detailed study of Delors' presidency in the terms we are outlining here, we will (in Chapter Five) be able to draw more general conclusions about the politics of authority, leadership and legitimacy in the EU, in an attempt to contribute to the ongoing debate on democratising the Community. At a time when the EU is faced increasingly with situations where what is required is both more democratic efficiency and more efficient democracy, such a focus, on the relations between political authority and bureaucracy; between individual leaders and claims to authority, seems indispensable. This was a point raised by Coombes in the 1970s in relation to the Community system:

What makes the Community bureaucratic is not an excess of authority but a lack of it; its ways seem cumbersome, remote and ineffectual not because they override or ignore the will of the governments, but because their nerves are so exposed to it and because there is no alternative source of political will to support the common interest. The problem is not that national political will is not expressed clearly, or often enough, but that the means of reconciling national differences in the common interest are so weak. The conventional wisdom is perfectly right in maintaining that the Community's institutions lack the necessary legitimacy to perform that function. However, if the Community is to serve the interests of its member states, efficiently, it requires much more political authority, not less, than that which the treaties have given it up to now. This is the main reason why the problem of democracy in the Community is so closely related to that of efficiency.⁴⁹

The purpose of this section of the chapter has been to establish that the concepts of political authority, legitimacy and leadership in the EU context cannot be defined in precisely the same way as for national politics, and that this presents a challenge to the theory and practice of democracy.⁵⁰ We have discussed how the Commission is

⁴⁹D. Coombes in Sasse *et al*, *Decision Making*, p.335. See also E.C. Page, *Political Authority and Bureaucratic Power*, p.178: '(...) the EC has become so important that the questions posed by Max Weber concerning the scope for democratic control in a bureaucratic system must be raised in the European context. In fact these questions become especially pressing at a time when there appears to be little opposition from the major parties of the nations of the Community towards the principle of a more or less gradual development of greater powers and responsibilities for the European Community.'

⁵⁰There are methodological issues too. Although here we are primarily concerned with sources of information and analysis concerning the historical development of the Commission, we emphasise that

central to the ambiguity concerning the sources of political authority in the EU, and how to study its historical development will contribute to our understanding of questions of legitimacy and leadership in the EU, as raised by Page: 'From the perspective of the Weberian approach adopted in this book, the central question is not whether the executive and the civil service within the EC is powerful but rather what is the nature of political control over it?'⁵¹

The foregoing analysis suggests, moreover, that although the rearrangement of legitimacies which the Community system represented did not explicitly expect or anticipate that the role of the Commission would be **in opposition** to that of member state governments or bureaucracies, the logical conclusion of the Community design is that national governments would share authority with the new institutions, in the general interest, even to the extent of sharing the task of representative government: '(...) the Commission operates in a system founded on shared powers. Whilst in Montesquieu, "le pouvoir empêche le pouvoir", and the three powers are structurally and functionally separated, in the EEC constitution the powers are not divided, but shared, in three ways: a) among EEC institutions, along horizontal lines (Council-Commission); b) among EEC and national bodies, along horizontal lines (Commission-national administrations); c) inside the Commission.'⁵²

this is not a historical study as such, and so should not be judged by the standards of historical research. Our standards are those appropriate to a multi-disciplinarian perspective and to our intention to establish a chronological narrative account of the Commission's development. In writing this chapter we have drawn principally on mainstream secondary scholarship, emanating from two main periods: the 1970s and the 1990s. The literature of the 1970s almost exclusively represents a pessimistic interpretation of the Commission as an institution in political decline, while that of the 1990s represents a different perspective, seeking to explain what was perceived generally as a revival in the Commission's political character from the mid-1980s onwards. These moreover, are the only two periods from which significant scholarship on the Commission emerged. We have complemented these sources with two other main types of material: press reporting of the Commission's activity; and documents internal to the Commission. Where internal Community documentation is concerned, some of this is derived from the secondary sources referred to above (for example interviews conducted by researchers in 1970s and 1990s within the Commission i.e. those with privileged access); the remainder is gained from having studied speeches, and reports (eg. the annual report; the *Bulletin* etc.) produced by the Commission. First hand accounts of those personally involved in the Community have also been consulted. In general terms, the material used for this chapter is extensive, and reflects the ambiguity and controversies characterising the Commission's development over time, and perceptions of these.

⁵¹E.C. Page *Political Authority and Bureaucratic Power*, p.189.

⁵²Cassese and della Cananea, 'The Commission of the European Economic Community', p.82. See too: B. G. Peters, 'Bureaucratic Politics', pp. 76-7: '(...) neither conventional models of governing in an international organization nor those of governing in a European parliamentary democracy are adequate

The inter-governmental consensus on which the Community was established had suggested that member states were in agreement on a Community system in which they would share authority with the new institutions, as if in a positive-sum game. This was the idealistic, quasi-utopian character of the Community-building exercise. The history of the Community's development, however, and specifically the evolution of the Commission's position, attests to the fact that the Community has often been seen by member state governments as a zero-sum game, in which the Commission's authority challenges their own, and in response to which they devise methods of strengthening the 'intergovernmental' procedures for decision-making.⁵³ We illustrate these developments and their consequences in the following section of this chapter.

Defining the Commission: historical claims to legitimacy

We said above that the Commission provides us with a case study for the analysis of, first, the interaction of the individual leader with the rules of leadership: here, the case of the Commission President; and second, the arrangements in the Community system for the legitimation of authority. In the previous section of this chapter we described how the Commission was established at the centre of a Community system in which rational institutions were given priority over the unpredictability of personalised

for understanding the institutions designed to govern the European Community. (...) Instead, governing occurs on two levels. One is the level of very visible *haute politique*, in which the leaders of the member states meet as the European Council to negotiate among themselves over the future of Europe. (...) The second level of policymaking is the bureaucracy functioning within the Commission. (...) the main argument of this chapter is that the politics of the European Community is best understood as bureaucratic politics.'; K. Lenaerts, 'Some reflections on the separation of powers in the European Community', *Common Market Law Review*, vol. 28, 1991, pp.11-35; P. Ludlow, 'The European Commission', in Keohane, R. O. and Hoffmann, S. (eds.), *The New European Community. Decisionmaking and Institutional Change* (Boulder, Westview, 1991), pp.87-8: 'Far from separating the powers of the executive and legislative branches or distinguishing federal and state authorities, the Community system as defined in the Treaties and sanctioned by practice depends for its effectiveness on their intermingling.'

⁵³Lindberg and Scheingold, *Europe's Would-Be Polity*, p.94, expressed this development in 1970: 'Observers have usually described the Community institutional system in terms of conflicts between supranational power and national sovereignty. To do so is to assume that each gain in capability at the European level necessarily implies a loss of capability at the national level. We reject this "zero-sum" interpretation. European integration, although it may involve conflicts, is more accurately seen as a way in which new forms of decision capability are created to cope with new problems and to achieve new goals.'

claims to authority (whether at the inter-national or supra-national levels), and in which the Commission's bureaucratic qualities and role were overlaid by a political character, manifested in the Commission's links to representative politics, and in the power of initiative in the general interest of the Communities. We also said how, logically and empirically, this interpenetration of bureaucratic and political qualities was influenced by the Commission President. By analysing the Commission's historical development we can evaluate the role of the President in determining the Commission's role, the factors contributing to the President's leadership, and the consequences of this leadership for the Commission and the Commission's broader environment. We chronologically address these issues below.

From the High Authority to the Commission; from Walter Hallstein to Charles de Gaulle

We said that the Commission was established as the central institution in a Community which had emphasised the primacy of the low politics of functionalism over the 'high' politics of realist, concert-of-nations-style international diplomacy; and the rationality of policy-making by expert European-level committees over the personalised and often dramatic interventions of individual, national, political leaders. By the time the EEC was established, in 1957, however, the earlier form of this new model had already been diluted to account for national (particularly French) sensitivities to the emerging polity. Compared with the provisions of the Treaty of Paris (1951), the Treaty of Rome established a Commission with a greater scope of activity than the High Commission, since integration was now extended to cover the entire economies of the EEC member states,⁵⁴ but with reduced political authority.

This reduction was evident in superficial ways, such as the downgrading of the term 'High Authority' to 'Commission'; and in more consequential ways, such as the increased need for agreement between the Commission and the Council of Ministers

⁵⁴The Treaty of Rome essentially provided for Community action in the following areas: establishing a customs union; common policy in agriculture and transport; competition policy and commercial policy with third countries.

before the Commission's proposals could proceed, whereas the High Authority had been able to bind the Council by its decisions.⁵⁵ Furthermore, the appointments process for the High Authority had provided 'guarantees of greater independence' than that for the Commission, in that the mandate of the High Authority's members was longer (six, not four, years), and there was a treaty provision for the cooptation of a ninth member.⁵⁶ Finally, the authority and responsibilities of the President within the High Authority were explicitly mentioned in the ECSC Treaty, which was not the case of the EEC Commission President.⁵⁷ Explanations for these changes in the intergovernmental consensus which had allowed for the creation of the ECSC only a few years earlier are to be found principally in the internal politics of certain member states, again, especially France, and we examined these in more detail in Chapter One.

Such developments as these represented an early shift in the Community model from an emphasis on formulating the **general** interest of the Communities to the accommodation of **national** interests, and as such seemed to run counter to the internal logic of the Community system, as discussed above. As Haas wrote in 1968,

⁵⁵See K. Featherstone, 'Jean Monnet and the "Democratic Deficit" in the European Union', *Journal of Common Market Studies*, vol. 32, no. 2, June 1994, pp.149-170, pp.158-9: 'Under the Treaty of Paris, the High Authority had a different set of executive powers than was given to the Commission under the Treaty of Rome (EEC and Euratom) later. The High Authority was the 'driving force' behind the ECSC, whereas the Treaty of Rome provides for the Commission and Council to operate 'in tandem'. Even the change of title - "Commission" rather than High Authority - is indicative of a role being scaled down. (...) Still today, the Council acts in ECSC affairs mainly at the request of the Commission, which can take decisions and make recommendations (both of which are binding on Member States, to varying amounts) on its own account. The powers of the High Authority and the Commission therefore differed, but much of the philosophy underpinning the role of today's Commission stems directly from Monnet's conception of the High Authority.' See also P.-O. Lapie, *Les Trois Communautés*, p.51: 'La Haute Autorité disposait du pouvoir de décision. Elle l'exerçait seule dans la plupart des cas, avec avis conforme du Conseil dans certains cas expressément prévus par le Traité. Aussi bien dans les mécanismes montés, que dans l'esprit des rédacteurs - et ceci transparait dans l'ordre même où les institutions sont présentées dans le Traité -, l'équilibre des pouvoirs penchait en faveur de la Haute Autorité.'; Carnegie Endowment for International Peace, *International Conciliation*, no.517, March 1958, p.333: 'During the negotiations that preceded the signing of the Treaty, the supranational characteristics of the organs proposed in the Report [the Spaak Report] - already less pronounced than those of the ECSC - were further attenuated, principally at the insistence of the French delegation. The latter, concerned with the problem of ratification and bearing in mind the experience of the European Defence Community, insisted on multiplying escape clauses and increasing the number of situations requiring unanimity. France also obtained the partial abandonment of a precise timetable, which was one of the most original features of the project.'; Cassese and della Cananea, 'The Commission of the European Economic Community', pp. 86-7; D. Coombes, *Politics and Bureaucracy*, pp.84-5.

⁵⁶Spinelli, *The Eurocrats*, p.29.

⁵⁷See note 37 above.

the Community model had not anticipated that the Community's claim to define the general interest in low politics would be contested by national leaders; that, in other terms, the Commission would be challenged both on the grounds of its rational-legal authority (that is to say, that the Treaty texts would themselves be challenged), as well as on that of its more nebulous link to political authority in the form of representing European ideals, goals and, ultimately, peoples. The first major disruption to the Community method, however, when French President Charles de Gaulle contested the Commission's authority in 1965, represented precisely such a double challenge, as we saw in some detail in Chapter One.

The clash between de Gaulle and the Commission's first President, Walter Hallstein (7 January 1958–9 January 1966), occurred for a combination of reasons and had several consequences. The reasons amounted to a challenge by de Gaulle of a Community system in which the Commission had both rational-legal authority in significant areas of European-level policy-making; and, more significantly, a logical claim to a form of political authority in the senses which we have defined above: the formulation, articulation and promotion of the European general interest. What provoked the challenge was, specifically, President Hallstein's manner of enacting the authority of the Commission and its President. A direct consequence of de Gaulle's challenge was the postponement of the provision in the Treaty of Rome for extended qualified majority voting in the Council of Ministers (qualified majority voting making the imposition of specific national interests harder to obtain), and thus a distortion of the rational-legal provisions of the Treaty of Rome. Indirectly, the decision taken by the national leaders not to renew Walter Hallstein as Commission President beyond 1966⁵⁸ can also be seen as a consequence of de Gaulle's challenging of the developing Community system.

⁵⁸De Gaulle also obstructed Etienne Hirsch's renewal as Euratom President: 'Governments exercise power, in the first place, through their appointment of the Commission. (...) In Euratom, M. Hirsch was not reappointed as French representative (and President) at the end of his term of office, and he made clear in a speech to the Parliament that this was because he had voted in ways of which President de Gaulle disapproved.' Pickles, 'Political Power', p.74.

In the Treaty of Rome's provisions for the transitional programme by which the Community would establish a customs union, the Commission had been conferred rational-legal authority in the form of a specific programme (a set of tasks) and a specified timetable in which to complete them:

(...) the Hallstein Commission was provided from the outset with a relatively detailed action program and a corresponding timetable to be observed in respect of all its essential features. The overall objective of this action program was the establishment and functioning of the Common Market. We emphasize the fact that the essential task of the Hallstein Commission was to implement the transitional period program because it is a determinant factor in understanding the initial picture of the Commission within the Community system. The existence of that transitional program was, in effect, a political trump card in the hands of the Commission inasmuch as it guaranteed a positive outcome for its proposals. The member states, in having concluded and ratified the treaties, were bound to pursue the concrete objectives concerned in accordance with the timetable they had decided upon. Consequently, not only were the powers of intervention of the Commission assured, but under the terms of the treaty it was bound to apply them.⁵⁹

Between 1958 and 1965, the Commission had enacted that authority with the effect of accelerating the timetable for completing the customs union.⁶⁰ It had also acted in other areas of the integration process, such as the Common Agricultural Policy. When in 1965 de Gaulle challenged the Commission's set of proposals for further integrative action, his challenge concerned both the Commission's rational-legal authority to complete the transitional programme and beyond, and what he perceived as the Commission's intent to establish itself as a political institution.

These proposals, the manner in which Hallstein made them, and their consequences, have been well documented.⁶¹ In essence, the Commission made a set of proposals

⁵⁹C. Sasse *et al*, *Decision-making*, pp.183-4.

⁶⁰We have said that Hallstein was obliged by the Treaty of Rome to steer the Community through its transitional period of 12 years. In 1959, Hallstein proposed to accelerate this period and accomplish it before the 12 year deadline. See Commission of the European Community, *Communication de la Commission au Conseil et aux gouvernements des états membres, Initiative 1964. Pour une accélération du marché commun* (Paris, Les Documents Communauté européenne, 25 October 1964). Observers interpreted this decision as a political act on the part of the Commission President: see E. Noël, 'The Commission's Power of Initiative', *Common Market Law Review*, vol. 10, no. 2, May 1973, pp.123-136; K. van Miert, 'Les aspects politiques de la pratique du droit de proposition de la Commission des Communautés européennes', *Chronique de Politique étrangère*, vol. 22, no.2, March 1969, pp.205-234; E. Davignon, 'Renforcement de la Communauté européenne: le rôle de la Commission', *Studia Diplomatica*, vol. 32, no.5, 1979, pp.465-476.

⁶¹See, for example, C. Sasse *et al*, *Decision Making*, pp. 188-9: 'These proposals were presented in March 1965, and their boldness came as a surprise even to the most optimistically minded Europeans:

'designed to affirm the irreversibility of the integration process and to strengthen the Community system'.⁶² De Gaulle rejected the manner in which the proposals were linked, as well as the fact that they were presented to the European Parliament before being taken to the Council of Ministers. De Gaulle subsequently withdrew his ministers from the Council of Ministers for a period of six months, provoking what became known subsequently as the 'empty chair crisis'. De Gaulle's action, at one level, was intended to mark his disapproval of Commission proposals to link a settlement of the financing of the Common Agricultural Policy, of which the French approved, to increased control for the European Parliament over this financing, to which the French were opposed; at another, more fundamental level, it was in protest at moves to implement widespread majority voting within the Council of Ministers, as provided for in the Treaty of Rome. At yet another, more general level, de Gaulle was reacting against a climate which appeared to favour, or at least not challenge, a more politicised role for the Commission. One feature of the outcome of the empty chair policy was effectively to question the nature of the Commission's role in political issues. The so-called Luxembourg Compromise, which succeeded in bringing the French government back into the Community system, provided subsequently, in practice, for a prolongation of the unanimous voting procedures which were supposed to have given way, according to the treaty, to more widespread majority voting.

The consequences of de Gaulle's clash with the Commission were long-lasting: the habit of unanimous voting in the Council of Ministers (or not voting at all in order to avoid potentially divisive votes) became engrained, and reduced the likelihood of the

1. They aimed at further accelerating the process of European integration. The Commission fixed 1 July 1967 (a date almost three years in advance of the target date hitherto contemplated) as the final date for the realization of a single Common Market for agricultural produce and the abolition of all intracommunity customs duties on industrial products. 2. They aimed at providing, as of 1 July 1967, the communities with their own funds in place of the budgetary contributions made by member states for financing Community expenditure (...). 3. They aimed at strengthening the budgetary powers of both the European Parliament and the Commission, a measure that would imply amendments being made to the relevant texts of the Treaty of Rome.'; J. Lambert, 'The Constitutional Crisis 1965-66', *Journal of Common Market Studies*, vol. 4, no. 2, 1965, pp.195-228; K. van Miert, 'Les aspects politiques'.

⁶²Sasse et al, *Decision Making*, pp.188-9.

Commission having its proposals endorsed by the Council of Ministers, thereby distorting the Community method as it had earlier been interpreted and enacted, and contesting the Commission's place in a Community system which had anticipated and provided for European law politics being carried out, or at least significantly influenced, by European institutions. Furthermore, de Gaulle was contesting the Commission's right to act as if it had a political will and identity of its own, and he invoked the legitimacy of national sovereignty in doing so. Put in other terms, he considered that Hallstein, in the way he had linked the proposals, on his own initiative, and in the way he had unveiled them to the member states by appealing first to the European Parliament, and in his discourse surrounding these proposals, had made a political act, claiming to represent European interests and goals. There were other manifestations of the Commission's tendency, as de Gaulle saw it, to claim political authority: in Hallstein's federalist discourse; in Hallstein's claim to the pomp and ceremony usually reserved for national leaders (such as de Gaulle).⁶³

In the terms of our analytical framework, the clash between de Gaulle and Hallstein (and through Hallstein, the Commission), suggests a number of remarks. First, and as Haas noted in his preface to the 1968 edition of *Uniting Europe* (as we saw in Chapter One), the Community system had not anticipated that a national leader would reclaim for the national level the law politics which had been assigned to the Community and its new institutions. De Gaulle did, however, base his challenge partly on such grounds – the Commission's rational-legal authority – with the consequence of restricting these grounds themselves (through the prolongation of unanimous voting procedures in the Council of Ministers). The Commission's right

⁶³In so far as the Hallstein Commission consistently maintained that its role was not limited to the exercise of technical functions and, furthermore, that it made no secret of its federalist aspirations, a confrontation between the Commission and the French was sooner or later inevitable. The situation at the beginning of 1965 was highly favorable so far as the Commission was concerned. Lindberg notes that in the spring of 1965, the Commission was at the height of its powers: its preponderant role in the integration process was generally accepted, the Common Agricultural Policy was all but realized after great struggle, and speaking of all this to American journalists, Walter Hallstein, President of the Commission, said he could be considered as a kind of Prime Minister of Europe.' C. Sasse *et al*, *Decision Making*, p.185.

to claim European authority on the grounds of securing the functional needs of European people had therefore been contested.

Second, it was the Commission leadership of Walter Hallstein which provided the pretext for de Gaulle's intervention. Hallstein's Commission presidency can be described as charismatic, in the way we defined this term in Chapter Two, in a number of respects. As we have already mentioned, Hallstein represented the Commission to its external constituencies – national leaders within and outside the Community; organised interests; the European Parliament (and beyond the Parliament to European people) – in a manner which suggested the leadership of a national premier. Hallstein maintained and promoted a discourse of European unity, and drew on the intergovernmental consensus which had drafted the Treaty of Rome as his basis of authority. He emphasised the Commission's political role in the integration process: '(...) Walter Hallstein has vigorously affirmed the political character of the Community undertaking, repeating on various occasions that the Community is not in business but is in politics.'⁶⁴ In these respects Hallstein was enacting a charismatic form of leadership in his attempts to represent the European general interest, transcending national and partisan divisions; enacting the spirit of the Treaty of Rome and the 1955 consensus.

Within the Commission, Hallstein invented working methods and procedures, and instituted a working climate which overcame some of the Commission's internal rigidities (due to its other role as the Community's bureaucracy which had given it a civil-service type structure: hierarchical and compartmentalised – overlaid, in the Commission's case, with divisions of language and culture; national and partisan affiliations which existed despite the Commission's independent, European character).⁶⁵ Internally, under Hallstein's presidency, the Commission was able to deliver the programmatic-type performance required to implement the transitional

⁶⁴Spinelli, *The Eurocrats*, p.133.

⁶⁵See Sasse *et al*, *Decision Making*, pp. 170-1 on the Commission's internal weaknesses.

programme.⁶⁶ To a large extent, Hallstein had the advantage of being the first Commission President, and so to some extent could control the size of the Commission (and keeping the administration small was one of his priorities). Similarly, he presided over the Commission before it became the Commission of all three Communities (EEC, Euratom and ECSC) and before the Community's first enlargement which included, among others, the large member state of the UK. Even so, Hallstein closely controlled the organisation of the Commission's work (much as Monnet had done as first President of the High Authority⁶⁷), and this enabled the Commission to function internally in such a way as to achieve the tasks set out for it by the treaty: '(...) the Commission was conceived by its President as an independent body with an extensive and highly informed administration and with a well-defined organizational design.'⁶⁸ Moreover: 'The intellectual vigour and the will-power of one man shaped the mould and longer after his, Hallstein's, departure, the whole thing grew enormously within the same mould, in spite of the passage of so many Presidents and Commissioners and in spite of such profound changes and changing circumstances.'⁶⁹

⁶⁶Emile Noël's recollections of the first Commission of the EEC under Hallstein's presidency provide detail of Hallstein's personal stamp on the organisation of the institution (Noël was the Executive Secretary of the Commission of the EEC from 1958-1967; Secretary-General of the Commission of the European Communities 1967-1987.) See G. Ionescu, 'Speaking Notes with Emile Noël on the Administration of Europe', *Government and Opposition*, vol. 17, no.1, Winter 1982, pp.35-47; E. Noël, 'Témoignage: l'administration de la Communauté européenne dans la rétrospective d'un ancien haut fonctionnaire', *Jahrbuch für europäische Verwaltungsgeschichte*, no. 4, 1992 (*Die Anfänge der Verwaltung der Europäischen Gemeinschaft*), p. 150 and pp. 157-8.

⁶⁷Cassese and della Cananea, 'The Commission of the European Economic Community', p86; see also: D. Spierenburg and R. Poidevin, *The History of the European Coal and Steel Community. Supranationality in Operation* (London, Weidenfeld and Nicolson, 1994) for an account of Monnet's presidency of the High Authority; P. Reuter, *La Communauté européenne du charbon et de l'acier* (Paris, Librairie générale de droit et de jurisprudence, 1953); R. Morgan, 'Jean Monnet and the ECSC Administration: Challenges, Functions and the Inheritance of Ideas' in *Jahrbuch für europäische Verwaltungsgeschichte*, no. 4, 1992 (*Die Anfänge der Verwaltung der Europäischen Gemeinschaft*).

⁶⁸H. J. Michelmann, *Organisational effectiveness*, p.54; R. Vahl, 'The European Commission on the road to European Union', p.303: '(...) personal qualities, such as skill, imagination, energy, and a nose for what is politically feasible, seems to be relevant. In this respect, the personal qualities of the leadership of the Commission stands out. The Commission President and the Secretary General of the Commission are both determining the functioning of the Commission to a high extent. The manner in which they run the Commission, and the way they guide the Commission in the decision-making process, is crucial for the Commission's effectiveness.'

⁶⁹G. Ionescu, 'Speaking Notes with Emile Noël, pp.37-8.

We see in Chapter Four that in a similar fashion, Delors, thanks to his authority inside the Commission, this based (as with Hallstein⁷⁰) on several factors which we discuss in depth in Chapter Four, such as personality, personal experience and knowledge, also presided over a Commission which produced programmatic output despite the bureaucratic structures of the Commission which inherently inhibited such output, and in this respect demonstrated the significance that the Commission President has, historically, been able to exercise within the Commission: ‘The President can not really be considered as more than a “first amongst equals”, but he does have considerable influence in shaping the overall style of the Commission, reinforced by his control over the secretariat. Clear differences can be discerned in the different Presidencies. Hallstein was nearest to adopting a Prime Ministerial style (...). The leadership of Rey, Malfatti, Mansholt and Ortoli tended to be lower key and more technocratic. In contrast Jenkins – the most senior national politician ever to serve on the Commission – has adopted an almost Presidential style.’⁷¹ Delors, like Hallstein, employed idiosyncratic ‘management’ methods; he was often described, for example, as having centralised and presidentialised the Commission to productive effect, without, however, instigating any longer-lasting structural reform.⁷² Whatever his methods for organising the work, he did enable the Commission to produce the sort of strategic plans and programmes that it had initially produced under the first years of Hallstein’s presidency.

What we have said in the preceding paragraphs is that President Hallstein made charismatic-type claims to authority within the Commission in order to overcome the weaknesses inherent in the Commission’s internal structures in respect of the production of strategic and reflective programmes: a further manifestation of the tension between the Commission’s bureaucratic and political roles. It is in this sense

⁷⁰Amongst the factors enhancing Hallstein’s authority was the fact that he had chaired the German delegation at the ECSC negotiations, and had been German Foreign Secretary before taking up the Commission presidency.

⁷¹Henig, *Power and Decision*, p.40.

⁷²This was less true of later years: See, for example, J. Fitzmaurice, ‘The European Commission’ in A. Duff et al (eds.), *Maastricht and Beyond. Building the European Union* (London, Routledge, 1994), pp.184-5.

of instituting the non-routine that such comportment is charismatic in our understanding of the term.

We have examined in some detail the events of 1965-66 because of their significance for the development of the integration process, and for our understanding of the functioning and malfunctioning of authority within the Community system. In a system designed for the rationality of low politics, and which accordingly granted authority to the Commission, directly to enact rational-legal type provisions; and indirectly (and vaguely, and ambiguously) to provide an embryonic site of **European** political authority and leadership, a Commission President such as Walter Hallstein could successfully enact these provisions, giving primacy to the general over national interests, and enacting the logic of the Community system. President de Gaulle, in contesting Hallstein's authority,⁷³ contested the logic of the system and, for many years, slowed down the growth of the system itself. He refused to accept that the Commission could claim the responsibility of defining a Community interest: who were Hallstein, or the Commission, representing, and how? Hallstein was not even elected. Hallstein's 'premature' unveiling of the 1965 proposals to the EP were, therefore, for de Gaulle, misplaced, since the French President refuted the Commission President's link, however tenuous the treaties had made it, to representative politics.

De Gaulle, on the other hand, could claim directly to represent the French people (through, for example, the numerous plebiscitary referendums and legislative elections held since he came to power in 1958, including the 1962 referendum revising the French constitution in order directly to elect the French President, under the terms of which de Gaulle was himself directly elected in December 1965). He represented French sovereignty and French interests, and on these grounds his action was intended to reclaim the right for national leaders (or at least, the French

⁷³One of de Gaulle's conditions for returning to the EEC institutions was to downgrade the Commission's right to receive foreign visitors on behalf of the Community with pomp and ceremony; see *The New York Times*, 9 July 1966, 'De Gaulle Forces Commission to Drop Ceremony of Ambassadorial Kind'.

President) to make charismatic and traditional type claims to authority. What was the Community's nebulous 'general interest' in comparison with France's centuries of national traditions, its 'eternal yesterday' (one of the Weberian sources of traditional authority) and its universal values? We said above that the Commission President is one **possible** source of political leadership of the European people, since he can claim authority in the name of the general interest and is, albeit very indirectly, linked to the democratic process in each of the member states. It was to break this tenuous link that de Gaulle intervened so dramatically; Hallstein, on the basis of a claim to the **spirit** of the Treaty of Rome as well as its letter, had emerged as a potential form of leader of the Community, as the logic of the system dictates, but does not ensure.⁷⁴

After de Gaulle: reduced bases of Commission authority?

Following de Gaulle's intervention in the Community system, the Commission's authority was reduced on several grounds. First, in rational-legal terms, there was in any case what has been called an 'exodus from the treaty' once the transitional programme was completed, which it was in 1968, two years early, as seen above. The Commission's legal-rational base had shrunk, in the sense that certain of the treaty provisions had been fulfilled, thereafter reducing the scope of the Commission's formal, incontestable authority to initiate policy. Second, one effect of de Gaulle's challenge had been to alter the Community system – to delay majority voting – with the effect of reducing the Commission's capacity to enact what rational-legal authority it had. Third, in challenging Hallstein in the way discussed above, and then blocking his renewal as President, de Gaulle had challenged the Commission

⁷⁴See *Combat*, 30 October 1962: 'La commission exécutive du Marché commun vient de souligner, dans une déclaration, le caractère nettement politique de l'intégration économique de l'Europe. Il serait contraire à la réalité, est-il dit dans la déclaration de la "commission Hallstein", de considérer qu'il y a d'un côté "l'économique" – qui serait mis en commun dans le cadre de la CEE – et de l'autre côté "le politique", pour lequel la tâche essentielle resterait à accomplir grâce à "l'Union politique". (...) La CEE, ajoute la déclaration, n'est donc nullement une entreprise purement économique qu'il faudrait doubler d'une entreprise politique. Au contraire, on peut confirmer qu'avec la Communauté l'intégration politique est déjà commencée dans un domaine essentiel, alors que d'autres domaines – politique culturelle, élément restant de la politique étrangère, politique de défense – restent encore entre les mains des Etats membres.'

President's right and ability to claim authority of the 'traditional' or 'charismatic' type on the grounds of the President's position or, more importantly, of his personal qualities (such as his internal legitimacy in the Commission, as seen above; his personality; his vision of European integration and so on). De Gaulle's action had demonstrated the fragility of the intergovernmental consensus that had created the Community – fragile because exposed to many factors which could undermine it, such as changes in domestic political majorities, leadership and priorities; divergent national policies in response to common external factors such as economic difficulties – and that the Commission's legitimacy on both rational-legal and political grounds was clearly a problematical area in the politics of integration.

In such circumstances, the potential for the Commission President to enact what authority the Commission did have was limited, although not entirely curtailed. The personality and leadership skills of the Commission President, for example, remained a factor that influenced the Commission's authority in the Community system. Jean Rey was Hallstein's successor as Commission President (6 July 1967-1 July 1970) during the first years of the 'merged' Commission, when the EEC Commission became the executive for the ECSC and Euratom as well as for the EEC once the Brussels Treaty (the 'Merger Treaty') of 8 July 1965 entered into force on 1 July 1967. The merger presented internal problems for the Commission as it adjusted to the increase in staff and reorganisation of tasks and roles.⁷⁵ It was of this period, moreover, that observers wrote of an 'exodus from the treaty', meaning that the Commission's specifically defined tasks, as laid out in the Treaty in the form of the transitional period, were coming to an end, leaving in their place articles of a more general character which required, on the part of the Commission, initiative and influence with the member states.⁷⁶ Furthermore, Rey's position as Commission

⁷⁵See J. Rey, 'La Commission des Quatorze: 1968-1970', *Annuaire européen*, vol. XVIII, 1970, pp.3--23. This article summarises the work of the Commission during Rey's presidency, and the problems associated with the merger of the three executives; see also D. Coombes, *Politics and Bureaucracy*, pp.264-71.

⁷⁶Sasse *et al*, *Decision Making*, pp.235-6: '(...) the main source of the Commission's legitimacy has coincided with the end of the transitional period and with the attempts made to implement policies based on treaty articles of a more general character directed towards the gradual achievement of

President had itself suffered from the manner in which he had been appointed: as the compromise candidate following de Gaulle's refusal to renew Hallstein as Commission President. For several reasons, therefore, pertaining both to the Commission's rational-legal and political forms of authority, President Rey's Commission was seen as restricted in its legitimacy:

The attitude adopted by the Rey Commission illustrates perfectly the nature of the relations existing between different forms of legitimacy. The intrinsic legitimacy of the Commission had become considerably weakened since the crisis of June 1965, when the French government directly attacked the Commission. Furthermore, the end of the transitional period deprived the Commission in a large number of fields of the restraining support afforded by the treaties. The Commission then pursued the trend towards a kind of rational legitimacy. The prevailing Community climate was unpropitious, however, for the member states were lacking in good will and even sound and worthwhile proposals failed to enlist their support. Barring some new development, this could have brought about a stalemate situation. At this point the Rey Commission endeavored to compensate for its lack of legal authority and the inefficiency of its rational authority by drawing upon the resources of its moral authority and prestige. President Rey's speeches especially urged that the Commission should play a prophetic role within the Community system and that it should revive European "faith" and "hope".⁷⁷

The authors do not define what they mean by 'intrinsic', 'rational' or 'legal' legitimacy, or 'moral' authority, but they appear to use 'legal' and 'rational' in a similar fashion to our own use of the terms, to refer to the Commission's treaty-specific tasks; and to take 'intrinsic' and 'moral' authority to mean what we have called the Commission's political, and less tangible authority to claim action on the grounds of the spirit of the treaty and the general interest. The integrative decisions that were taken during Rey's presidency related, accordingly, to the remaining

economic union. Today [1976-7] there are practically no longer any texts that clearly present in operational terms the goals to be achieved, the stages of their implementation, and the sharing of responsibilities among the Community bodies for preparing, putting into effect, and supervising the policies concerned. In the absence of such binding texts the member state governments remain in complete control of the Community process and make their decisions on the basis of unanimous agreement only.' And see Cassese and della Cananea, 'The Commission of the European Economic Community', pp.87-8: '(...) at first the implementation of Treaty provisions favoured the enhancement of the role of the Commission (which was considered, in Europe and elsewhere, as the "government" of the Community), later on national governments and administrations succeeded (especially after the so-called Luxembourg "Compromise" of 1965) in strengthening their powers *vis-à-vis* the Commission.'; E. Noël, 'The Commission's Power of Initiative', p.128: 'Taking the initiative to draw up a proposal has become more and more a political act – the reply given by the Commission (...) to a new situation, claim or crisis which threatens.'

⁷⁷Sasse *et al*, *Decision Making*, pp.195-6.

specific treaty provisions for Commission action, such as in the field of common agriculture.⁷⁸ President Rey, in retrospect, moreover, was seen to have addressed the internal functioning and efficiency of the Commission (its capacity as a bureaucracy), while accepting the *status quo* in which the Commission's political authority in the Community system was contested, and not to be accentuated.⁷⁹

During Franco Mario Malfatti's Commission Presidency (2 July 1970–13 March 1972), the Commission was considered by scholars to have been weakened by internal problems, including the ineffectual style of its President. Malfatti was not considered to have sought to bolster or enhance the capacity of the Commission to enact its various forms of authority. His decision to resign from the Commission presidency before the end of his mandate in order to return to Italian politics was, in

⁷⁸The 1968 'Mansholt memorandum', however, was considered 'political' because of the force of Mansholt's character and his personalised responsibility for the memorandum. Sasse *et al*, *Decision Making*, pp. 195-6: 'Finally, the Rey Commission was a "memorandum Commission" par excellence, the best known of its memorandum undoubtedly being the so-called Mansholt Plan of December 1968, which dealt with the basic problems of agricultural structures. The distinctive feature of this documentation was that it did not consist of proposals to be submitted by the Commission to the Council for decision, but was a plan for general guidance designed to mobilize opinion on behalf of its objectives.'; G. G. Rosenthal, *The Men Behind the Decisions. Cases in European Policy-Making* (New York, Lexington, 1975), pp.22-6; and pp.79-100, especially pp.93-100 (entitled 'The Mansholt Mystique'); see also Lindberg and Scheingold, *Europe's Would-Be Polity*, p.172: '(...) Mansholt and his staff have operated with extraordinary skill to make the most of the leadership resources of the Commission, its special perspective, its "power" of initiative, and its technical expertise.' On the broader significance of Mansholt's memorandum as an example of the Commission's power of initiative, see Emile Noël, 'The Commission's Power of Initiative', *op.cit.*, p.129: 'The initiative is not necessarily an isolated and precise act – like every proposal, in the strict sense of the term. The deposit of memoranda allows the Commission to develop an overall point of view, to lay down the medium and long-term action that it intends to carry out by the deposit of successive proposals. (...) This example [the Mansholt memorandum] illustrates the importance of the task of reflection which can be performed by the Commission and its services and, above all, the importance of their capacity for innovation. This is one of the strongest bases of the Commission's authority, apart from the legal factors, and as we have already pointed out, it is an element which is called upon to play an increasingly important role in the growth of the Commission's powers.'

⁷⁹Rey's Commission was still considered to have suffered from problems intrinsic to the Commission's internal organisation, such as the lack of central coordination and planning structures. See 'Agonie d'une institution: l'imagination aux oubliettes', *Agenor, European Review*, no. 13, November 1969, pp.55-8. President Rey expressed his views on the Commission and its authority as follows, E. de la Taille, 'Qui êtes-vous Monsieur Rey?', *Communauté européenne*, no. 127, February 1969, p.10: 'Je pense que nous aurons un jour un Parlement européen élu et que la Commission recevra progressivement une autorité accrue. Mais je ne crois absolument pas que l'on supprimera les gouvernements et le Conseil des ministres des "Six", tant s'en faut. Moi, je suis persuadé que la Fédération européenne restera une fédération composée avec les Etats dont la structure est beaucoup trop ancienne pour qu'elle disparaisse. Mais ce sera une Fédération parce qu'un certain nombre des pouvoirs des Etats seront de plus en plus exercés par les autorités communautaires. Et ces autorités communautaires auront naturellement le caractère fédéral et par conséquent, dans une certaine mesure, collégiale.' See also *Herald Tribune*, 8, May, 1967; *The Economist*, 29 July, 1967; *The Economist*, 1 March, 1969.

this context, seen as damaging to the Commission's authority and reputation within the Community system: 'As if to underscore its [the Commission's] seeming unimportance, in 1972 the outgoing President, Franco Malfatti, left office early in order to stand for election to the Italian Parliament.'⁸⁰ He was replaced temporarily as President by Sicco Mansholt (14 March 1972–5 January 1973) who was succeeded by François-Xavier Ortoli (Commission President 6 January 1973–5 January 1977). By the time of Ortoli's presidency, the Community had enlarged for the first time to include Denmark, the United Kingdom, and Ireland.⁸¹ The Heads of State, at the Paris summit of October 1972, had declared their intention to complete Economic and Monetary Union by 1980, and to proceed towards European Union by the same date, and had expanded the range of what we have called the Commission's rational-legal tasks by 'assigning to the Commission responsibility for establishing programs in various fields [in particular regional, environmental and energy policy]', which 'did confirm its [the Commission's] role of initiator in the matter of Community policies and thereby defined a new area of Commission intervention.'⁸²

In rational-legal terms, therefore, the Commission seemed to have gained in authority in relation to its predecessor. Furthermore, Ortoli was considered to be an effective President, with the skills and personality to lead an institution; and his Commissioners were described as bringing to the Commission a measure of 'political capital': 'La Commission des "Neuf" se présente indiscutablement, ainsi que l'a définie F.-X. Ortoli, comme "un organe politique composé d'hommes politiques"'. (...)

⁸⁰D. Dinan, *Ever Closer Union? An Introduction to the European Community* (Basingstoke, Macmillan, 1994), p.93; see too *The Guardian*, 12 October, 1971.

⁸¹See N. Condorelli-Braun, 'La Commission des Neuf', *Revue du marché commun*, no. 164, April 1973, pp.134-140. For a discussion of the effects of the EC's various enlargements on the Commission's efficiency and collegiality, see D. Dinan, 'The Commission, Enlargement and the IGC', pp.13-16; p.14: 'Thus, enlargement has had a marked impact on the Commission's size and collegiality, and on the civil service's composition and structure, while providing only a limited opportunity for administrative reform, and an equally limited opportunity for the Commission to leverage deeper integration and better decisionmaking procedures. In general, the Commission has muddled through enlargement, sacrificing efficiency, coherence and collegiality, while relying on a strong presidency and presidential cabinet to promote its political agenda, when the political and economic circumstances were right.'

⁸²C. Sasse *et al*, *Decision Making*, p.200. For details of the content and conclusions of the Paris summit, see 'The Paris Summit – Final Communiqué', reproduced as an appendix in R. Pryce, *The Politics of the European Community* (London, Butterworths, 1973), pp.188-197. See also: F.-X. Ortoli, 'Pour l'Europe, malgré la crise', *Annuaire européen*, no. 24, 1976, pp.42-9.

Le ton énergique de son discours d'investiture, l'habileté dont il a fait preuve dans la répartition des portefeuilles, laissent entrevoir combien F.-X. Ortoli prend au sérieux ses nouvelles fonctions.⁸³ However, in the circumstances of the time (a western energy crisis; the failure of the EEC member states at the summit of Copenhagen, December 1973, to agree to further integration; the continuation of the practice of unanimous voting), the Commission was seen to be unable to bring this combination of skills to bear on the Community system in any significant way: 'The experience of the Ortoli Commission shows, however, that the personal standing of the members of the Commission is not sufficient in itself to enhance the political legitimacy of that institution to any perceptible degree.'⁸⁴ The Commission, during the 1970s, operated largely in a Community system characterised by the inability of the member states to agree on the goals or pace of further integration; by the creation of institutional arrangements parallel to those of the treaties, whereby the member states had informally claimed the right to share the 'power of initiative' reserved by the Treaties for the Commission (the European Council, created in 1974, is the most obvious example of this development; another is the development of the presidency⁸⁵). Under these circumstances and within the terms of our argument, the Commission's forms of authority were limited by external factors, even when the Commission President was of the charismatic type as we have defined it.

During Roy Jenkins' presidency (6 January 1977–5 January 1981), and to a large extent as a function of his individual leadership skills (as we defined these in Chapters One and Two: his political experience; his personal qualities; his relations with constituencies within and outside the Commission), the Commission, when

⁸³(The Commission of the Nine is definitely presenting itself, as François-Ortoli has said, as a political body composed of politicians. The tone of Ortoli's investiture speech and the skill with which he allocated the portfolios have demonstrated that François-Ortoli takes his new functions very seriously indeed.) N. Condorelli-Braun, 'La Commission des Neuf', p.139. And, reporting Ortoli's words to the Commission's first meeting of his presidency in January 1973: 'La Commission occupe une place particulière. C'est un organe politique composé d'hommes politiques et les conditions sont réunies désormais pour que la Commission puisse jouer pleinement le rôle que lui a été imparti par les traités.' p.139. See too C. Sasse *et al*, *Decision Making*, p.162.

⁸⁴Sasse *et al*, *Decision Making*, p.234.

⁸⁵See J.-L. Dewost, 'La présidence dans le cadre institutionnel des communautés européennes', *Revue du marché commun*, no. 273, January 1984, pp. 31-4.

backed by an intergovernmental consensus, was able to take significant and authoritative initiatives. As Commission President, and despite opposition from the French President, Valéry Giscard d'Estaing (and the French Foreign Office), Jenkins won the right for the Commission President to attend the newly-created forum of the G7 summit.⁸⁶ He also personally relaunched the idea of a European Monetary System, which was subsequently taken up and supported by the French President and German Chancellor.⁸⁷ Jenkins represented the Commission externally to EC and world leaders by maintaining frequent contact; he toured the EC capitals, visiting the national governments, at least twice during his presidency, including a first tour when he was president-designate (being the first Commission President to be appointed six months ahead of his mandate and therefore to benefit from a 'president-designate' period). Within the Commission, moreover, Jenkins exercised personal authority over the allocation of portfolios between Commissioners-designate;⁸⁸ and innovated in a number of ways to alter the Commission's internal procedures and methods.

In these respects, we can say that Jenkins' personal leadership skills were significant in raising the profile and the authority of the Commission President, and thereby of the Commission itself, and in setting a precedent for a politically respected and experienced Commission President who re-established recognition of the Commission as a central Community institution.⁸⁹ Nevertheless, in a set of circumstances and a conjuncture marked by severe disagreement between the Community's member states over such substantial issues as the Community budget and the CAP, to which the British position was central, the effects of these

⁸⁶See R. Jenkins, *European Diary 1977-1981* (London, Collins, 1989), pp.20-2.

⁸⁷Jenkins, *European Diary*, pp.22-4 and pp.197-9; Dinan, *Ever Closer Union?*, pp.103-9.

⁸⁸Jenkins, *European Diary*, Appendix 1, p.668: 'Although the process had taken a long time – a somewhat longer time than four years previously when the Ortolí Commission was set up – it was not at all bad by earlier standards. At the beginning of the Malfatti Commission in 1971, the process had been accomplished only after about twenty votes, and at the beginning of the Jean Rey Commission, in 1967, the whole process had taken two weeks – and an extremely wearing and unproductive two weeks it had been.' See too: *The Economist*, 3 July, 1976; *The Guardian*, 18 November, 1986 for discussions of the symbolic significance of Jenkins' president-designate period for Jenkins' presidential authority.

⁸⁹Russell, 'Roy Jenkins', p.6: 'Looking back, the main features of Mr. Jenkins' Presidency over the last three years and four months have been the acceptance of the President as a regular participant at the European Summit, the creation of the European Monetary System and the election of the European Parliament. These have been positive achievements for a style of presidency that has been persuasive rather than demanding, objective in pronouncement rather than pessimistic.'

developments were limited in terms of the integration process itself: 'One has to realise that the highlights have been matched by moments of obvious difficulty for Roy Jenkins as an Englishman, since even a European President cannot fully escape his national background, nor is he meant to.'⁹⁰

During the Commission presidency of Jenkins' successor, Gaston Thorn (6 January 1981–5 January 1985), moreover, circumstances did not improve, and combined with perceptions of a 'weak' Commission President to produce reports of a Commission whose authority had reached its lowest point in the history of the Community. Thorn's nomination to the Commission presidency in July 1980 was, like Jenkins', subject to initial French disapproval: Giscard d'Estaing had blocked Thorn's nomination at the June 1980 Venice G7 summit, although he later gave way. This initial objection, as well as the fact of Thorn coming from the Community's smallest member state, were factors which did not enhance the new President's *de facto* authority in the Community and international environments. Furthermore, despite Thorn's numerous calls for improvement in the Community's decision-making, such as his appeals for the veto to be abandoned; for a 'new language' of integration and progress; and his insistence on the Commission's political role;⁹¹ as well as the Commission's active response to the tasks with which it was faced (to study reform of the CAP and budget – the so-called 30 May mandate;⁹² the common fisheries policy), Thorn's style of presidency attracted considerable criticism from the first few months of his presidency. Criticisms concerned the distribution of portfolios (depicted as a struggle for Thorn to establish his authority); difficulties in intra-Commission

⁹⁰Russell, 'Roy Jenkins', p.6. The British Conservative government elected in 1979, with Margaret Thatcher as Prime Minister, followed the previous Labour government's attempts to renegotiate the terms of the UK's EEC membership with a long and hard-fought battle over the size of the EU's contribution to the EEC budget. This disagreement between the UK and its EEC partners blocked progress which might have been in the 'general interest' of the Community.

⁹¹The *Herald Tribune*, 3 July 1980, reports Thorn as saying, at the time of his appointment: 'We must find a new language to explain why European unity is necessary. (...) And time is running out. If we don't find a new language, political apathy and even neutralism, which already is starting to appear, will accelerate in Europe. (...) I'm one of the last of the wartime generation in Europe, and we've been walking in the shoes of Jean Monnet and Robert Schuman. I see that we need to change them before it is too late.'

⁹²See *Agence Europe Documents*, no. 1159, 27 June 1981.

relations; accusations of Commissioners not behaving independently; of problems of coordination within the Commission. By the time of the London European Council in December 1981, after one year of Thorn's presidency, Thorn was reported as lacking the confidence, or will, to tackle the member states or to force them to take the Commission's mandate seriously: 'In Gaston Thorn's presidency (1981-1985), the barons continued to rule. (...) it would be wrong to ignore the importance of the Thorn period for the subsequent relaunch of the Community under Delors, but the achievements of these years owed more to the political skills of Commissioner Davignon and some of his colleagues than to those of President Thorn.'⁹³

We see in Chapter Four that during Thorn's presidency, work was accomplished within the Commission that contributed to the successful internal market programme of the Delors's Commissions. During Delors's presidency, and in a specific set of Community circumstances, the Commission reclaimed the authority to initiate internal market proposals, with significant and celebrated impact. Our intention in this chapter has been to assess the Commission's authority within the Community system; and to analyse the role of the Commission President in determining the legitimacy of this authority. From the foregoing analysis we can draw a number of conclusions in both these respects.

Conclusions: The Commission and its President – redefining political legitimacy in the EU

⁹³Ludlow, 'The European Commission', p.91; see also *The Financial Times*, 5 December 1983: 'There is a notable consensus in Brussels that the European Commission headed by M. Gaston Thorn is one of the weakest in the history of the Community. This opinion is particularly strongly held by officials in the national delegations to the Community and is even widespread among senior Eurocrats who serve the Commission. M. Thorn himself is frequently held to be incapable of effective leadership while many of his colleagues are thought to be of low calibre and lacking sound political sense. (...) if the Commission is held in low esteem, a lot of the blame must be laid squarely at the doors of the governments. (...) M. Thorn's inability to exercise consistent authority has become an important source of the Commission's weakness. His approach to decision-making is too often that of a chairman lacking any clear conception of what the Commission should be doing on the issue in question. Too often his primary concern is said to be an anxiety to wring the lowest common denominator of agreement out of his colleagues.'

The founding treaties of the Community instituted a system in which the Commission was granted two kinds of authority. First, it had authority primarily in the low politics of economic management and bureaucratic administration; second, it also had the framework and justification (in the manner of the appointment of the College of Commissioners; the provision for a Commission President; the concept of the general interest; the spirit of the Treaty of Rome) for authority in the high politics of political identity, character, and leadership: ‘While the Commission does possess many of the attributes of bureaucracies and while it is committed to impartiality and remaining *au dessus de la mêlée*, it cannot advance integration unless it does have a political vision of the possible and realistic view of the medium-term goals of European integration. In exercising its functions, it no longer simply executes the Rome Treaty. It interprets the spirit of the Treaty in a far bolder manner.’⁹⁴ In the terms in which we have interpreted Weber’s classification of the legitimation of authority, the Commission had rational-legal authority to operate as the Community’s bureaucracy and to organise an efficient integration process; but the treaties also implied it could claim, through its President, authority on charismatic and traditional grounds. The Commission’s rational-legal authority was where the member states disagreed the least; this was the dominant form of its authority, which it began to enact immediately after taking up office in 1958.

Within a decade, however, the Commission’s authority in these respects had been contested by member states (specifically, by France), and diminished (by the practice of the Luxembourg Compromise). One reason why its ‘low’, ‘rational-legal’ authority had been contested in this way was because the first Commission President, Walter Hallstein, had simultaneously begun to draw on the founding treaties’ provisions for a form of European leadership, in the high political sense of ideologically-informed representative politics, employing charismatic and traditional forms of authority, as we have defined them, in order to do so. Such comportment

⁹⁴J. Lodge, ‘EC Policymaking: institutional considerations’ in J. Lodge (ed.), *The EC and the Challenge of the Future* (London, Pinter, 1989), p.38.

was not explicitly provided for by the treaties, which prioritised and emphasised the collective, consensual rationality of low, functional politics, but it was a logical possibility.

In charismatic terms, the Community was established in the way it was (with many provisions for collective or collegial leadership, such as in the Commission and the Council of Ministers) precisely and deliberately to inhibit scope for charismatic-type leadership. It is of course no coincidence, given the experience of the inter-war years and the Second World War, that the brave new world of the Community experiment was institutionalised in such a way as to inhibit, if not prevent, a significant role for individuals. Jean Monnet's model of building institutions for the new Communities was, after all, based on a philosophical belief in the rationality, durability and stability of institutions in contrast to the changeability of men and their actions. Nevertheless, the Community's provision for a Commission President and, moreover, in terms of Weber's 'traditional' type authority, the wording of the preambles to the Community's various founding treaties and texts, when they call for, at some unspecified point in the future, 'federation', 'ever closer union' and so on, suggest a basis for the legitimation of charismatic-traditional authority in the EU. Although the Community was a new departure in European politics, and so therefore could not in itself lay claim to collective memories or to ancient ties of kinship or loyalty as Weber had observed in the case of, for example, pre-modern societies, the founding fathers' emphasis on the Community's role in securing peace, in ending Franco-German rivalry, in guaranteeing a better standard and quality of life for the citizens of its members states etc., was intended to forge the shared values, goals and principles which would cement loyalties between the new member states and their peoples. The emphasis on specifically European values and interests and goals, furthermore, was to serve as binding principles and, logically, were potentially to be articulated by the Commission:

(...) only the Commission can legitimately claim to be acting solely in the interests of the emerging "new Europe." (...) This gives the Commission the possibility of appealing to all groups who perceive any stake, whether economic, political, or

symbolic, in integration. To do this it must express and symbolise specific proposals and technical arrangements in terms of the broader goals of integration. (...) Unless they are cast in a broader context of an emergent European common interest, they will be relevant to only a narrow range of experts and interest group representatives.⁹⁵

In these respects, we can say that the manner in which the new Communities were established provided potential for the development of new loyalties and ties to a shared yesterday, as well as the formulation of an eternal tomorrow. This mythology of European integration and institutions, however, has never gone unchallenged, and is often seen as self-fulfilling propaganda promoted by the Community's institutions, especially the Commission. Moreover, by the mid-1980s, the notion that national leaders, let alone national electorates, could sustain a Weberian 'belief' in the validity of Europe's 'eternal yesterday' (the basis of traditional authority), or, as we said above, commit themselves to 'European' individuals claiming charismatic-type authority – or even to European rational-legal authority (the disdained Brussels bureaucracy) – seemed increasingly remote, as the future of European integration became a contested and divisive issue between and within the EU's member states. In its extreme form, this unwillingness to place authority in a European body has been expressed as follows: 'The Commission was endowed with the role of guardian by the founders of the Community to protect against member governments acting in the Council as a cartel to safeguard their own interests. This role is now outdated. People are no longer prepared to accept the political direction and guardianship of an unrepresentative élite. This goes against all democratic theory and creates resentment, as the public reaction to the Maastricht Treaty showed. The Commission has a vital role to play as an intermediary and honest broker between Member States, but in stepping beyond this role and trying to set its own agenda for Europe it is taking on functions which have no place in democratic practices.'⁹⁶

⁹⁵Lindberg and Scheingold, *Europe's Would-Be Polity*, p.172.

⁹⁶F. Vibert, 'The case for "unbundling" the Commission', p.83; and p.84, in conclusion: 'Making a clear distinction between management functions and political direction and establishing the European Union on a secure democratic footing is essential if an enlarged EU is to function effectively and, perhaps even more importantly, if it is to maintain the support of the European people.'

The provisions made for the Community's authority and its legitimation, represented, and deliberately so, a departure from the organisation of the principles of democratic politics as practised in most European nation-states in the post-war period. In particular, those who established the Community and its institutions, as we discussed in our introduction to this chapter, emphasised above all else the rationality of the new venture.⁹⁷ In Weberian terms, the project of the 1950s to build new institutions for Europe redefined legitimacy in the balance it established between rational-legal authority on the one hand, and charismatic and traditional on the other. What we mean by this is that the project of creating new institutions by treaty, in the hope and expectation that these would gradually erode (or at least contain) previous nationalisms etc. placed great faith (as we saw above, in the case of Monnet) in the power of institutions to create new loyalties and habits, although it simultaneously and logically provided the grounds for the personalised articulation of such loyalties. The European project had the effect of prioritising efficient politics over democratic politics, or rather to make clear provisions for the former, but only lay ambiguous and competing bases for the latter; Featherstone was expressing the same point when he wrote: 'The argument of this article is that Monnet established the European integration process with a particular character - which was marked by technocracy and elitism - and that the legacy of this early strategy has been to afford the Commission a weak and fragile legitimacy. In that sense, the backlash against the Maastricht Treaty is a direct consequence of Monnet's original strategy. (...) In order to overcome these problems of legitimacy, today's EU needs to be endowed with a more transparent structure of political accountability, based on the classic executive-legislative model found in most European states.'⁹⁸

⁹⁷J. Rueff, 'le marché institutionnel', *le Monde*, 9 February 1958: 'Si l'on donne à la notion d'institution son acceptation la plus large, entendant par elle l'ensemble des règles de droit que l'organisme institué a mission de mettre en oeuvre, c'est essentiellement parce qu'il crée non seulement un Marché commun mais un "marché institutionnel" que le traité de Rome est différent de tous ceux qui antérieurement ont poursuivi vainement le même objet.'

⁹⁸Kevin Featherstone, 'Jean Monnet and the "Democratic Deficit"', pp.150-1.

In this framework, the Commission (and before the Commission, the High Authority), was provided with new forms of legitimacy to deal with the new situation. It was to be staffed by experts and respected individuals and supported by a small and dedicated ‘civil service.’ It was to have a formal independence from the member states who could not dismiss or recall the members they had appointed, nor interfere with their appointee’s work in the Commission. The Commission would be collectively responsible to the European Parliament (which one day would be represented directly by Europe’s citizens). We said that we could see in this framework the germ of a European government, and the federalists who were largely behind the new system indeed believed that this government would one day materialise, eliminating for ever the ‘secular rivalry’ not just between France and Germany but between all European nations:

(...) whilst the formal constitutional relationship with the European Parliament has remained constant, so long as the latter was indirectly elected its value as a power base to the Commission was strictly limited. This is important for the dichotomy which has already been mentioned between the political and administrative attributes of the Commission. The Commission’s self image has always been that of an essentially political institution. Originally this was at least partly predicated on the assumption that from the Commission might ultimately emerge a European executive.⁹⁹

Altiero Spinelli considered that the Commission largely ignored its potential to provide European political leadership, and failed to draw on the forces in favour of integration, such as the various European movements, in support of such a role.¹⁰⁰ In its 1965 proposals, however, calling for ‘financial independence of the Community in respect to the member states; transformation of the Commission into a real economic government; and authentic parliamentary control’ the Commission appeared to have turned towards ‘the subject of constructing a united European democracy.’¹⁰¹ We can see de Gaulle’s challenge to the Commission’s and Community’s authority at that time as a manifestation of a view that the nation-state, for many reasons (including

⁹⁹Henig, *Power and Decision*, p.63.

¹⁰⁰Spinelli, *The Eurocrats*, pp.194-5.

¹⁰¹Spinelli, *The Eurocrats*, p.208.

the fear of totalitarianism, political monoliths, and hegemonies), is the most appropriate site for the exercise of political authority, and of democracy, and that the Commission's potential for such authority was unacceptable: 'Until the mid 1960s the Commission gained political strength from the broad acceptance within the member countries of the original "European" goals. The change in view presaged by President de Gaulle tended to leave the Commission searching for a role.'¹⁰²

Hallstein's presidency presented us with evidence that the character of the Commission President had, or could have, a significant impact on the Commission's ability and capacity to claim all forms of its authority within the Community system. It supports our hypothesis that individual leaders can act consequentially, using their skills, upon the rules of their leadership office and environment. The Commission presidencies of Walter Hallstein, François-Xavier Ortoli and Roy Jenkins, moreover, all contributed, as we have seen in this chapter, to maintaining and exercising a minimum of Commission authority (through the action of the individual on the institution), and in certain cases demonstrated that the Commission could claim and sustain prestige and acknowledgement beyond as well as within the Community: 'The history of the Community is replete with examples of the Commission pointing the way ahead, notably during the Hallstein, Jenkins, and Delors presidencies. (...) By contrast, the Community usually stagnates when the Commission is either unable or unwilling to lead.'¹⁰³ Furthermore: 'It is up to the Commission President to decide whether he will adopt a technocratic, political or presidential style of managing and giving direction to the Commission's and to the EC's work. (...) If the President does increase his role in the appointment of Commissioners, and if the EP's influence too

¹⁰²Henig, *Power and Decision*, p.63.

¹⁰³Dinan, *Ever Closer Union?*, p.227; J. Lodge, 'EC Policymaking', p. 41: 'During the 1970s the vogue was to argue that the Commission had degenerated from a supranational Eurocracy to no more than the Council's secretariat. This caricature of the Commission illustrated how national governments could seriously limit its ability to advance integration. (...) However, it is important to realize that the picture that a given Commission projects of itself depends on the charisma of its president, the personalities of its members and on the political climate in which it operates. If member governments are committed to the attainment of "integrative" goals by specific, highly visible deadlines like 1992 then the Commission can project a more dynamic image especially if it enjoys member states' confidence.'

becomes meaningful, then the political weight of the Commission will indeed increase.’¹⁰⁴ These skills amount to claims to charismatic authority as we have defined it, and may invoke the resource which we have understood as traditional authority, in the form of appeals to shared and collective memories, desires and expectations.¹⁰⁵ Furthermore, the Maastricht Treaty provisions for a Commission President more accountable to the European Parliament, taken with the post-Maastricht, pre-IGC suggestions for reducing the number of Commissioners in an enlarged EU, can be anticipated to enhance the potential authority and influence of the Commission President within the Commission: ‘In such a quasicollegial system, the President will play an increasingly important role. The practice of Parliamentary approval of the Commission President-designate, introduced in the Maastricht Treaty and first used (...) at the time of Jacques Santer’s nomination, has the potential to strengthen the presidential office.’¹⁰⁶

We show below, in Chapter Four, how Delors was the first Commission President since Hallstein publicly – in part through his discourse – to redefine and significantly expand the role of Commission President; or, more accurately, to enact the logic of the Treaty provisions for Commission political leadership. He demonstrated that a new form of European political leadership, accompanied by an appropriately iconoclastic discursive style, could exist, and succeed, for a while at least. We have also seen, however, that the Commission President’s authority is confined by the

¹⁰⁴J. Lodge, ‘EC Policymaking’, p.35. And Lindberg and Scheingold, *Europe’s Would-Be Polity*, p.93, note that ‘Politically adept Commissioners like Jean Monnet [never actually a commissioner] or Walter Hallstein may leave and be replaced by men with less vision and tactical skill.’

¹⁰⁵G. G. Rosenthal, in *The Men Behind the Decisions*, p.14, states that individuals, in the Commission and elsewhere in the Community (for example in the national capitals) are the most significant factor in Community decision-making: ‘The interviews conducted in the field crystallized and confirmed an idea that had been in my mind during five years as a participant observer: it is the men who govern the processes and not the processes that govern the men. In other words, although time, subject matter, external pressures, and personalities are all extremely important variables, the last carries the greatest weight.’ E. B. Haas arrived at a similar conclusion in his discussion on supranationality (E. B. Haas, *The Uniting of Europe. Political, Social, and Economic Forces 1950-1957* (Stanford, CA, Stanford University Press, 1958, p.59): ‘(...) supranationality in operation – as distinguished from structure – depends on the behaviour of men and groups of men.’ In adopting as our perspective the legitimation of authority, we provide a further means of assessing the input of individuals in the leadership of European integration.

¹⁰⁶Dinan, ‘The Commission, Enlargement, and the IGC’, p.15.

limitations of the Community system; or, more precisely, by the balance of forces for and against further integration at a given point in time: ‘(...) prevailing circumstances will severely limit the Commission’s options for the foreseeable future.’¹⁰⁷ We also demonstrate in Chapter Four that a Commission President – in our case, Delors – can act upon favourable circumstances in this respect, but is severely constricted, as we have seen in this chapter, when these are unfavourable to the Community system as we have described it. Rather than it being the case that Delors created a style of supranational leadership henceforth *de rigueur* for future Commission Presidents, the very fact of his strong Commission leadership itself appeared to usher in its antithesis: a Commission President (Jacques Santer) chosen by the Heads of State and Government in part because he seemed likely to provide a Commission presidency more in keeping with the Commission’s bureaucratic and administrative – rather than political – roles. This alternation, in the history of the Commission, between what have been typified as ‘strong’ and ‘weak’ Presidents, is, in the context of what has gone before, not to be seen as a coincidence. ‘Strong’ Presidents have maximised the Commission’s authority within the limitations of the Community system and have demonstrated, on occasions, the potentialities and the logic of the Commission’s forms of authority; ‘weak’ Presidents have often been appointed by the member state governments seeking to limit that potentiality and its effects.¹⁰⁸

In Chapter Four we demonstrate a further example of this interaction between the Commission President and the politics of legitimacy in the Community, by focusing on the ways in which President Delors responded to the renewed inter-governmental consensus of the mid-1980s – that the Community’s low politics of economic integration should be relaunched – by re-activating the Commission’s authority, in part through a deliberate restatement of the ‘general interest’, and the effects of his activity on the politics of legitimacy in the European Union, and on his own position

¹⁰⁷Dinan, ‘The Commission, Enlargement and the IGC’, p.15.

¹⁰⁸Dinan, *Ever Closer Union?*, p.202, provides a table of Commission Presidents, listing their ‘type of leadership’ as either active or passive. Hallstein, Jenkins and Delors are rated as active; Rey, Malfatti, Mansholt, Ortoli and Thorn as passive.

and post as Commission President: ‘Much discussion about the Commission is sentimental, arguing that the Commission should merely be allowed to return to its innocent state in a former golden age. This begs the question, of course, of whether such a gold age existed and whether uncompromised innocence can be recovered. One of the essential merits of the first Delors Commission (1985-89) was that it sidestepped this unproductive nostalgic discussion by looking to the future and by seeking to make the Commission an effective political and managerial instrument for new tasks, in a new situation.’¹⁰⁹ Our cases demonstrate, first, how the Community’s cycles of more and less integration (of which the strong-weak Commission President cycle is one manifestation) relate to the principles underlying democratic political practice in the EU, and their significance to the West European mind, in particular the enduring reality that political legitimacy is a function of national sovereignty which, as such, is an obstacle to the achievement of a European democratic polity, such as Schuman’s ‘federation of Europe’ (‘The Commission may have been effective in shifting political activity and decision-making to the European level, but it has not yet won for itself, or for the Union, that sense of legitimacy that has been the traditional claim of the nation state and its executive.’¹¹⁰); second, that however unique the

¹⁰⁹J. Fitzmaurice, ‘The European Commission’, p.180; Dinan, *Ever Closer Union?*, p. 129: ‘The new president [Delors] sought to infuse the Commission with a renewed sense of purpose and set the Community on the road to European Union. But Delors could not possibly have realized those objectives had the economic, political, and international circumstances been unpropitious.’

¹¹⁰G. Edwards and D. Spence, ‘The Commission in perspective’, in G. Edwards and D. Spence (eds.), *The European Commission* (Harlow, Longman, 1994), p. 19; D. Coombes in C. Sasse *et al*, *Decision Making*, pp.256-7: ‘(...) the real core of the inefficiency of both the Commission and the Council is the problem of legitimacy, with all its ramifications for democracy and national sovereignty. (...) the circumscribed, specific competences endowed by the treaties have largely been exhausted, so that the Community’s institutions need some new constitutional basis for their authority. (...) To complete the Common Market and to realize a European Union, the Community needs a new basis for its authority, giving it not only the competence to act in new fields and in new ways, but also institutions with the means to obtain the necessary political will. The existing treaties endow the present Community with both the wrong kind of authority and with competences that are too restricted and specific. At the same time, any new basic agreement by the states will have to pay much greater attention than did the original treaties to the problem of democracy, to the responsiveness of the Community level of government.’ A further dimension to the question of sovereignty in the EU context is the fact that the EU seems to work by ‘multi-level governance’: ‘The exercise of power in the EU is thus layered and tiered, with some powers “transferred up” from national-level decision-makers, and some “transferred down” to sub-national decision-makers. It is, therefore, quite appropriate to think of the EU as being characterised by a multi-level system of governance in which power is exercised, and is competed for, not only by EU-level and national-level decision-makers, but also – to different degrees in different countries – by sub-national decision-makers. Recognition of the existence of this multi-level

Community polity and especially the Commission might seem to be, 'it will still be important to know who exercises what powers, from whence the holders of power derive their authority, how it can be taken from them, and how their work can be supervised and their decisions checked.'¹¹¹; third, that the identification and definition of the 'general interest' continues to lie at the heart of the Commission's claims to legitimate authority ('[the Commission's] authority and effectiveness – whether as an administration, motor of integration, or mediator among national and sectoral interests – rests still in its independence and its ability to project a European interest that represents more than simply the aggregation of Member State interests.'¹¹²); and, finally, that the Commission President can and does play a determining role in articulating that interest and determining its impact.

governance system naturally makes the concept of sovereignty even more diffuse and even more difficult to apply.' See too N. Nugent, *The Government and Politics of the European Union*, p.435.

¹¹¹Pickles, 'Political Power in the EEC', p.78.

¹¹²Edwards and Spence, 'The Commission in perspective', pp. 7-8. For a highly optimistic view of how the 'general interest' can be used by the Commission to integrate Europe, see R. O'Toole, 'The Decision-making Process within the Commission of the European Communities in the Light of the Single European Act', *Irish Studies in International Affairs*, vol. 2, no. 4, 1988, p. 76: '(...) it is remarkable how a return to the first principles set out in the various treaty provisions often inspires a solution adapted to today's conditions. In certain areas the Commission has very strong powers itself. If mistakes have been made in the past it is perhaps that they were not used enough or sufficiently robustly in order to advance European integration and promote the common European interest. (...) The Commission, if it is to discharge its duties, must at the same time be both courageous and sensitive; it must be at once ambitious in its proposals and ready to explain fully the benefits of their implementation. It must also be ready increasingly to put its case to European public opinion which will, I believe, support the Commission in its positive ambitions for Europe as a whole as well as all of its parts.'

Chapter 4

THE LEGITIMATION OF AUTHORITY (III): THE 1985 AND 1993 COMMISSION WHITE PAPERS

Introduction

Because of its right of initiative, the Commission is charged with making proposals for all new legislation. It does so on the basis of what it considers best for the Union and its citizens rather than on behalf of sectoral interests or individual countries.¹

Introducing the White Papers

In Chapter Three we demonstrated how the ambiguities surrounding and defining the Commission's role and authority in the Community system have meant that claims made by the Commission to act as a bureaucracy, or to provide political leadership of the integration process, have both periodically been challenged. We also illustrated that the Commission President has been critical to the Commission's claims to and construction of its legitimacy, through his interpretation, promotion and presentation of the Commission's sources of legitimacy, notably the concept of the European general interest. From our analysis in Chapter Three, we concluded that the Community model of democratic politics was flawed by its unrealistic assumptions about the potential of the Community of states to develop a recognisable and agreed European general interest; or to evolve into a community of minds and values such as a 'federation of Europe' (the Schuman Declaration), or an 'ever closer union among the peoples of Europe' (the Treaty of Rome). The history of the Commission, its President and their legitimacy was, we said, to be understood in this broader context.

The purpose of this chapter is to illustrate the conclusions of Chapter Three using two examples of authoritative action by the Commission undertaken during the

¹Source: *EUROPA*, the Commission's service on the Internet, March 1996.

presidency of Jacques Delors. The two examples are the Commission's White Papers of 1985 (Completing the Internal Market) and 1993 (on Growth, Competitiveness and Employment). Commission texts such as the White Papers are evidence of strategic and tactical decisions made by the Commission about its authority to initiate policy. Factors such as the choice of format of the text, its structure, and the dominant themes of its vocabulary and discourse, themselves provide indications of the intentions of the initiative, and their relation to the Commission's self-perceived authority. The choice of the concept of 'White Paper', for example, carried specific meaning for those responsible for the choice, as we see below.

In the EU context, moreover, such texts reflect and express the conventions and the wider culture surrounding the Commission's forms of authority, and can themselves be studied as indicators of both the complexities and the ambiguities of the Commission's authority, and of the conditions of its claims to authority. Furthermore, the terms used to promote and present the texts – the public discourse of the texts – are meaningful for a proper understanding of the texts and for their significance in the Community system, and as part of the Commission's claims to legitimate authority. For the purposes of this analysis we therefore represent these White Papers as 'moments' in the Commission's life, because we wish to focus upon the totality of the production of the texts over a period of time: their origins in a historical and immediate environment and context; their mode of production within the Commission; their content and form; their presentation; their promotion, and their impact.

In 1985, the Commission adopted the concept of the White Paper as the ideal format for a document intended to relaunch the integration process by means of a series of specific actions, based on what we have called the Commission's rational-legal authority, programmed to occur within a specified time-frame and as part of an overall package of measures. Such a document and strategy precisely reflected the meaning of a White Paper in the British context from which it came, and which Commissioner Cockfield translated in a literal fashion into the Community context:

‘The White Paper should set out the philosophy or principles to be followed and the programme in detail. This must be a complete programme and it should be set in a time frame, every single proposal having its own time schedule and a completion time set for the whole project. In short, I proposed planning and executing the programme in precisely the same way as I had done in the past with an industrial project.’²

The 1985 White Paper was primarily a list of measures to be accomplished within eight years: by ‘1992’, the date that became the promotional symbol and effective target of the single market programme. The measures elaborated were closely related to provisions in the original Treaty of Rome for completing an internal market; indeed, the Paper was justified, as we shall see, in terms of it providing for the implementation of the Treaty of Rome’s provisions for the free movement of goods, persons, services and capital. The Paper was presented to the Commission’s several constituencies (specifically, the EC Heads of State and Government; organised interests; and Members of the European Parliament) for discussion and consultation, and subsequently became the founding text for guiding the completion of the single market. It was a document whose production within the Commission was delegated by President Delors to Commissioner Cockfield and the then Directorate-General III (Internal Market and Industrial Affairs), but which was promoted personally by Delors, and which formed part of Delors’s strategy for the revival of European integration, and of the Commission’s role therein.

In comparison, the 1993 White Paper was a White Paper in name only. Whereas the 1985 White Paper had recommended specific actions to be taken at the Community level in order to complete the single market, the White Paper of 1993 was principally a compilation of analyses of Europe’s declining economic and competitive situation, and contained relatively few specific recommendations for action, or firm timetable of the ‘1992’ sort. It did not lay out a programme of action for the Commission, but was intended to illustrate where action was needed, and of what sort. The member

²Lord Cockfield, *The European Union. Creating the Single Market* (London, Wiley Chancery Law, 1994), pp.31-2.

states themselves collaborated in producing one part of the White Paper. In promoting and presenting the White Paper, Delors, who personally wrote some of the White Paper and, within the Commission, centrally controlled the production of the document, stressed its role in encouraging '*réflexion*' (strategic thinking) on its subject matter; it was intended to generate debate and ideas:

Un "Livre blanc" est un livre ouvert. Il débouche sur un plan d'actions à mettre en œuvre à tous les niveaux. Il offre un cadre à la réflexion et au dialogue du social. Ce faisant, la Commission européenne a voulu ouvrir la fenêtre de l'avenir (...). Vive donc le débat, car une fois encore si le contenu du Livre Blanc pouvait être discuté, critiqué, en de multiples forums, de tous types, à tous niveaux, alors il aurait déjà atteint une grande partie de l'objectif fixé: nourrir la réflexion, contribuer à la prise de décisions, mais aussi restaurer les sens des responsabilités de chacun.³

Our approach in this chapter is to contrast the two White Papers, which the Commission itself perceived as two very different documents produced under two different sets of circumstances. Each of the two documents was equally the Commission's response to a set of circumstances, and the expression of its perception of its own authority to act upon those circumstances; the Commission has, moreover, since defined a White Paper as 'a document presenting a detailed and debated policy both for discussion and political decision.'⁴ Whereas in 1985 the White Paper had the direct effect of marshalling, enacting, and then expanding what we have hitherto called the Commission's rational-legal authority, and was accepted on this basis by the member state governments, Delors said of the 1993 White Paper that its greatest strength was to have been acceptable to 12 countries which disagreed over the goals of integration.⁵ We demonstrate, using our Weberian terms as developed in previous

³In the preface written by Delors for the French book version of the White Paper: J. Delors, *Pour entrer dans le XXI^e siècle. Emploi. Croissance. Compétitivité. Le Livre blanc de la Commission des Communautés européennes* (Paris, Michel Lafon/Ramsay, 1993), p.VII-VIII. (A White Paper is an open book. It leads to a plan of action to be implemented at all levels. It offers a framework for ideas and for the discussion of social affairs. In writing this White Paper, the Commission wished to open a window on the future. (...) Long live debate! Let me stress once more that if the content of the White Paper has been discussed and criticised in many and varied forums, then it will already have reached its main objective: to nourish our thinking, contribute to decision-making and restore a sense of responsibility to all concerned.) Translation mine. We will translate all French where it appears in the main text of this chapter. Sources in French confined to the footnotes will not, generally, be translated.

⁴Taken from *EUROPA*, 14 March 1996.

⁵Wolton, p. 297: 'Le mérite du Livre blanc est d'avoir été accepté par douze pays qui ne sont pas d'accord entre eux sur les finalités de l'Europe.'

chapters, that this was because the Paper explicitly revealed the limits of the Commission's own authority: it did not ask for additional competences of the legal-rational kind. By the same token, however, the Paper signalled the limitations, for the Community's future, of these very limits: the Paper had the effect of highlighting the absence of an intergovernmental consensus on the scope and goals of integration, even economic integration, and of identifying the possible consequences of such a situation. Delors's personal contribution to the White Paper was greatest in the choice of terminology and discourse for the presentation of these messages: simultaneously a discourse of limited responsibility where the Commission and its President were concerned, and of warning in regard of the Community's restrictive and contradictory provisions for authority and responsibility.

By taking the 1985 and 1993 White Papers as expressions of the Commission's authority to articulate and enact the general interest of the Community, and as indications of Delors's presidential role in relation to this authority, we develop a focus for studying the changes that occurred in the Commission's legitimacy during the years of Delors's presidency. In what follows we study the context of each of the White Papers; the means of its production within the Commission, and the relative significance of the President's role; the form, content and tone of the Paper; the discourse of the Paper's presentation and promotion as voiced by the President; and the impact of the Paper on the Community system. Before doing so we must summarise the methodology of our approach and the problems this raised, concerning in particular the accessibility and validity of our material, and our *modus operandi* in gathering and assessing it.

Methodological issues

POLITICAL DISCOURSE

A first significant source of material was Delors' own writings, interviews and speeches, both published and unpublished. Our use of such material raises a number

of methodological and theoretical issues, which we address here. First, Delors himself attached great importance to the role of public discourse as a vehicle for his ideas and initiatives, and personally produced a considerable volume of material during his presidency.⁶ Given this context, Delors's discourse surrounding the White Papers can be seen as a significant component of each White Paper 'moment', in the sense that it itself formed part of the strategy that produced and promoted the White Papers.

Second, and in broader terms, the EU is, as we discussed in earlier chapters, a relatively new and unfinished polity. In this context, there are opportunities for language to shape emerging structures and processes more forcefully than is the case in polities whose institutional norms and practices are more stable and secure. Terms such as 'federalism', 'subsidiarity' and 'European Union', for example, not only do not mean the same things to all peoples, nations or states, but their meaning becomes even more fragmented when filtered through the eleven official (and other non-official) languages of EU business. Such semantic confusion, moreover, reflects the more fundamental and persistent ambiguities and differences of opinion surrounding the very notion of a unified or integrated Europe, which we have referred to in earlier chapters. Somewhat paradoxically, furthermore, it is in part the fluidities of language that have allowed such differences to co-exist over many years with only minor instances of open conflict.⁷

In this context, the scope for political discourse to influence perceptions and understandings of the political process is broad, and is a resource available to leaders

⁶See G. Ross, *Jacques Delors and European Integration* (Cambridge, Polity Press, 1995), p.55. Ross's first task as participant observer in Delors' cabinet in 1991 was to read Delors's speeches: 'He [François Lamoreux, member of Delors's cabinet] assigned me to read the bulk of Delors's speeches after 1985. If I wanted a short cut into what the cabinet had done over the years, this was the best way, he claimed. I found this puzzling. For most complex political operations reading a collection of speeches would provide a very misleading guide to events. I did what I was told, nonetheless, even though it took a week of very late nights. François was right. Delors's strategic ideas and announcements, along with cogent and persuasive arguments to support them, were all there.' Delors published a collection of what he considered to be his most significant speeches in a volume entitled *Le Nouveau Concert européen* (Paris, Odile Jacob, 1992). Interviewees frequently mentioned the importance that Delors attached to public discourse as a vehicle for his ideas; how he personally wrote many of his speeches and/or checked and amended them, and took personal responsibility for them.

⁷See M. Abélès, 'L'Europe en trois questions', *Esprit*, no. 202, June 1994, pp.98-108 for an anthropological approach to the EU's multicultural and multilingual institutions.

of the integration process at the national, supranational and transnational levels. In the case of the Commission presidency, there is particularly wide scope for the use of discourse, arising principally from the relatively undefined and unscripted nature of the post of Commission President. As we have seen, the presidency of the Commission is not a political leadership role like Europe's premierships or France's presidency. The Commission President therefore cannot draw upon the democratic legitimacy of election, or upon the support of a specific constituency for his leadership. Nor can a President of the European Commission, in fulfilling his duty to safeguard and promote the general interest of the Communities, appeal to such a thing as a European-wide public opinion or political culture. There is an absence in the EU of a European-wide media, a well-established or active European citizenship or, more broadly, a European political culture in the sense of shared values and expectations about the nature and goals of European integration and Union, or in the form of a set of political traditions, myths and references. The EU and its various institutions and leaders are situated within a fragmented European public space, in which 'Europe' itself is often one of the most divisive factors. In this broad context, Delors's discourse contributed to the process by which, as we demonstrate below, he claimed for his role, and for that of the Commission, the legitimacies dictated by the logic of the Community system. His discourse was one factor contributing to perceptions of Delors as a political leader and European statesman, and to portrayals of him in both highly negative and positive terms.

In so far as discursive claims to legitimacy are one of the ways in which a leader interacts with the post he or she holds, and interprets the confines and opportunities of the post,⁸ we shall see that Delors was the first Commission President since Hallstein

⁸See H. Drake and J. Gaffney, 'Introduction: The Language of Leadership in Contemporary France', in H. Drake and J. Gaffney (eds.), *The Language of Leadership in Contemporary France* (Aldershot, Dartmouth, 1996), p.12: 'What our study will demonstrate is the complexity of claims to leadership and how the essential connections between leaders and followers are best understood through an analysis of the discursive claims made by leaders with regard to their own status and their privileged relationship to their constituencies. What points to the validity of our approach – the study of political leadership through the study of its discourse – is the nature of the leadership function itself. It is a political leader's discourse – in other words, his or her rhetorical address to his or her followers,

significantly to push outwards the limits of what was a relatively undefined and unscripted role and so create a space within which he could legitimately act. Partly through his discourse, he publicly claimed a strongly-defined legitimacy. In the context of claims to legitimacy and authority to act, studying Delors' discourse provides us with a means of identifying, describing and evaluating the nature of Delors's Commission presidency.

INTERNAL DOCUMENTATION – PUBLISHED

More problematic than selecting the secondary sources of information for this study,⁹ or the use of Delors' discourse, was the use to be made of documentation from the Commission (and, more generally, from the EU institutions), in both published and unpublished form, and of interviews. This material was vital as a complementary source of information about European integration and our case studies, but presented us with a number of methodological uncertainties. For example, how could unpublished internal documentation be identified and consulted? How should interviews be conducted and recorded, and used, and how objective could they be? We systematically addressed these questions in the course of our research by applying criteria of accessibility, reliability and complementarity, and by charting the pitfalls and difficulties engendered. We address the most significant of these issues below.

First, the institutions of the EU, foremost of which the Commission, have pursued a comprehensive and vigorous publishing policy for many years, using the Community's publisher: the Luxembourg based Office for Official Publications of the European Communities (EUR-OP). The EUR-OP documents are distributed throughout the Community via the Commission's national offices of representation and the European Documentation Centres, situated primarily in universities; and in

potential followers, and other constituencies – which embodies and demonstrates the relational aspect of leadership.'

⁹As with Chapter Three, a first source of information was provided by the many secondary accounts of the period in question. J. de Ruyt's *L'Acte Unique européen* (Editions de l'Université de Bruxelles, 1989) is the most comprehensive account of the origins and negotiations of the Single European Act, including the White Paper.

1992, EUR-OP launched its own triannual publication – *EUR-OP News*– to publicise these official EC publications.¹⁰

EUR-OP's publications include analytical and summary material, and is complemented by reports and documents emanating directly from the Community institutions. This latter category includes *The Annual General Report on the Activities of the European Communities* [now *Union*], produced by the Commission; the monthly (or so) *Bulletin of the European Union* (and its supplements); *COM* (Commission) documents; *PE DOCs* (Committee Reports of the European Parliament) and the three series of the *OJ* (*Official Journal of the European Communities*): annex (debates of the EP); 'C' (information) and 'L' (legislation). The White Papers of 1985 and 1993 were published both as *COM* documents and in the *Bulletin*. All of these sources were widely and systematically consulted in researching for this study, and were readily available. They were complemented by unpublished written and oral sources, as we describe below.

INTERNAL DOCUMENTATION – UNPUBLISHED

A considerable volume of unpublished information in the EU, including information relating to our cases, can be placed on a spectrum ranging from the legally unobtainable to the obtainable with much effort and, to a considerable degree, thanks to chance and luck. The thirty-year rule placed on the Community's archives¹¹, including those of the Commission, made certain material relating to our case-studies unattainable (such as Commission meeting minutes). Moving down the spectrum

¹⁰First issue: *EUR-OP NEWS*, vol. 1, no. 1, summer 1992. The editorial of that issue states: 'In 1992, a year of breathtaking developments, decisions and crucial choices for the future of Europe, information on and from the EC is of increasing relevance. *EUR-OP NEWS* – published for the first time on the occasion of the Seville Universal Exhibition – aims at helping to satisfy this need. In the context of important news from all the EC institutions, *EUR-OP NEWS* is introducing a range of publications from EUR-OP, the publishing house of the EC.'

¹¹I interviewed a member of the Commission archives staff, who explained the 30-year rule and the procedure for requesting exceptions to the rule. When I requested unpublished material from interviewees, they either provided material directly from their archives or said that everything I needed was in the public domain. No offer was ever made of authorising me to see material under the 30-year rule. In general I encountered a strange combination of helpfulness ('did I need any documentation?') and reluctance to provide me with sources not readily available publicly. For a description of the Community archives and their access, see: La Commission des Communautés européennes, *Guide des archives des ministères étrangères des états membres, des Communautés européennes et de la coopération politique européenne*. (Luxembourg, EUR-OP, 1989), p.67

towards what is more or less available, certain other material was not classified in this formal way, but was not easily or systematically attainable for other reasons: it was still being 'digested' within the Commission; it was in draft form; or it was simply awaiting publication. One such category of document is the *SEC* document, an internal document from the Commission's General Secretariat.¹²

Where both the published and unpublished sources of Commission information is concerned, the 1990s saw the Commission review and reformulate its information and communications policy in the general context of the post-Maastricht commitment, by member states and European institutions, to greater transparency and openness in EC and EU decision making; some authors saw this development as a step towards more generalised democratic decision-making in the EU.¹³ The main steps taken by the Commission in this respect were to engage in wider consultation before making legislative proposals, for example through the use of Green Papers; to make decisions taken available more quickly to the public; and to systematise the criteria on which documents were made available on request by members of the public, and organisations. The Commission's work in this respect was presented to the College of Commissioners in June 1993 by the Commissioners responsible in a document which summarised the principles on which the Commission's new approach was based: openness in action; a demand-oriented information and communication policy; a coordinated policy; a user-friendly approach to the production of information.¹⁴ This communication followed a number of other developments such as the De Clercq

¹²It was also the case that the supply, control and exchange of information within the Commission were subject, to a certain extent, to political factors proper to the internal dynamics of the Commission, as explained elsewhere. See M. Abélès, I. Bellier, M. McDonald, *Approche anthropologique de la Commission européenne* (December 1993), pp.63-6. An unpublished version of Abélès' *et al* report was made available to me by a Commission interviewee.

¹³J. Lodge, 'Transparency and Democratic Legitimacy', *Journal of Common Market Studies*, vol. 32, no.3, September 1994, pp.343-368, p. 366: 'In short, while transparency has focused on issues of access to documentation and on internal bureaucratic procedures, the implications are more extensive. The new approach, derived from considerations of subsidiarity, explicitly links transparency, efficiency and democracy. This is the start of a new phase in preparing the ground for a more thorough debate on all three as well as on the nature of the European Union's polity, its liberal democratic credentials and participatory political culture at the next IGC.'

¹⁴*SEC* (93), 916/9. Communication from Mr J. de Deus Pinheiro to the Commission, adopted 30 June 1993.

report on the same subject of March 1993,¹⁵ and the Oostlander report to the European Parliament.¹⁶

Despite such developments, which provided an increasingly favourable context to our search for material, we nevertheless considered it necessary to supplement written Commission material by developing a maximum number of contacts with researchers and political and administrative actors, and alert them to our needs for documentation. In order, in any case, to benefit from an additional source of information on and interpretation of our cases, we have used as far as possible the method of conducting personal interviews with political and administrative actors associated with the time periods and events of interest to us. This is a methodology which raises its own problems concerning the accessibility, anonymity, confidentiality, validity and reliability of such sources, which we now address.¹⁷

UNRECORDED AND NON-WRITTEN SOURCES

A first problem in this respect related to the selection of interviewees. To some extent, finding suitable, available and willing interviewees, who would help frame and describe the two moments under study, was a matter of luck and chance, dependent on the goodwill and interest of individuals (as well as on our own

¹⁵*Reflection on the Information and Communication Policy of the European Community*. Report by the group of experts chaired by Mr Willy De Clercq, Member of the European Parliament, March 1993.

¹⁶*Report of the Committee on Culture, Youth, Education and the Media on the information policy of the European Community*, Rapporteur Mr Arie Oostlander, PE 203.960/fin.Or.NL, 14 July 1993. See also: *Commission Decision of 8 February 1994 on public access to Commission documents* (94/90/ECSC, EC, Euratom), which introduces a code of conduct on public access to Commission documents, and which is based on previous Commission documents: *An Open and structured Dialogue between the Commission and Interest Groups* (SEC (92) 2272); *Public Access to the Institutions' Documents* (COM (93) 191, 5 May 1993); *Openness in the Community* (COM (93) 258, 2 June 1993). See also, for a comprehensive overview of the Commission's new approach to its information and communications policy: *Background Report: Information, Communication, Openness* (The European Commission, London, ISEC/B25/94). See too, for analysis: E. Dacheux, 'Une communication surréaliste: analyse critique de la politique de communication de la CEE', *l'Événement européen*, no. 25, February 1994: *Exclusions*, pp.159-166.

¹⁷See C. Lequesne, *Paris-Bruxelles. Comment se fait la politique européenne de la France* (Paris, Presses de la FNSP, 1993) who, on pp.21-2 of his introductory chapter, outlines the difficulties he encountered in gaining access to documents from within the French administration, and how he compensated for this shortfall by interviewing a large number of members of the political and administrative classes. He taped all of this interviews but only very rarely made direct references to the interviewee in his research, in order to preserve the anonymity of the interviewee. Lequesne cites examples from research undertaken by historians, sociologists and ethnologists who used the same approach (*archives orales*). The interview method has become a standard research tool in EC research, but presents its own problems, as we discuss in the text above.

resources and availability), and therefore was a process of an inevitably informal, unsystematic character: it was never easy to predict or ensure which doors would open, and which would remain closed. Some willing interviewees were also simply unable to be interviewed due to other engagements and commitments, and/or were obliged to cancel interviews at short notice. While we intended to interview individuals with both first-hand knowledge of the moments under study and an ability to, and interest in, both recounting the facts and adopting a critical and objective attitude to these facts, it is in the nature of the information flow from an organisation such as the Commission that the information derived from these sources was unpredictable in nature and availability.

A further aspect of this question of selecting interviewees was that we were confronted with the issue of what we will term 'self-selection'. By this, and put simply, we have to assume that those who agreed to be interviewed may have wished to project a particular view of events, or promote a particular account.¹⁸ In this respect, we acknowledge the fact that with one or two exceptions, most of our interviewees held favourable views of Delors as an individual and of his Commission presidency, and were also mostly sympathetic to the integration process in principle. Such a selection was, in any case, partly dictated by the purpose of our interviews: to find out from the main actors in the White Papers what took place, how and why. These main actors (members of Delors's *cabinet*; of the Commission's *cellule de prospective*¹⁹) were almost by definition favourable to Delors, and supported his

¹⁸There is also the question of the viewpoints held by observers in secondary accounts. Lord Cockfield for example, in the introduction to his book *The European Union*, pp.1-2, writes, somewhat enigmatically: '(...) as history so often is written by people who were not there, did not themselves know what went on, who relied upon accounts given by others, often themselves second or third hand, and not infrequently relied upon their imagination to fill the gap or tailor history to suit their own conveniences, it is important that as the main player in this drama [1992] I should set down exactly what did happen. Not least because the records, always incomplete, are already disappearing.'

¹⁹The *cellule de prospective* (CDP) was set up in January 1989 at Delors's request and initiative. It was described by one interviewee as representing the changeover from Delors's first 'pioneering' Commission (1985-1989) to a more 'reflective' and 'analytical' one after 1989. The idea behind the CDP, a think-tank, was that certain individuals, operating at some distance from the daily work of the Commission, would study the Commission and its internal functioning; it would also 'distill the essence' of the Treaties into ideas for action. The CDP's favoured method was to consult outside the Commission, for example with universities. It sought a 'pluridisciplinary' approach, and also aimed to create links between the Commission's own directorates, in the same spirit.

vision of European integration.²⁰ Neither theoretically nor empirically, moreover, did we set out to study the Commission bureaucracy (*les services*) as such, other than insofar as its workings specifically affected or were part of our moments under study. Our material is therefore compiled from a series of accounts by individuals with personal agendas, vanities and perceptions; from the sceptics, the realists and the integrationists. It is also the case that insofar as an interview is also a dialogue between interviewer and interviewee, the subjectivity of the interviewer becomes part of the interview itself. We attempted to account for such subjectivity by asking similar questions of all interviewees, where appropriate.

Beyond the problems associated with identifying interviewees and securing their agreement to an interview were other more specific issues relating to the recording of information and the attributing of sources. Nearly every interviewee specifically requested not to be cited by name, and most indicated that they did not wish our interview to be recorded electronically. As a result, written rather than tape-recorded records of all interviews were taken, and references to sources have been made anonymously in our text.

We should also add, as a final methodological point, that while our aim has been to carry out a study as scientifically rigorous in approach and methodology as possible, and in view of which we have developed what amounts to our own methodology appropriate to this specific study, our intention has also and simultaneously been to provide factual information and description – the narrative of events, factors and circumstances – which, with or without our subsequent interpretation and analysis, will provide a reference to and record of events of contemporary political interest and significance, and so will have a value in their own right, adding to the body of

²⁰It is nevertheless the case that the Commission in its entirety appears to have been mainly favourable to Delors's presidency, even if Delors's style was itself questioned. Delors appears to have been greatly appreciated for having imparted to the Commission a sense of purpose and mission which had previously been conspicuously absent; one interviewee thought that most Commission officials saw Delors's arrival as 'un don du ciel' – a gift from heaven; another as a 'bonheur'; another said that in the first four years of his presidency, Delors had actively 'mobilised' at least 50% of the Commission's officials. Abélès, Bellier and McDonald, *Approche anthropologique*, p.19, stated, of the Commission: 'Il fallut l'ère Delors pour que l'Europe représente, de nouveau, un projet attractif et valorisé et que la carrière communautaire acquière du prestige.'

literature describing and defining European integration and its institutions.²¹ We now turn to the narrative of the 1985 Commission White Paper.

The 1985 White Paper on Completing the Internal Market

Introduction

We saw in Chapter Three that 1958, the founding moment of the EEC, was informed by a combination of factors. First, from the Messina reunion of foreign ministers of June 1955, and the work of the Spaak committee had emerged an intergovernmental consensus to continue and to expand the integration process.²² Second, this consensus had led to the drafting and signing of the Treaty of Rome, which subsequently became the founding text of the Community. This text contained provisions authorising the Commission to propose and take measures towards the creation of a Community customs union. Third, in part as a result of what we described as the charismatic leadership of President Hallstein, exercised on constituencies within and outside the Commission, the Commission implemented, accelerated and completed the provisions of the treaty in this respect. We can therefore define the situation which brought about a relaunch of the integration process in the late 1950s in terms of

²¹As Lequesne, *Paris-Bruxelles*, put it, p.22: 'Il convient enfin d'ajouter que la préoccupation de ce livre n'est pas uniquement scientifique. Les débats sur le traité de Maastricht ont en effet montré que la connaissance de la construction européenne demeurerait finalement assez limitée en France, dès lors qu'on en abordait les données concrètes. Les mécanismes d'élaboration de la politique européenne de la France et le fonctionnement quotidien des relations entre Paris et Bruxelles font précisément partie de ces données.' This comment on the limitations of a scientific approach in the analysis of politics can be found in other research in fields similar to ours, for example, D. K. Simonton, *Why Presidents Succeed. A Political Psychology of Leaders* (New Haven, Yale University Press, 1987), pp.9-10: 'A germ of truth hides in the idea that something is lost as well as gained in the scientific enterprise, that some regions of genuine import cannot be reached with acceptable empirical rigor. This limitation certainly applies to any political psychology of presidential leadership, a subject challenging to approach from a purely quantitative and nomothetic perspective. That is why this volume supplements rather than replaces other treatises on the presidency.' See also, for a similar, point, S. Hoffmann, 'A Retrospective on World Politics', in Miller, L. B. and Smith, M. J. (eds.), *Ideas and Ideals, Essays on Politics in Honor of Stanley Hoffmann* (Boulder, Westview, 1993), p.16, in giving advice to students and scholars of international relations: 'Avoid fads, resist the pressure to begin your career by showing your dexterity in grand theory, remember that theory is necessary only as a help to understanding, as a path to interesting questions, but that it can all too often become a hindrance or a screen. Remember that much empirical research, of the sort that leads to further investigations and therefore, ultimately, to middle range theory, does not need to start by leaning on the brittle crutches of grandiose models.'

²²See P. Gerbet, *La Construction de l'Europe* (Paris, Imprimerie nationale, 1983), pp. 199-203.

the following 'formula', in which the various elements carried different weight, the intergovernmental consensus being the most crucial, but in which the presence of all elements were instrumental to the result:

intergovernmental consensus + founding text + charismatic Commission President = relaunch of integration

The Commission's White Paper of 1985 can be seen as one of the elements of the formula which, in the mid-1980s, produced the most significant relaunch of European integration since 1958; we can go as far as to say that 1958 and 1985 were the two founding moments of the Community. In 1985, the equivalent of the 1955 Messina intergovernmental consensus was the consensus reached at the European Council in Fontainebleau in June 1984. The text, the second item in the 1958 equation, was, nominally, the Treaty of Rome and its as yet unfulfilled provisions for the completion of an internal European market. However, unlike the situation in 1958, when the Treaty of Rome was a very recent text, by 1985 it was almost 30 years old, and its provisions for an internal market still not implemented. In these circumstances, and in the conditions which we describe below, the essence of the Commission's 1985 White Paper was both to provide the charismatic source of authority, in the form of the Commission President, who enabled the Commission to fulfil its role; and to renew the textual component of the 1958 equation, in the form of the White Paper (and, subsequently, the Single European Act, a new founding text). The case of 1985 was a moment in which the various components of the 1958 formula were purposefully combined in order to restart the integration process.

The 1985 White Paper drew upon and optimised an emerging consensus between the member states of the EC that economic integration needed to be revived. It took the form of a list of approximately 300 measures required in order to complete the internal market. Appended to the list was a timetable outlining in which year each measure was to be proposed (or, in the case of existing proposals, when it had first been proposed); and when it was to be adopted by the Council of Ministers. The

Paper set the list in its broader context – the progress achieved by previous Commissions towards completing the internal market; the commitments made by the Heads of State and Government of the member states to the goal of an internal market – and organised the measures to be taken into three categories: physical barriers, technical barriers and fiscal barriers. In this respect the Paper represented a break from the previous emphasis, in constructing the Common Market, on the distinction between ‘tariff’ and ‘non-tariff’ barriers, and capitalised on the growing interest within the Community for the ‘mutual recognition’ rather than ‘harmonisation’ of standards.²³ The White Paper was designed as a package of measures to be taken as a whole; the Commission insisted strongly on this aspect of its document, much as the Hallstein Commission had insisted on the global quality of the transitional programme.²⁴

The White Paper had the effect of reaffirming the Commission’s authority to guide the integration of the member state economies to a level and within a timescale specified in the White Paper. The Paper did not itself have the legal status of the Treaty of Rome; nevertheless, it gained a comparable status, in terms of its acceptability to member state governments and organised interests, its impact, and in that it directly led to the Single European Act (1987), in which the implications and consequences of the White Paper, such as institutional reform, gained legal – treaty – recognition (although even in the Single European Act, the commitment to completing a single market by 1992 was not in fact legally-binding, but declaratory²⁵).

The White Paper of 1985 consequently had the specific effect of reclaiming, for the Commission, the task of completing what was had by then become known as the ‘internal market’ – the logical extension to the customs union, the Community’s ‘external market’ – and which had been provided for in the Treaty of Rome’s

²³See Lord Cockfield, *The European Union*, pp.17-59.

²⁴Lord Cockfield, ‘Beyond 1992 – the Single European Economy’, *European Affairs*, no.4, 1998 Winter, pp.66-74. ‘The proposals in the White Paper programme are a coherent whole. You cannot pick what you like and discard what you do not. Unless the internal frontiers and frontier controls are abolished, the benefits of the Single Market cannot be achieved.’ p.67.

²⁵See R. Corbett, ‘The 1985 Intergovernmental Conference and the Single European Act’, in R. Pryce (ed.), *The Dynamics of European Union* (London, Routledge, 1989), p.261.

provisions for the free movement of goods, services and people throughout the EEC.²⁶ In the Weberian terms which we have employed throughout this study, the Commission, by means of the White Paper, reinstated its own legal-rational authority to direct the economic integration process.

Our objective in what follows is to describe and assess in detail how the White Paper had the effect of renewing and affirming the Commission's rational-legal legitimacy, and what was the role of President Delors in this process. We examine in turn each part of the formula for integration as we have defined it above: first, the intergovernmental consensus; second, the founding text itself, the mode of its production, and its main characteristics; third, the role of the Commission President in supporting and promoting the text. We draw preliminary conclusions from the case of the 1985 White Paper about the authority of the Commission and its President, and the legitimacy of this authority within the Community system, before contrasting these findings with the case of 1993.

The emerging intergovernmental consensus

Much has been written about the improving conditions under which Delors's Commission took office in January 1985. Here we will summarise the most significant events and developments, with the intention of describing the consensus which we said was emerging between the member states of the EC at the time, the way in which President Delors built upon this consensus, and its implications for the type of document which emerged as the 1985 White Paper: '(...) Delors and his colleagues deserve much credit for making this consensus operational in the way that Hallstein did in the 1960s, but the basic elements of the consensus were in place

²⁶EEC Article 3: '(...) the activities of the Communities shall include...c/the abolition, as between Member States, of obstacles to freedom of movement for persons, services and capital.' This process of rehabilitation was described by one interviewee as Delors having 'opened tunnels and windows in the Treaty' through his creativity and political drive.

before 1985, and can be found strewn through the conclusions of the European Council since the early 1980s.’²⁷

When Jacques Delors was appointed President of the Commission by the then ten Heads of State and Government in July 1984, the prospects for the Community’s future were brighter than they had been for some time: the ‘toile de fond’²⁸ – the canvas – had qualitatively and significantly changed in favour of further integration. Compared with earlier years, there was a wave of opinion (albeit amongst elites rather than public opinions) in favour of moving towards more ambitious goals of European unity. This wave was illustrated by the initiatives which had emanated from the Council of Ministers (the Genscher-Colombo ‘Draft European Act’ concerning EC decision making, and external relations²⁹); from the Heads of State and Government (the 1983 Stuttgart Solemn Declaration on European Union³⁰); and from the European Parliament (the Draft Treaty establishing the European Union). Furthermore, individual Heads of State and Government had also demonstrated fresh enthusiasm, or at least support for ‘more’ Europe, for reasons largely linked to national domestic politics.³¹ Margaret Thatcher’s British government, for example,

²⁷P. Ludlow, ‘The European Commission’ in Keohane, R. O. and Hoffmann, S. (eds.), *The New European Community. Decisionmaking and Institutional Change* (Boulder, Westview, 1991), p.112: ‘The most important were: the creation of a single market as the only adequate answer to global competition; the development of flanking policies, including in particular research, development, and competition; the need to reappraise the bases of the CAP and its place within the overall priorities of the Community; the advantages of monetary cooperation through and beyond the EMS; the need for a common foreign policy, including a security dimension; the importance of environmental issues.’ D. Cameron, ‘The 1992 Initiative: Causes and Consequences’, in Alberta M. Sbragia (ed.), *Euro-politics. Institutions and Policymaking in the “New” European Community* (Washington DC, Brookings Institution, 1992), pp. 23-74, traces the roots of the initiative back further still, to the Paris summit conference of December 1974 when the member states reaffirmed their commitment to economic and monetary union by the end of 1980.

²⁸De Ruyt, *L’Acte Unique*’ entitles Chapter II (p.25) on the *relance*: ‘La toile de fond: les efforts de relance des années 80.’

²⁹See J. H.H. Weiler, ‘The Genscher-Colombo Draft European Act: the Politics of Indecision’, *Revue d’intégration européenne*, vol. VI, nos. 2-3, 1983, pp.129-153. The authors of the Act diagnose problems in three areas of the EC: ‘the decisional process’; the ‘substantive malaise’; the ‘ideological and conceptual framework’. See also De Ruyt, *L’Acte Unique*, pp.32-3. De Ruyt chronicles in detail the many elements of the build-up to the 1985 White Paper and the SEA, and is the best secondary source available on the subject.

³⁰See de Ruyt, *L’Acte unique*, pp. 34-9; and *annexe 3*, pp. 345-354 (for the text of the Declaration).

³¹Cameron, ‘The 1992 Initiative’, pp. 56-7: ‘One of the most important political developments within the Community in the early 1980s was series of changes in the partisan composition of the national governments. The magnitude of the changes varied. (...) The changes shared one feature in common: they all represented a shift toward a more conservative position.’ On pp. 59-63, Cameron also discusses the various bilateral bargains and relationships between member states which informed the *relance*.

seemed willing to make a fresh start after the resolution of its budget rebate; and, just as significant if not more so, French President François Mitterrand was looking for a European framework for French economic policy at a time, 1984, which also coincided with the French presidency of the EC (January-June 1984).

The French presidency was marked by the French President's activism and desire to seek solutions allowing European integration to move ahead, and culminated in a set of agreements at the Fontainebleau European Council meeting which addressed a number of long-standing problems, concerning notably the EC budget and the accession of two new Mediterranean states: Spain and Portugal.³² At the summit, national leaders reached agreement on the need for more cooperative and productive relations between them within the EC, and 'formally pledged themselves to "the creation of a genuine economic union". Their first priority would be to strengthen the internal market.'³³ Their second and third priorities were to establish two working committees to investigate institutional reform (the 'Dooge Committee') and a people's Europe (the 'Adonnino Committee').³⁴

³²See *Bulletin EC*, 6/84; H. Drake, 'François Mitterrand, France and European Integration', in G. Raymond (ed.), *France during the Socialist Years* (Aldershot, Dartmouth, 1994), pp.42-5. p.42: 'By the end of the French presidency in June 1984, the following decisions had been reached: first, national VAT contributions to the EC budget were to be increased from 1 per cent to 1.4 per cent of VAT revenue from 1986, with the possibility of a further increase to 1.6 per cent from 1988; this would, for a short time at least, increase the overall size of the EC budget. Second, the previously taboo notion of *juste retour* (meaning that any EC member state could expect a rough balance between what it put into the EC's finances and what it received in return) was invoked to regulate the British compensatory problem and became, effectively, standard practice. Third, a decision was made to conclude negotiations on Spanish and Portuguese entry to the EC by the end of September 1984 and, in addition, to increase EC spending in its Mediterranean regions in general. Fourth, new initiatives were launched, in particular via the setting up of two working parties, one to research proposals for a People's Europe (the Adonnino Committee); the other to examine possibilities for reforming the EC's institutions and to review the EC's goals; this Committee was headed by the Irish Senator James Dooge and would eventually lead to the advent of the Single European Act (SEA). The collaborative technological research programme known as ESPRIT was also launched, in February 1984.' See De Ruyt, *L'Acte Unique*, pp.49-50; and Axel Krause, *Inside the New Europe* (New York, Harper Collins, 1991) on Fontainebleau and the *relance*, Chapter 3, 'Economics Come First: The Rise of Europe, Inc.' See also: *le Monde*, 'La relance de l'Europe', 28 June 1984, pp.1&3; *Agence Europe*, 'Editorial', no.3880, 29 June 1984. See too: G. Denton, 'Re-Structuring the EC Budget: Implications of the Fontainebleau Agreement', *Journal of Common Market Studies*, vol. XXIII, no. 2, December 1984, pp.117-140.

³³Cameron, 'The 1992 Initiative', p.34.

³⁴The Dooge Committee's formal title was the Ad Hoc Committee for Institutional Affairs; the Adonnino's, the Ad Hoc Committee for a Citizen's Europe.

There are several explanations for the more favourable climate towards integration in the mid-1980s. The most significant of these were economic. Europe was falling behind in global competitiveness, unemployment was rising and was higher than in competitor countries (especially the US and Japan). Europe, moreover, had fallen behind in high-technological development, and business circles – and more significantly, business leaders – were calling for concerted action: ‘The 1992 program was much more strongly affected by events in the world political economy outside of Europe – especially by concern about international competitiveness – than it was driven by the internal logic of spillover.’³⁵ It was the convergence of economic rationale and political will, against, moreover, a backdrop of a formally renewed political commitment to the completion of a European Union in the form of the Stuttgart Declaration (however ambiguously the term ‘Union’ may have been

³⁵R. O. Keohane and S. Hoffmann, ‘Institutional Change in Europe in the 1980s’, in R. O. Keohane and S. Hoffmann (eds.), *The New European Community. Decisionmaking and Institutional Change* (Oxford, Westview Press, 1991), pp.5-6; and see p.19. De Ruyt, *L’Acte Unique*, p.25: ‘L’Europe en effet, la chose apparaissait de manière de plus en plus claire, avait été touchée par la crise beaucoup plus profondément que ses deux grands rivaux industrialisés, les Etats-Unis et le Japon. Elle avait manqué la grande révolution informatique et était en train de se laisser distancer dans la plupart des technologies de pointe. Axel Krause, *Inside the New Europe*, relates how only 3 days before Delors’s Jan 14 1985 EP speech (see below), ‘in a speech to the Center for European Policy Studies, Wisse Dekker, chairman of Philips and vice chairman of the Roundtable of European Industrialists, a lobbying group of senior business executives, suggested 1990 as the deadline for implementing a plan very closely resembling that of Cockfield; 1995 and 2000 were put forth by others. “All those dates were too soon or too far away, but 1992, well, it just sounded right and it fit the end of a second commission term – December 31, 1992 – so we tried it out in that speech. And it worked!” Lamy explained.’ (p.23) See also Krause, *Inside the New Europe*, Chapter 3, on the business lobby and the 1992 *relance*: ‘What was happening, behind the scenes, discreetly and in unprecedented fashion (...) was the establishment of a new alliance. The alliance was never subject to a written agreement, but its basic purpose was to support the move toward economic and political integration. (...) successful, powerful members of the European business establishment on the one hand, and on the other, Europe’s political elite, including heads of EC governments and political parties and the EC Commission in Brussels. (pp.73-4). And: ‘In the opinion of most of us following the revival, Delors and his allies would have failed had it not been for active support of business leaders (...).’ Thus, driven by a sense of urgency and missionary zeal, the Delors-led Commission was able to push ahead with its plans.’ He lists five reasons why this was possible: ‘The EC’s previously disastrous economic performance.’ (...) ‘The staggering costs of long-established barriers to trade within the Community.’ (...) ‘The equally staggering costs of wasteful government subsidies (...).’ (...) ‘The EC’s weakened position in basic research and development.’ (...) ‘Stubbornly high levels of unemployment.’ The specific role of the European Round Table is discussed in detail in M. Green Cowles, ‘Setting the Agenda for a New Europe: the ERT and EC 1992’, *Journal of Common Market Studies*, Vol. 33, No. 4, December 1995, pp.501-526; L. Tsoukalis, *The New European Economy. The Politics and Economics of Integration* (Oxford, OUP, 1991), pp.43-66; N. Colchester and D. Buchan, *Europe Relunched* (London, Hutchinson Business Books, 1990), pp.26-7; Cameron, ‘The 1992 Initiative’, on pp.36-50, develops the economic factors influencing the national leaders’ consensus on relaunching economic integration in the mid-1980s.

defined) which, by the time of the Fontainebleau summit, provided a context more favourable to further integration than had been the case for several years.

Furthermore, under Delors's predecessor Gaston Thorn (Commission President 1981-1984), the Commission had begun to take a number of steps towards completing what had by 1983 become known as the 'internal market'. These steps had not, however, and unlike the Delors Commission's White Paper, constituted a coherent plan of action; nor had they made any notable impact upon the integration process: 'they had not yet been put together in a package that would be politically attractive to the leaders of the Community.'³⁶ Moreover, the Commission was in the early 1980s, as we saw in Chapter Three, an institution whose legitimacy in the Community system had been adversely affected by the application of the Luxembourg compromise, by the challenges of enlargement, and by the member states' difficulties in agreeing to further integration: it operated in a climate in which the member states were not sufficiently committed to seeking European solutions to perceived national problems.

The work undertaken by the Thorn Commission towards completing the internal market subsequently formed part of the context from which the White Paper emerged: 'It was Thorn's report to the European Council in Copenhagen in 1982 that outlined the largest obstacles to the free movement of goods, services and capital in the European market; elaborated, for the first time, the core of what would subsequently become the internal market initiative (...). Indeed, it was during Thorn's tenure as President of the Commission (1981-1985) that most of the proposals eventually included in the 1985 White Paper were discussed and drafted in DGIII, the Directorate-General in charge of the internal market. (...) The Thorn Commission also encouraged businesses to pursue Europeanwide economies of scale.'³⁷ Thorn's

³⁶Cameron, 'The 1992 Initiative', p.34.

³⁷Cameron, 'The 1992 Initiative', pp. 52-3; see too: La Commission européenne, *Agir pour l'Europe* (Luxembourg, EUR-OP, 1984); De Ruyt, *L'Acte Unique*, pp.22-30 and p.150; also *Europe documents* (Agence Europe), no.1159, 27 June 1981; *Europe documents* (Agence Europe), no.1161, 17 July 1981; *Europe documents* (Agence Europe), no.1198, 15 April 1982; *Bull. CE* no.11.1982, pp.17-19, 'Communication sur la relance du marché intérieur européen, du 12 novembre 1984', cited in de Ruyt, *L'Acte Unique*, p.150.

Commission therefore had begun to draw upon the emerging intergovernmental consensus, as displayed in in June 1981, for example, when the European Council had ‘voiced, for the first time, its concerns about the state of the internal market in the Community and, in so doing, initiated the policymaking process that was to culminate several years later in the 1992 initiative.’³⁸

It is impossible to test how Thorn’s Commission might have converted the situation which developed in mid-late 1984: Thorn was not renewed as Commission President at Fontainebleau, and Delors was appointed to take his place.³⁹ What interests us here is to identify how the Delors Commission drew on the opportunity presented to it by the decisions and solutions reached in 1984 by the Heads of State and government, and by the broader context as outlined above. The first significant steps were taken in the months following Delors’ appointment and before the new Commission, under his presidency, took up office; when Delors was President-designate of the Commission. Accounts of these months (July-December 1984) point to the significance of Delors’s personal activity and decisions in formulating the internal market strategy that would subsequently become the Commission’s priority for the following eight years. These were the first indications of what we have termed the charismatic leadership skills that he brought to bear on the rules of his office and those of its broader environment: ‘By mid-December 1984 there was a feeling abroad that the Delors Commission in Brussels would be made of more sterling stuff than the rather lacklustre outgoing commission of Gaston Thorn. Delors had taken much care in allocating the jobs among his almost entirely new team of commissioners, and the traditionally tense day of appointments passed off smoothly.’⁴⁰

³⁸Cameron, ‘The 1992 Initiative’, pp.31-33, describes the work of the Thorn Commission in relation to the internal market. Cowles, ‘Setting the Agenda for a New Europe’, describes the interaction between business leaders and the Thorn Commission, particularly Industry Commissioner Etienne Davignon, and how the industry-Commission links strengthened with Delors’s Commission.

³⁹Nor is it within the scope of this study to discuss in any detail the reasons why the Thorn Commission was unsuccessful in relaunching the single market itself, although we have already mentioned in passing the role of circumstances, and of the internal dynamics of the Commission during that period, including the relative weakness of its President. Cameron, ‘The 1992 Initiative’, pp. 51-2, does stress the significance of the Thorn Commission’s initiatives towards completing the single market to Delors’s subsequent 1992 success story.

⁴⁰N. Colchester and D.Buchan, *Europe Relunched*, p.28.

The President (I)

The accounts which exist from this period consist almost exclusively of Delors's own writings (mostly written after the event, and published in book and interview form), and those of his biographers (similarly, written after the event).⁴¹ While to some extent such material presents us with a methodological dilemma (how objective is the account? Has it rewritten history?), we must nevertheless recognise the significance of such material. First, and obviously, it provides the main source of information into this period and so is a valuable source for the researcher (particularly as press coverage of this period was far less extensive than was the case by the 1990s); second, the accounts identify the motivations and intentions of those involved, even if attributed after the event, and therefore provide us with primary sources of information.

Delors's appointment as President of the Commission was announced in July 1984, shortly after the Fontainebleau European Council of June of that year, and once it had become clear that since Germany, whose informal 'turn' it was to find a suitable appointee for Commission President, would decline to do so, the turn fell to France. Delors's name subsequently emerged as a candidate acceptable to all, and particularly to German Chancellor Kohl. Delors's appointment coincided, moreover with François Mitterrand's reshuffling of his government under the new Prime Minister Laurent Fabius; in the reshuffle, Delors had resigned as France's Finance, Economy and Budget Minister.⁴² By his own account, and those of his biographers, Delors

⁴¹The most significant sources of such material include: J. Delors and Clithène, *La France par l'Europe* (Paris, Grasset, 1988); J. Delors, 'Du marché commun à l'Europe des frontières', *Après-demain*, no. 301, February 1988, pp.3-4; J. Delors, *Le Nouveau Concert Européen*, (Paris, Odile Jacob, 1992); J. Delors, *L'Unité d'un homme. Entretiens avec Dominique Wolton* (Paris, Odile Jacob, 1994); C. Grant, *Delors. Inside the House that Jacques built* (London Nicholas Brealey, 1994); B. Maris, *Jacques Delors. Artiste et martyr* (Paris, Albin Michel, 1993); A. Rollat, *Delors*, (Paris, Flammarion, 1993); G. Ross, *Jacques Delors and European Integration* (Cambridge, Polity Press, 1995); G. Milési, *Jacques Delors. L'homme qui dit non* (Paris, Edition° 1, 1995). See also A. Moravcsik, 'Negotiating the Single European Act: national interests and conventional statecraft in the European Community', *International Organization*, vol.45, no.1, 1991, pp. 19-56; *Libération*, 'Comment s'est vendu le best-seller 1992?', 14 November 1989, p.22 (interview with Delors). Delors's account of the 1984-1985 period was unchanged in his interviews with Channel 4 for the documentary 'The Last Europeans', November-December 1995.

⁴²See D. Dinan, *An Ever Closer Union?, An Introduction to the European Community* (Basingstoke, Macmillan, 1994), pp. 201-3; *Agence Europe*, no. 3895, 20 juillet 1985, editorial: 'La nomination de

spent much of the six-month period as President-designate visiting the capital cities of the member states, consulting with Heads of State and government and the leaders of organised interests and opinion, including in the European Parliament.⁴³ The purpose of these consultations was to build upon the political consensus which emerged at Fontainebleau, and bolster it with support from the leaders of what Delors himself referred to as ‘civil society’: primarily business and labour leaders.⁴⁴

We shall see below that in the case of both of the White Papers under study here, Delors’ ability to win support from such circles, on the basis of which he gained a mandate from national leaders for Commission action, was a keystone in his strategic planning for the Commission. It has been suggested that Delors in any case, was the first Commission President to ‘tour the capitals’ after his nomination specifically in order to win support and agreement for a Commission strategy; other President-designates (Roy Jenkins, for example) had made similar ‘tours’, but for other, more limited purposes, mainly to discuss the allocation of portfolios in the College of Commissioners.⁴⁵

All accounts of this period relate how Delors proposed to his interlocutors three possible objectives which Europe could set itself in order to relaunch integration: a common defence policy; Economic and Monetary Union (EMU), or institutional reform. The only area in which the consensus held was that of further economic integration; specifically, to complete the single market. Leaders of the business

Jacques Delors à la tête de la Commission des Communautés européennes qui entrera en fonction en janvier prochain, constitue un événement de grande importance politique.’ The announcement of the composition of the new Commission was made by the Irish PM Garret Fitzgerald, presiding the EU, on 25 July 1985

⁴³*Agence Europe* followed Delors’s progress through his President-designate phase, including his capitals tour, as well as participation in some Commission and EP meetings and debates, and gave some indications of his plans, preparations and intentions. See for example *Agence Europe* no. 3931, 20 September 1984, p.3 where ‘un document politique au véritable sens du mot’ is predicted as the programme Delors would present to the EP in January 1985. Also *Agence Europe* no. 3933, 22 September 1984, p.3; no. 3973, 28 September 1984, p.3; no. 3942, 5 October 1984, p.4; no. 3973, 21 November 1984, editorial ‘Jacques Delors prépare sa présidence’; no. 3986, 8 December 1984, p.5, which covers the informal meeting at Royaumont (Belgium) on 7 December of the newly appointed College of Commissioners, where Delors presided over the allocation of portfolios.

⁴⁴Delors’s notion of ‘civil society’, and its significance in his strategy as Commission President, was raised by several interviewees.

⁴⁵A comment made by one interviewee, a senior official in the Commission closely associated with the 1985 White Paper.

community in particular were active and vocal in persuading national leaders and the Commission that this was the course of action to take: ‘(...) empirical data reveal that business leaders from the ERT [European Round Table of Industrialists] largely were responsible for relaunching and **setting the agenda** of the single market programme in the early 1980s.’⁴⁶ Those close to Delors recount that Delors’s personal preference was for more ambitious goals, such as those promised in the Stuttgart Solemn Declaration (EMU; social Europe; a strong European Parliament); goals with which, in subsequent years, he became closely associated.⁴⁷

The President-designate period was, therefore, a stage marked by Delors’s personal contributions to the relaunch of integration: his personal contacts with key decision-makers in the member states; his subsequent assessment of the state of inter-governmental relations and the implications of these for integration; his personal analysis of and diagnosis for integration which underpinned his conversion of the political will for integration into a mandate for the Commission; the personal political philosophy and past which informed this analysis and diagnosis. Furthermore, Delors brought with him to the presidency in January 1985 the conviction that Europe required a ‘big idea’ in order to take the next integrative step; that he should optimise what he called ‘l’air du temps’ (the sign of the times) to relaunch integration; he subsequently said of that period: ‘L’idéalisme européen revivait. (...) Il manquait un ciment. Ce ciment, ce fut celui de la nécessité. En effet, notre prospérité et notre autonomie étaient menacées (...).’⁴⁸ We can see in such personal conviction and

⁴⁶Cowles, ‘Setting the Agenda for a New Europe’, p.503, author’s emphasis.

⁴⁷One interviewee described the Stuttgart Declaration as Delors’s ‘bible’.

⁴⁸(European idealism had come alive again. But the cement was missing. This cement was that of necessity: our prosperity and autonomy were threatened.) *Libération*, ‘Comment s’est vendu le best-seller 1992?’. For the main accounts of the president-designate period, see: J. Delors et Clisthène, *La France par l’Europe, op.cit.*, pp.49-51: ‘Avant de prendre ses fonctions, le président désigné a fait le tour des capitales européennes. Il a rencontré non seulement les dirigeants politiques, mais aussi les leaders patronaux et syndicaux. [...] Convaincu de la nécessité d’une relance, Jacques Delors en a exploré systématiquement les vecteurs possibles. La question institutionnelle? En s’y attaquant d’emblée, il peut séduire le Parlement, mais il risque surtout de réveiller les débats idéologiques et de susciter des blocages supplémentaires. Le système monétaire européen, une de ces rares mais indéniables réussites de la période précédente? Le moment serait mal choisi pour lui donner une nouvelle dimension. Les gouverneurs des banques centrales viennent justement de rejeter un ensemble pourtant modeste d’améliorations techniques. Les Allemands, qui désirent promouvoir en priorité la libération des mouvements de capitaux, renâclerait vigoureusement devant une proposition impliquant un pas de plus vers la monnaie commune. La défense européenne, enfin? Non seulement les esprits ne

analysis certain of the ingredients of what, in 1985, would be his charismatic claims to legitimacy on behalf of the Commission.⁴⁹

It is significant, moreover, that Delors had established a reputation with key national leaders and governments (Mitterrand, Thatcher, Kohl) as a trustworthy and realistic European. He had been seen – as MEP from 1979-1981 (and as Committee chair);⁵⁰ and as French government minister (1981-1984) largely responsible for the ending of the initial ‘romantic socialism’⁵¹ period of François Mitterrand’s presidency – as a rational European who was pro-integration to the extent that this was in France and Europe’s best interest, rather than because of prior, deep-seated convictions about the ideal state of international relations; or about the future of the nation state.⁵² Such a position was critical in securing Delors’s appointment as Commission President, and reminds us of the irony both of Delors’s lasting reputation, by the 1990s, as a full-blooded federalist, and of the fact that in reality Delors, over time, became increasingly vocal about and convinced of his vision for Europe.⁵³ The conversion of

sont pas mûrs, mais le sujet sort des compétences de l’exécutif européen. Reste, comme une sorte de retour aux origines, la voie économique, et donc la construction du grand marché intérieur, gisement de la croissance et d’emplois. Et, à tant faire revenir aux sources, Jacques Delors se réfère aux meilleures: selon la méthode de Jean Monnet, il faut transformer l’idée en objectif et concrétiser celui-ci par une date. Ce sera donc 1992.’ See also Rollat, *Delors*, pp.260-263, on this period; ‘Entretien avec Jacques Delors. Le Moment et la Méthode’, *Débat*, no. 85, Jan-Feb. 1995, pp.4-23.

⁴⁹Later we can contrast 1985 and 1993 in this particular respect: in 1993, what was missing from intergovernmental relations was precisely the idealism of 1985.

⁵⁰Delors was chair of the EP’s Economic and Finance Committee.

⁵¹From W. Northcutt, ‘Reinventing Socialist Discourse in an Evolving Political Culture: François Mitterrand’, in H. Drake and J. Gaffney, *The Language of Leadership in Contemporary France* (Aldershot, Dartmouth, 1996), pp.57-78.

⁵²Rollat, *Delors*, p.258: ‘Jusqu’à ce 18 juillet [date of nomination] Jacques Delors n’est en effet qu’un militant de l’Europe parmi d’autres. Rien ne le prédestine à rejoindre la cohorte des pionniers historiques du “chantier” ouvert par Jean Monnet et Robert Schuman. L’idéal européen fait simplement partie de son bagage. Il n’y a pas eu, chez lui, de “révélation” de l’Europe, mais banalement, la lente maturation d’une idée presque ordinaire.’ He cites Delors (p.258) as saying: ‘Mes études et mes recherches m’ont ensuite sensibilisé à l’interdépendance croissante des pays du monde. Enfin, mes activités syndicales m’ont conduit à m’intéresser de près aux expériences étrangères. Peu à peu s’est ainsi formée chez moi une conscience de la nécessité de construire l’Europe mais cette idée s’accompagnait d’une grande prudence. Je n’étais pas de ceux qui, en entendant parler de l’Europe, criaient: “Marchons! Marchons!”.’ One interviewee, a senior Commission official with a lengthy record of service, described Delors on his arrival as a ‘competent, prudent, rigorous and calm European’, and that the Milan summit had been the moment of his conversion to a more federalist conviction.

⁵³Apparently, Delors was the only French candidate acceptable to Kohl. We can see Delors’s appointment as an interesting twist of fate. Mitterrand only casually agreed to his appointment; it was not a critical issue for him, and he had been considering nominating Claude Cheysson. Margaret Thatcher thought Delors would suit her government’s preferences for a liberal Community trading area; only Kohl probably got from Delors what he had hoped: a conduit to political union. See Rollat, *Delors*, pp.256-7.

Delors to personal and deep-felt commitment to European union is relevant to the 1993 White Paper, and we return to this point below. Here we describe the stages in the production of the 1985 White Paper.

*The Text (I)*⁵⁴

A first point of note is that accounts vary of both the precise origins of the idea that the intergovernmental consensus in favour of completing the internal market, which Delors had identified during his ‘capitals tour’, should be translated by the Commission into a single document detailing a coherent programme of measures within a specified timeframe – the White Paper format; of the choice of ‘1992’ as the deadline for completion of the programme; or of the allocation of responsibilities within the Commission. Certain accounts identify Delors as personally having been behind the idea of a White Paper, suggesting he drew on his experience as an MEP in 1980;⁵⁵ others place more responsibility for the original idea, as well as for the drafting process itself, with the Commissioner appointed to the internal market and industrial affairs portfolio (DGIII): Arthur Cockfield.⁵⁶

For the purposes of our study it is sufficient to note that the White Paper was in any case made into the Commission’s priority by Delors in the first months of his presidency. In less than six months it had been published, presented to and approved by the Heads of State and Government (at the Milan European Council of June 1985).⁵⁷ Within the Commission, Delors and the members of his *cabinet* had

⁵⁴The White Paper transmitted from the Commission to the European Council in June 1985 was entitled ‘Completing the Internal Market’, and was published as COM(85) 310.

⁵⁵See: G. Ross, *Jacques Delors*, p.30, note 51.

⁵⁶See Cockfield’s own accounts: *The European Union*; ‘The Real Significance of 1992’, in C. Crouch and D. Marquand (eds.), *The Politics of 1992. Beyond the Single Market* (Oxford, Blackwell, 1990), p.3: ‘I had started work well before I went to Brussels. (...) The term “White Paper” is of course entirely British – a clue for future historians to its origin.’ Ross, *Jacques Delors*, says that ‘The final product (...) was then packaged by Cockfield, who himself wrote the introductory text practically overnight.’ See also: De Ruyt, *L’Acte Unique*, p.151: ‘L’idée de l’espace sans frontières à réaliser avant le 1er janvier 1993 a été élaborée progressivement par la Commission Delors et particulièrement par le commissaire britannique Lord Cockfield. Le résultat de ses réflexions figure dans le “Livre blanc sur l’achèvement du marché intérieur” diffusé avant le Conseil européen de Milan. See also Colchester and Buchan, *Europe Relunched*, p.29.

⁵⁷For documentary evidence of the period leading up to the Milan summit, see M. Gazzo (Documents selected and introduced by), *Towards European Union. From the “Crocodile” to the European Council in Milan (28-29 June 1985)* (Brussels-Luxembourg, Agence Europe, 1985).

exercised close control over the drafting process, which had itself been delegated to DGIII (Arthur Cockfield, his *cabinet* and *services*⁵⁸); and Delors reserved the right to arbitrate on the precise contents of the Paper where there were differences between his advisors.⁵⁹ The Paper was rarely discussed in full sessions of the Commission (after two initial full Commission meetings at which Cockfield addressed the College about the White Paper, the first full debate of the College then occurred in late May 1985, only two weeks before the White Paper was adopted by the Commission and published⁶⁰), but, as we saw above, accounts suggest that the task of producing the Paper infused the Commission widely with a sense of purposeful activity. Delors's personal role and influence within the Commission in the first months of his presidency, and specifically his exemplary and now legendary pace of work,⁶¹ were critical to the speed with which the Paper was produced, and to the precise nature of its contents.

A second significant point about the White Paper itself is that it employed a rational discourse of pragmatic policy initiative:

The document [the White Paper] contained little Europeanist rhetoric, no prophetic visions, and no high phrases hinting at spillovers. It eschewed anything likely to inflame anyone's particular passions. In the end the White Paper's fragmentation into dense paragraphs about technical problems and absence of supranationalist forecasting made it hard for anyone to disagree with. These deliberately designed characteristics of the White Paper were of great political significance. (...) The White Paper also played carefully to broader political

⁵⁸Colchester and Buchan, *Europe Relunched*, p.30, note that Cockfield's portfolio included many of the areas affected by the internal market: 'The breadth of Cockfield's empire made it simpler for his and his cabinet to pull together the elements of the internal market White Paper.' Cockfield in *The European Union*, provides his own account of how he organised the work in his DG, and with whom; p.42; he notes, for example, how one collaborator told him that he 'had given [his] Services a clear objective and unambiguous leadership and at long last and for the first time for many years, he said, they knew exactly what was expected of them.' One interviewee, closely associated with Cockfield on the 1985 Paper, described how all the Commission directorates linked to the internal market were asked to tell Cockfield's *chef de cabinet*, Adrian Fortescue, of any blockages, problems and complaints associated with the incomplete market; these were then sieved by the *cabinet*, and cut back considerably in volume. The same interviewee stressed that Delors and Cockfield did not develop a 'cigar and whiskies' relationship, or meet 'out of school' on the White Paper. One interviewee also depicted the relationship between Delors's and his own input to the 1985 White Paper as that of the Queen Bee (with vision) to the worker (providing detail).

⁵⁹Ross, *Jacques Delors*, p.30.

⁶⁰Delors frequently called on and enforced the A-points rule, or written procedure, whereby Commission decisions are made by circulating written proposals which, in the absence of objections, are deemed approved.

⁶¹Many interviewees mentioned Delors's pace and volume of work.

constraints. Its general content was “deregulatory” (...). This tapped ambient ideological prejudices, of course. But it also appealed to the specific desiderata of key member states.⁶²

Both Cockfield himself and others have quoted the Paper’s concluding paragraphs as the only places in the document where: ‘its authors put the White Paper in historical perspective, proclaim the venture’s political significance, and allow free rein to their hortatory impulses.’⁶³

As we have already said, the Paper drew on work prepared by the Commission during the presidency of Delors’s predecessor, Gaston Thorn, and, by definition, on the Treaty of Rome itself, where the original provisions for the completion of the internal market were made. The White Paper innovated to the extent that it represented a break with the former emphasis, in completing the internal market, on tariff and non-tariff barriers, substituting for this nomenclature the categorisation of the remaining 300 or so intra-Community barriers to the free movement of goods, people, services and capital into physical, technical and fiscal barriers; but in the Paper’s promotion of the method of the mutual recognition of standards rather than harmonisation for the elimination of barriers, it represented a continuation of an approach which had begun to emerge at the end of the 1970s: ‘The White Paper also introduced a new approach to the elimination of NTBs [non-tariff barriers] arising from different national rules and regulations. Instead of the old, time-consuming, and

⁶²Ross, *Jacques Delors*, p.31.

⁶³D. Dinan, *Ever Closer Union?*, p.139. The paragraph he quotes reads as follows: ‘Just as the Customs Union had to precede Economic Integration, so Economic Integration has to precede European Unity. What this White paper proposes therefore is that the Community should now take a further step along the road so clearly delineated in the treaties. To do less would be to fall short of the ambitions of the founders of the Community, incorporated in the Treaties; it would be to betray the trust invested in us; it would be to offer the peoples of Europe a narrower, less rewarding, less secure, less prosperous future than they would otherwise enjoy. That is the measure of the challenge that faces us. Let it never be said that we were incapable of rising to it.’ Cockfield, in ‘The Real Significance of 1992’, p.4, writes: ‘I would in this article quote only one passage and that from the *Conclusion*: “Europe stands at the crossroads. We either go ahead – with resolution and determination – or we drop back into mediocrity. We can now either resolve to complete the integration of the economies of Europe; or, through a lack of political will to face the immense problems involved, we can simply allow Europe to develop into no more than a free trade area. The difference is crucial. A well developed free trade area offers significant advantages: it is something much better than that which existed before the Treaty of Rome; better even than that which exists today. But it would fail and fail dismally to release the energies of the people of Europe; it would fail to deploy Europe’s immense economic resources to the maximum advantage; and it would fail to set aside the aspirations of the people of Europe.’

highly ineffective attempt to harmonize at the EC level, (...) the White Paper proposed that the Community should rely as much as possible on the principle of mutual recognition. (...) The idea was simple but also revolutionary; it built on indications of a more favourable political climate in national capitals, and some earlier judgements of the European Court (...).⁶⁴

The opening page (p.3) of the White Paper is given up to extracts from the conclusions of four European Council meetings (Copenhagen, December 1982; Fontainebleau, June 1984; Dublin, December 1984; Brussels, March 1985), which recalled the member states' growing and public commitment, in the early 1980s, to completing the internal market. This was a tactic by which Cockfield sought to remind the member states of their commitments and to draw on them as a first source of legitimacy for the White Paper which followed. The following 23-point Introduction to the White Paper then built on these commitments in more detail by outlining the Paper's pedigree in the Treaty of Rome, and in the emerging intergovernmental consensus which we described above; and in introducing the Paper's approach to the removal of remaining barriers to the four freedoms of the Rome Treaty. The pragmatism of the Paper is clear in these introductory pages, in terms of its statements of its limited scope, its practical implications and intent, and its systematic approach. The following extracts serve as brief examples of these points (the numbers refer to the numbering of the points made in the Introduction to the Paper):

3. (...) Given the European Council's clear and repeated commitment to the completion of the common market, the Commission does not intend in this Paper to rehearse again the economic and political arguments that have so often led to that conclusion. Instead the Commission, which wholeheartedly shares the Council's commitment and objective, sets out here the essential and logical consequences of accepting that commitment, together with an action plan for achieving the objective.

⁶⁴L. Tsoukalis, *The New European Economy*, p.56. Ross, *Jacques Delors*, pp.30-1: 'The aim was to unify 12 separate markets (eliminating physical and technical borders), largely through commitment to mutual recognition as a method for harmonization. The idea followed the *Cassis de Dijon* precedent from the European Court.'

7. (...) The time for talk has now passed. The time for action has come. This is what this White Paper is about.

The following 45 pages of the Paper set out, in three parts, the detailed exposition of the Paper's commitment to removing the remaining physical, technical and fiscal barriers to the completion of the internal market. In each case the existing situation was summarised; the Commission's approach and scope explained and justified; problem areas identified and addressed; its intended legislative proposals summarised; relevant figures provided (as in Part Three: The Removal of Fiscal Barriers); and the globality of the Paper and its measures emphasised and illustrated (for example: Part One: The Removal of Physical Barriers, point 27: 'Our objective is not merely to simplify existing procedures, but to do away with internal frontier controls in their entirety'; Part Two: The Removal of Technical Barriers, point 59: 'The Commission is fully aware that this strategy implies a change in habits and in traditional ways of thinking. What is needed is a radical change of attitude which would lead to new innovative solutions for problems – real or apparent – which may appear when border controls no longer exist.')

Following a page of Conclusions (see above) to the main text of the Paper, as outlined above, the final section of the document was an Appendix – the Timetable for Completing the Internal Market by 1992: 'The Commission's White Paper sets out the essential and logical consequences of accepting the European Council's repeated commitment to completing the Internal Market by 1992, together with an action programme of the measures needed to meet that objective. This Annex to the Paper sets out the detailed timetable for implementing the Commission's proposed programme.' (Appendix, Introduction, p.I).

The Appendix was effectively a detailed list of proposed (and existing) measures in tabular form, following the three-part structure of the Paper's approach to removing barriers to an internal market, showing the date on which each proposal should be adopted in order to complete the internal market by 1992: 'The White Paper spelt out with remorseless logic the consequences of the political commitment to eliminate all

remaining intra-EC barriers. It included a long list of measures (279 precisely) and a timetable for their adoption, extending to 31 December 1992. The completion of the internal market provided the unifying concept for a set of very disparate measures (...).⁶⁵ The purpose of the appendix was to lay out the ‘milestones along the path to completion of the Internal Market [which will] give some indication of the progress and benefits the Commission would wish to see.’ (Annex, Introduction, p.I). In this particular respect, the Paper had built into its strategy the measures and criteria for its success; in this sense too the Paper offered a global and complete approach.

The 1985 White Paper was, in all these respects, the expression of the Commission’s authority to complete the single market, as laid down in the Treaty of Rome and as reaffirmed by the intergovernmental consensus to relaunch integration in the mid-1980s. Its vocabulary of low, functional politics, and its direct, readable tone and register, was in strict accordance with the Commission’s original mandate, contained in the Treaty of Rome, to complete the single market, and once approved by the member state governments, on these grounds, became the founding text according to which the relaunch was initiated, programmed and accomplished: ‘Another characteristic was the technical and low-key nature of the White Paper, considerably aided by the personal style of Lord Cockfield, the EC Commissioner for the internal market. Only passing reference was made to what later came to be known as flanking policies. Thus the White Paper, and the concept of the internal market in general, appeared as less threatening to governments, especially in terms of national sovereignty. This was in sharp contrast to EMU as the main economic initiative of the 1970s.’⁶⁶

⁶⁵L. Tsoukalis, *The New European Economy*, p.55. And the second paragraph of the introduction to the Annex reads: ‘The timetable is set out in tabular form and is divided into Parts which correspond to the Parts of the main body of the Paper. Within each Part of the timetable, the specific measures proposed by the Commission are separated into two periods, 1985-1986 and 1987 to 1992, according to the year in which the Commission’s proposal will be made. However, the timetable for the period 1985 to 1986 also includes measures which, though not necessarily mentioned in the body of the Paper, have already been proposed to the Council and remain an essential part of the Commission’s Programme for completing the Internal Market.’

⁶⁶L. Tsoukalis, *The New European Economy*, p.57.

In terms of our argument, the White Paper was the renewed expression, by the Commission, of its treaty-based, rational-legal authority. The choice of the format of the Paper, the manner in which it was produced inside the Commission, and the speed and efficiency of its production were initial indications that Delors's influence within the Commission as President was instrumental to the strategic production of the White Paper. Delors had begun to exercise, within the Commission, a presidential authority that had distinguished himself from his predecessors. Delors's personal and, in our terms, charismatic, input to the White Paper and its impact was, however, most in evidence in relation to the constituencies which lay outside the Commission and on whose support Delors and the White Paper were most dependent. We illustrate below how Delors's charismatic style of presidency was a significant factor in securing support from the member states, not only for the White Paper but for its logical implications, of which the most significant was the acceptance of extended qualified majority voting in the Council of Ministers. Taken together, the White Paper and the Single European Act, which provided for the change in voting procedures and habits, had the effect of reinforcing the Commission's authority within the Community system; the President's charismatic comportment was a significant factor in this development and in its aftermath.

The President (II)

In addition to shaping the work of the Commission and the organisation of the White Paper drafting process, Delors personally took responsibility for the promotion and explanation of the White Paper to constituencies outside the Commission. This activity was significant in ensuring the success of the White Paper and in altering perceptions of the Commission and its President, as we shall see below when we assess the 1993 White Paper. We have already discussed the importance which, as part of a working method which he had developed over many years of political and related activity, Delors attached to concertation with what he saw as elements of '*la société civile*': principally the two sides of industry. Much of this corporate contact

was undertaken during his President-designate period, and we have discussed how instrumental it was in shaping certain of the decisions of the White Paper, such as the notion of a fixed deadline.

On becoming President, Delors prioritised his relationship (and that of the Commission) with a further constituency, that formed by the Members of the European Parliament. Throughout his presidency, Delors emphasised the relationship between the Commission and the EP, the democratically representative forum of the Community system of institutions. His interest in this relationship can be interpreted both in **institutional** terms – the Commission needed the EP as an institutional ally in pro-integration legislative proposals – and, more significantly, in **political** terms, as an expression of Delors's vision of the ideal functioning of the European polity – and in this latter respect formed that part of Delors's interpretation of his post that became the most controversial: Delors as European political leader.⁶⁷

Delors initially established this relationship by means of a speech to the EP two weeks after becoming President, in which the completion of the internal market was presented as one crucial part of the Delors Commission strategy to relaunch European integration. We have already discussed the significance that Delors attached to his public discourse, and this subject has been developed elsewhere; we also return to it in our conclusions. This first speech to the EP was an important part of Delors's presidential strategy on taking office in January 1985, and an illustration of his use of public discourse as a strategic means. Subsequent studies have highlighted how this was a speech which broke in several respects with the traditions and norms of Commission presidential discourse since the beginnings of the ECSC.⁶⁸ We study the speech below in some detail in order to illustrate how Delors's personal articulation of the Commission's claims to authority formed part of the process whereby the

⁶⁷This distinction was made by an interviewee from Delors's *cabinet* during his first Commission presidency.

⁶⁸J.-C. Deroubaix and C. Gobin, *Quand la Commission se présente devant le Parlement. Etude du vocabulaire des discours de présentation de la Haute Autorité de la CECA et de la Commission de la Communauté européenne devant le Parlement européen (1952-1993), vols. I and II* (Recherche européenne en Sciences Humaines, October 1994).

Commission re-established its authority as a leading institutional actor in the integration process in the mid-1980s.⁶⁹ It was in this speech that the intent and content of the White Paper was first publicly aired.

Delors delivered his inaugural speech to the European Parliament on 14 January 1985, as spokesperson of the Commission, one week after taking up office as Commission President.⁷⁰ It was approved the following day by an overwhelming majority of the MEPs: 208 votes in favour, 34 against, with 37 abstentions. Delors used this maiden speech to the EP to launch the substance of his Commission's priorities, not simply for the coming year, but for the next eight years (two Commission terms of four years each). Delors was the first Commission President, moreover, whose opening speech would be put to the vote. It had become a convention by 1985 for the incoming Commission President to present his Commission and its programme to the EP, but not in the sense of a vote of confidence as was the case with Delors. The speech was therefore significant as an appeal for support – and, more specifically – for legitimisation of '1992' and its broader context.⁷¹

⁶⁹For a full analysis of this speech, see: H. Drake, 'Jacques Delors and the Discourse of Political Legitimacy', pp.233-258 in H. Drake and J. Gaffney (eds.), *The Language of Leadership in Contemporary France* (Aldershot, Dartmouth, 1996). See also *Agence Europe*, no. 4007, 16 January 1985, editorial and pp. 5-8.

⁷⁰*Déclaration sur les orientations de la Commission des Communautés européennes, faites devant le Parlement européen par le président Jacques Delors* (The Thrust of Commission Policy. Statement by Jacques Delors, President of the Commission, to the European Parliament). For the purposes of our analysis, two copies of this speech have been consulted. One is the version reproduced in Delors' book (a collection of his speeches), *Le Nouveau Concert européen*, pp.27-49. The other is the version published by the French edition of the *Bulletin des Communautés européennes, Supplément 1/85*, pp.5-17. We have also consulted the English language edition of the *Bulletin*, from which our translations are taken. We should also note here that while the EP and its members formed Delors's direct audience on this occasion, Delors would also have been addressing heads of State and government, and the outside community more generally. His speech in fact received far less attention, for example from the press, than his subsequent 'inaugural' speeches of 1989 and 1993, which in itself is a measure of Delors' rising political significance over the duration of his presidency.

⁷¹This situation is explained in the introduction to Deroubaix and Gobin, *Quand la Commission se présente devant le Parlement. Etude du vocabulaire des discours de présentation de la Haute Autorité de la CECA et de la Commission de la Communauté européenne devant le Parlement européen (1952-1993)*, vols. I and II (Recherche européenne en Sciences Humaines, October 1994), a study of the 'inaugural' speeches, including the one under study in this chapter, of all the Commission and High Authority Presidents to the European Parliament since 1952. The study was commissioned by the Commission (DG5, Information, Public Opinion) and is based on quantitative methods of measuring lexical terms and their frequency, although the authors categorise their approach as 'political sociology' and not linguistics. The authors explain (vol. I, pp.8-9) how since René Mayer, the second president of the High Authority, the presidents of the EC executive (i.e. the High Authority of the European Coal and Steel Community, ECSC, and later the Commission of the European Communities) had been accustomed to presenting their new Commission to the European Parliament. In 1984, the European Parliament called for a new procedure: to put the incoming president's speech to the vote.

Delors's emphasis on the long-term was an indicator of his boldness as incoming Commission President. This is where, moreover, he launched the idea of '1992' as a deadline for the completion of the Single Market, which was to become such a successful slogan, although the 1992 message as such was not at the heart of his address. Delors used the speech more generally, in the manner of a state of the union speech, to introduce his 'legislature', as an occasion to deliver his analysis of Europe's problems and to propose a method for addressing them, setting the tone for a Commission ready to reclaim its rights and duties as guardian of the founding treaties and so as initiator of European-level policy, thus providing the backdrop and justification for the White Paper that followed. We will illustrate these points with a number of examples.

At the outset of his speech, Delors referred to what he called the Commission's 'political responsibility' to the European Parliament, as a way to express his recognition that the Commission's legitimacy rested, in part at least, on its respect of the EP and the citizens the EP directly represented. The Commission's legitimacy would depend on the Commission's ability to perform its tasks to the EP's satisfaction. The Commission's dependence on the EP for legitimation, insofar as the EP is a mediator of public interest, was a theme present throughout the speech, and was reflected in reality by an ongoing productive relationship between the Commission and the EP in the legislative process, as we have suggested above.

Given these demands upon the Commission, it would need to present certain qualities, of which humility, and political determination were the most significant.⁷²

At this time, the procedure was a symbolic gesture of control over the Community executive. The Maastricht Treaty (the Treaty on European Union) of 1992 finally turned this procedure into an obligation. '*Le président Delors se trouvera donc dès sa première investiture soumis à un verdict parlementaire, fût-il de l'ordre du symbolique.*' (President Delors, therefore, on his first investiture, will undergo a parliamentary verdict, however symbolic this may be.) (p.9, vol. 1).

⁷²Une nouvelle Commission se présente donc, empreinte à la fois d'humilité intellectuelle et d'une grande détermination politique. Le sentiment d'humilité m'habite particulièrement. Comment, me dis-je souvent, cette Communauté, animée par des personnalités de conviction et de talent, n'a-t-elle pas fini par décoller?' (So it is that a new Commission appears before you, imbued with intellectual humility and great political resolve. Personally, I am more aware of the humility. I have often wondered why the Community, with its committed and talented leadership, has never got off the ground).

By portraying himself and his Commission as humble but committed workers in the face of an enormously difficult task (which had daunted *'des personnalités de conviction et de talent'* – committed and talented leadership – before him), Delors was suggesting that his Commission wished to be known and judged for its competence and conviction in carrying out its work. How exactly this would be done was his next point: it was a question of devising and applying the right method: *'Pardonnez-moi cette idée banale issue de l'expérience: les artisans de la construction européenne butent moins sur le "que faire" que sur "comment le faire".'* (Forgive me if I come up with a rather trite thought, born of experience. I believe that the engineers of European integration are fumbling not over 'what has to be done' but rather over 'how to go about it'.)

One factor which was intended to invite confidence in Delors' analysis, and proposed method was his personal knowledge and first-hand experience of the EC's problems and institutions (*'issue de l'expérience'* – born of experience). His audience would have been well aware of this experience, to which we briefly referred above: between September 1979 and May 1981 Delors was himself an MEP, and chair of the EP's Economic and Monetary Affairs committee. He was subsequently (1981-3) France's Economy and Finance Minister, then (1983-4) Economy, Finance and Budget Minister, and in these posts he participated regularly in the Council of Ministers.

Within the first few paragraphs of his speech, Delors therefore evoked the humility appropriate to the role of Commission President in relation to the European Parliament which is directly elected by the electorates of the EC member states (*'Pardonnez-moi; cette idée banale'*). He indicated his personal knowledge of Europe's problems, and his personal experience of the difficulty of tackling these problems. He delivered a diagnosis based on this knowledge and experience, and pointed to a remedy based on the Commission's hard work and good service. These were the terms within which Delors raised the question of the legitimacy of his presidency of the Commission. The remainder of the speech was marked by this

emphasis on defining and applying the right method and, in this, was an accurate predictor of one of the features which did characterise Delors' presidency of the Commission.⁷³

Delors defined his method as follows: '*Je vous proposerai, à cette fin [making Europe strong and exemplary] des orientations et une méthode (...). De quoi s'agit-il? De la méthode pour réaliser le consensus et la convergence des volontés, de la méthode pour agir et réussir. C'est, avec la recherche de la crédibilité, le point essentiel*' (I propose to outline an approach to you now (...). What approach do I have in mind since my theme is, and will continue to be, 'how to go about it?' It is an approach to achieving consensus and convergence of will, to acting and succeeding. This, and the search for greater credibility, are the essentials.) There was nothing unusual in Delors's approach of seeking out consensus and securing political agreement between the leaders of the Community's member states: these are implied in the treaties, as we saw in Chapter Three, as one of the tasks of the Commission. What was novel was his intention to broach the subject of institutional reform during his presidency in order to exploit such agreement. At the time of this speech, the Community's institutions and founding texts had not been subject to the almost continuous process of reform which came to characterise the Community, then Union, between the mid-1980s and mid-1990s.

Delors first mentioned the possibility of institutional reform immediately after announcing his notion of method: '*C'est [la méthode], avec la recherche de la crédibilité, le point essentiel. Ce qui me conduira à évoquer devant vous le fonctionnement des institutions et les processus de décision. Je le ferai en tentant de mettre un peu plus de clarté dans un domaine dont plus personne ne nie l'importance ni l'urgence des réformes.*' (This, and the search for greater credibility, are the essentials. But I will also have something to say about the functioning of the

⁷³George Ross, who participated in the work of Delors' *cabinet* towards the end of Delors' presidency (in 1991), provides an account of the significance of the *cabinet* dimension to Delors' style and method of presidency: 'Inside the Delors Cabinet', *Journal of Common Market Studies*, vol. 32, no.4, December 1994, pp. 499-523.

institutions and the decision-making process. In so doing I will endeavour to clarify matters in an area in which – yet again – debate has been ambiguous and controversial, although everyone agrees that reform is urgently needed.) He returned to the theme in more detail in the closing part of his speech, calling for a clear distinction between where the rules and provisions of the Treaty of Rome were sufficient, and where it was necessary, for renewed integration, to go ‘beyond the Treaty of Rome’; to distinguish both the limitations of pragmatism, and the dangers of imaginative vision for its own sake: ‘We must steer a course between the twin traps of limited pragmatism and precipitate action.’⁷⁴

In this statement of intent lay the heart of the Delors remedy for the Community’s situation in early 1985: a recognition that both pragmatism and imaginative vision had their limits; that a combination of both was required; the combination we discussed earlier of politics and routine; of rational-legal provisions and the will, based on charismatic and traditional claims, to go beyond them. The Commission itself had to be realistic in its proposals, and act in permanent concertation with the other institutions; in sum: ‘*La Commission doit en quelque sorte jouer le rôle centrale d’ingénieur de la construction européenne*’ (the Commission should, as it were, play the key role of engineer on the European construction project). Within eighteen months of his presidency, and on the basis of the White Paper, Delors did play a significant role in altering the balance between the EC’s institutions, an alteration which subsequently allowed for progress to be made on the completion of the internal market.⁷⁵

⁷⁴ ‘A cette fin [overcoming the dogmatic differences between member states which had prevented institutional reform] je propose une méthode simple, peut-être trop simple: distinguer, d’une part, les améliorations à réaliser dans les règles actuelles et, d’autre part, l’au-delà du Traité de Rome. Autrement dit, refuser à la fois les pièges d’un pragmatisme, au demeurant limité, mais refuser aussi la fuite en avant.’ (To this end I would suggest a simple – perhaps over-simple – two-pronged approach. And it is this: let us identify the improvements to be made within the framework of existing rules and then decide what can be done beyond the Treaty of Rome. Neither element can be neglected. We must steer a course between the twin traps of limited pragmatism and precipitate action.)

⁷⁵ The Commission made several proposals to the intergovernmental conference charged with revising the Treaty of Rome, proposals which contributed significantly to the content of the Single European Act (SEA), its provisions for extended qualified majority voting in the Council of Ministers and for extended Community competences.

As Commission President, Delors had no mandate to reform the institutions of the EC, and he succeeded in doing so by winning national leadership support for the task. Part of his way of gaining support was to depict forcefully, in this inaugural speech, what was at stake if Europe did not resolve its internal difficulties; above all this was the completion of the Single Market – the creation of a barrier-free Europe by 1992 – to restore the EC's credibility with its citizens, the outside world and organised interests, particularly since, as we mentioned above, the MEPs and the Heads of State and Government had already said they wanted a Single Market, and the previous Commission had proposed the consolidation of the Single Market during its term. Delors used this speech therefore to remind his audience of what had already been promised but not delivered, and which had harmed the Community's credibility. In this way, he prepared his audience for the action to be taken by his Commission in the field of the completion of the Single Market, and in particular for the emerging White Paper. The mention of the 1992 objective in this speech was brief but precise, and in Delors's (and his collaborators') perception, was a founding act of subsequent developments.

In the remainder of the speech, Delors spoke of the need for action in order to set Europe back on course; action led by the Commission, under Delors's leadership: *'il est de ma responsabilité de provoquer (...) les discussions (...)'* (It is my responsibility to stimulate discussions (...)); and he raised the Commission's responsibility to social justice – still with the aim of making Europe credible – while simultaneously ensuring efficiency. There was a guiding principle to the Commission's programme of action: *'Ainsi tout se tient dans le dynamisme retrouvé comme dans le lent déclin. A nous tous de démontrer, dès les prochains mois, que les vertus d'une interdépendance et d'une solidarité assumées lucidement sont bien meilleures que dans la situation actuelle'* (So all things are interconnected, whether in a situation of renewed dynamism or one of slow decline. It is up to us all to demonstrate, over the coming months, that interdependence and solidarity entered into with full awareness of the consequences are infinitely preferable to the present situation).

We said above that Delors concluded his speech by raising the possibility of reforming the Treaty of Rome. By the end of the speech he had, therefore, invoked his knowledge, experience and understanding of Europe's problems in order to present a method, or approach, which would guide the action to be followed by his Commission and form the basis on which it should be judged. He delivered this message in a speech containing a practical analysis of the situation, and proposing action within the prescribed method. In laying down the goals of European integration during his presidency, and the reaction that this required from the Commission, Delors launched an appeal to the EP and his wider audience to support him in his programme.

At the very beginning of his presidency, in this speech, Delors' discourse consisted therefore in creating a space in which he could act legitimately. Whatever he subsequently did or embraced was thus both legitimate, and 'his'. This entailed pushing outwards the boundaries of the Commission's role; of defining what the Commission President would do, and why. It stressed, most significantly, the importance of the method by which to implement political objectives, and with which to exploit political will. The legitimacy on which this was based derived, on the one hand, from the relationship that Delors was establishing with the European Parliament, who directly represented Europe's citizens; and on the other, it derived from the commitment of the Commission, under Delors's leadership, to define the task to be accomplished, to devise a method for accomplishing it, and accomplishing it to the best of its ability. Competence and commitment – as intended by the founding treaties – would be the criteria on which it could be judged. Delors's discourse in 1985 represented a Delors on the offensive – a charismatic Delors – defining the balance of political power between the Commission and the other institutions of the EU according to the founding constitutional texts of the Communities (insofar as these were sufficient), and acting as if he were the leader of these institutions, in the sense of providing the means to progress from good intentions to concrete and positive action.

Deroubaix and Gobin support our remarks in noting that Delors's 1985 speech introduced into the corpus a significant number of new lexical items, many of which Delors used again in his 'inaugural' speeches at the beginning of his 1989 and 1993 presidential mandates. The 1985 speech departed from the norms established up until then, notably in its programmatic and voluntarist quality; hence in its emphasis on terms such as 'Europe', and 'society' (representing large-scale objectives, as opposed to the narrower referent, 'European Community'); in the dynamism it attributed to Europe ('Europe' was the subject of verbs: 'Europe' wants, must, can, etc); and in its use of structures and vocabulary designed to convince, and construct an argument. Delors frequently, for example, used the term '*députés*' (MEPs) to address and engage his audience directly; he was the first Commission President to employ the term '*député*' to refer to the MEPs, a term which emphasised their quality as directly elected members of the Parliament and so enhanced their quality as members of a federal-type polity. He also frequently used '*nous*' to refer to the Commission plus the European Parliament. The authors suggested that such uses were intended to mark the close relationship which Delors hoped to establish with the EP, and in this their remarks coincide with our own analysis of the speech, which we have seen as the discursive creation of a Community in microcosm.⁷⁶

We should also note here that although Delors was making a speech on behalf of the Commission as its spokesperson and *primus inter pares*, he delivered a speech marked strongly by his personal analysis of the situation, and the solutions required. Through his speech he presented himself as a Commission President with a personal vision of Europe's objectives, strengths and weaknesses, and with a personal set of solutions, and method, for addressing the situation.⁷⁷ This charismatic approach to the

⁷⁶Deroubaix and Gobin, *Quand la Commission se présente*, vol. 1, *passim*.

⁷⁷Deroubaix and Gobin, *Quand la Commission se présente*, vol. 1, p.6: they say of the 'inaugural' speech in general: '*Il ne s'agit donc pas de discours de présentation d'un programme annuel précis mais de discours programmatiques de type généraux, que nous pourrions qualifier de "discours d'entrée en fonction". Il ne s'agit pas non plus de discours de type personnel: ce n'est pas le président, mais le président en tant que porte-parole privilégié d'un collège (...).*' (It is not therefore a speech introducing a precise annual programme, but a general programmatic speech, which we could call an inaugural speech, marking the taking up of presidential duties. Nor is it a personalised speech: it is not the President as such, but the President as the privileged spokesperson of a college). However,

presidency (which, as we have seen, is not a leadership role *per se*), was such that by 1993, his name had become almost synonymous in the public eye with the Commission and the integration process alike. This development – the emergence of Delors as an individual, charismatic leader of the integration process – is critical to understanding the evolution in Delors's and the Commission's legitimacy, and we discuss it below, in our analysis of our second case, the 1993 White Paper, where we see how Delors responded, in his discourse, to the altered climate and circumstances; how, more precisely, he justified having played such an active and forceful role in the integration process. Essentially, we will see how his discourse was of a still presidential yet more defensive character; as if he was being called upon to justify a political legitimacy and presidential authority which he had earlier claimed.

The Text (II)

In March 1985, Delors returned to the EP with the Commission's work programme – its programme of proposals – for the four years of its mandate; this programme built on the work undertaken thus far by the Commission on the White Paper. In his speech presenting this work programme to the EP on 12 March 1985, Delors indicated that the Commission intended directly to seek the approval of the Heads of State and Government for the White Paper and its objectives: 'The Commission will be asking the European Council to pledge itself to completion of a fully unified internal market by 1992 and to approve the necessary programme together with a realistic, binding timetable. In this way the Community can build on the customs union launched by the authors of the Treaty of Rome and provide as much stimulus to the European economy as the first stage of the common market did in the 1960s.'⁷⁸

after analysing their corpus (and referring to it in its totality), they remark: '*Nous voyons aussi que le président qui normalement parle au nom de l'exécutif européen, au nom d'un collège, n'hésite cependant pas à utiliser de façon importante une forme plus personnelle de communication à travers le je et le j'*' (We also notice that the President, who should speak in the name of the European executive, has no hesitation in frequently using the more personalised form of communication marked by 'I'!) (p.16, vol. 1).

⁷⁸'Programme of the Commission for 1985. Statement by Jacques Delors, President of the Commission, to the European Parliament and his reply to the ensuing debate', Strasbourg, 12 March 1985, *Bulletin EC, Supplement 4/85*.

In his intention to appeal to the Heads of State for a mandate to implement the White Paper, Delors had signalled a key element of his presidential strategy: to seek the highest-level national political support and commitment for Commission initiatives which would themselves (the support and commitment) act as a basis for the Commission's authority. In the case of the 1985 White Paper, the leaders' support was less problematic than the case of 1993, which we discuss below, because of the existing but uncompleted Treaty provisions in themselves giving the Commission authority to initiate, and thanks to the emergent intergovernmental consensus, to which we referred above, that economic integration should be relaunched.

At the Brussels European Council of 29-30 March 1985, the Heads of State and Government asked the Commission to prepare a programme for the internal market: 'At its Brussels meeting in March 1985 the European Council again called for "action to achieve a single large market by 1992, thereby creating a more favourable environment for stimulating enterprise, competition, and trade".'⁷⁹ In April and May 1985, the final phases of the drafting process were completed within the Commission, based on, as we said above, the previous Commission's proposals for consolidating the single market; the 1985 work programme as presented to the EP in March 1985; and an inventory of measures for eliminating reasons for frontier controls. In its external presentations of the White Paper during this time, the Commission stressed the 1992 timetable and its effects; mutual recognition not harmonisation for the convergence of standards; the rejection of solutions amounting to maintaining border controls, and the '*caractère global*' of the programme. On 14 June 1985, the White Paper was adopted by the Commission, less than six months after the Commission presided by Delors had begun work on the '1992' programme.⁸⁰

At the European Council held in Milan on 28-29 June 1985, the European Council expressed its favourable response to the White Paper, and the Council was told to act upon it: 'The European Council provisionally approved both proposals [the White

⁷⁹Cameron, 'The 1992 Initiative', p.34.

⁸⁰See *Agence Europe*, no. 4111, 17/18 June 1985, pp.7-8; no. 4112, 19 June 1985, editorial.

Paper and the report of the Dooge Committee] and recommended that the Council of Ministers convene an extraordinary intergovernmental conference of the member states to consider the proposals in detail, decide which elements should be adopted, and then draft the necessary amendments to the treaties that govern the Community.’⁸¹ The Intergovernmental Conference was itself structured around the Commission’s proposals, contained in the White Paper, for completing the internal market: ‘This [the internal market] was a centrepiece of the talks, for reasons both fundamental and tactical. It was an area in which the basic aim of the existing treaties was still not achieved. Its importance was generally recognised and it was an issue which could entice the UK.’⁸²

The Council’s role in the implementation of the White Paper had already, moreover, begun to form part of the next phase of the Commission’s strategy for the internal market – what Delors called *l’irréversibilité* – in the Commission’s plans taking shape to influence the member states’ consensus that the Community’s institutions required reform, in order to overcome the stalemate of the Luxembourg compromise voting rules.⁸³ The institutional reform that Delors had alluded to in his January 1985 EP speech became central to the Commission’s contribution to the internal market programme’s progress through the Community’s institutions. Cameron noted, for example, how Delors was instrumental in the decision taken at Milan to hold an IGC

⁸¹Cameron, ‘The 1992 Initiative’, p.23. *Agence Europe*, no.4121 (special edition), 30 June 1985, pp. 1-10.

⁸²Richard Corbett, ‘The 1985 Intergovernmental Conference’, p.245.

⁸³On 26 June 1985 the Commission adopted a draft communication to European Council called ‘*Marché intérieur, note institutionnelle*’ (COM (85) 352 final). This covered the fact that under existing practice, three-quarters of the White Paper proposals needed unanimity; that the proposal made by the British in early June 1985 to improve decision-making without reforming the treaty was unlikely to work; that articles 57-2, 99, 100 and 235 should be modified by the Spain and Portugal accession treaty; that the consultative committee could be used more widely for execution of single market measures. The Commission did not send this document to the European Council, but it formed the basis of Delors’s proposals to the Milan summit. Delors, in his contribution to the Milan summit, in particular insisted on treaty reform rather than relying on declarations of intent to drop the veto; the Spokesman’s Service briefing of 28 June 1985, p.3, reported: ‘Le Porte-parole a insisté sur le fait que le Président Delors, en proposant cette démarche, s’inspire de son expérience du fonctionnement actuel du Traité et de ses résultats d’une part, et d’autre part du souci d’associer le Parlement européen à la prise de décision dans le système communautaire.’ For reports of the Milan summit see: ‘Conclusions of the European Council’, *Bulletin EC*, 6/85; de Ruyt, *l’Acte Unique*, pp. 59-65; *le Monde*, 30 June-1 July 1985, pp.1&5; Marino Gazzo (Documents selected and introduced by), *Towards European Union II* (Brussels-Luxembourg, Agence Europe, 1986).

on institutional reform **and** the White Paper: ‘in proposing to the European Council at its Milan meeting in June 1985 that an intergovernmental conference be convened to consider both the White Paper on the internal market and the Dooge Committee’s report on insitutional reform, Delors may have increased the initiative’s chances of being adopted. By broadening the range of issues to be discussed at the conference, Delors created the possibility for bargains, trade-offs, and alliances to be struck across the issues of market reform and institutional reform. Moreover, in proposing an intergovernmental conference on the two subjects of reform, Delors and his Commission succeeded in giving the internal market initiative the aura of progressive, democratizing reform.’⁸⁴

Discussing the progress of the White Paper beyond the Milan summit takes us further than the essential purpose of this part of this chapter, which is to evaluate the Commission’s role – and the President’s part in that role – in bringing into existence the 1985 White Paper. To the extent that institutional reform was essential to the implementation of the White Paper, it is nevertheless necessary to underline the Commission’s critical contribution to that reform process (which, we saw, Delors had anticipated in his January 1985 European Parliament speech). By the time of the Luxembourg European Council meeting of 2-3 December 1985, and the final meeting of the IGC convened at Milan, on 17 December 1995, certain of the Commission’s proposals for treaty reform had been adopted by the member states; the notion of an ‘espace sans frontières’ proposed by the Commission had been retained, and EEC Article 100 had become article 100A, with its relaxing of the rules on unanimity: ‘During the first several months of 1986, the member states of the Community ratified the Single European Act. In so doing, they committed themselves to the progressive establishment, by the end of 1992, of an internal market, defined as “an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured”. They also agreed to institute certain reforms in the internal

⁸⁴Cameron, ‘The 1992 Initiative’, p.51.

legislative and executive procedures of the Community. Thus the nearly three hundred proposals that would create the internal market were to be implemented through a new cooperation procedure that gave the European Parliament a greater role in amending and approving the Commission's proposals.'⁸⁵

Although Delors remained privately sceptical about the extent of the reform represented by the SEA, and questioned its decision-making and operational capacity to enable 1992 to come to fruition, progress towards the implementation of the White Paper had undeniably been achieved, and the Commission's next efforts would focus on capitalising on this progress by putting forward the proposals outlined in the White Paper (two-thirds of the measures were proposed by the Commission by the end of 1987, by which time the Council of Ministers had approved 67, with 126 still under discussion; 90% of the measures were proposed within three years); and ensuring their progress through the legislative process by maintaining pressure on the Council of Ministers and the European Council, reminding them of their commitment to the White Paper and, more broadly, to the 1992 initiative.

In February 1987, for example, the Commission adopted what became known as the Delors Package I: a composite of financial and other consequences of the decision to proceed with '1992', which subsequently became instrumental to the success of the implementation of the '1992' programme.⁸⁶ A further example of the Commission's

⁸⁵D. Cameron, 'The 1992 Initiative', p.24, citing from Article 13 of the SEA, which became articles 8a and 8b of the amended treaties. See too De Ruyt, *L'Acte Unique*, pp. 70-1: ' Or, au début du mois de septembre, la Commission prit l'initiative de présenter comme première contribution aux travaux un chapitre complet sur le "marché intérieur", savamment articulé. Cette sorte de "traité dans le traité" visait, par des procédures particulières, à réaliser pour 1992 l'objectif du "marché intérieur, espace sans frontières" qui était défini dans le "Livre blanc" de Lord Cockfield approuvé par le Conseil européen de Milan. Comment refuser de favoriser la mise en oeuvre d'un tel objectif, dont tous les économistes, tous les opérateurs industriels disent qu'il est indispensable pour que l'Europe reste dans le peloton de tête des nations industrialisées? Vu sous cet angle, le passage à la majorité qualifiée pour la prise de décision trouvait une justification tout économique et perdait son allure de "défi" institutionnel. C'est, pour une bonne part, grâce à cette nouvelle présentation des choses que, dès l'amorce des travaux de la conférence, on put voir fondre les réserves de principe émises à Milan.'

⁸⁶The Delors Package I took the initial form of a Communication from the Commission to the Council (COM 87/100) entitled *Réussir l'Acte Unique – une nouvelle frontière pour l'Europe* (see too *Bulletin EC*, supplement 1/87). The Commission attached considerable significance to this step: 'Le plan ainsi défini ne couvre pas seulement le financement de la Communauté et la poursuite de la révision de la PAC, mais vise à mettre en oeuvre l'ensemble de l'Acte Unique en recherchant la création de l'espace économique commun, une croissance économique plus forte, un meilleur fonctionnement des institutions, une discipline budgétaire renforcée et une politique économique extérieure commune et ferme. (...) Avec les propositions nécessaires en matière budgétaire et financière, le Conseil Européen

commitment to the 1992 programme was its publication, in 1988 of its report of the 'costs of non-Europe', which, in its own view, provided scholarly sanction of the idea of completing the internal market, and drew considerable attention to the '1992' programme, idea and momentum.⁸⁷

When the Commission delivered its first report on the implementation of the internal market programme in 1988, it was able to report that over 50% of the programme's directives had been adopted by 1988. At the Hanover European Council of June 1988, half-way through the 1992 timetable, the 1992 objective was deemed to have reached the phase of 'irreversibility' anticipated by Delors. By 1991, nearly 85% of the White Paper's measures had been approved and passed by the Council, and by 1992 itself, 95% of the White Paper's 282 proposals had been adopted, of which 77% had come into effect, with the result that: 'L'échéance du 1er janvier 1993 prévue dans l'Acte unique fut respectée, après des efforts substantiels pendant la dernière année de préparation du marché unique.'⁸⁸ The Commission thereafter established a strategic programme for ensuring that the remaining measures were addressed, and the single market adequately managed.⁸⁹ In the Commission's own assessment of the significance of the White Paper, it stated, optimistically, that the White Paper had 'fundamentally changed the face of Europe' and had revealed a political truth about the Community, 'that the 12 gain in sovereignty when they exercise it together'.⁹⁰

The White Paper of 1985: preliminary conclusions.

de Bruxelles [June 1987] fut, dès lors, saisi d'un "paquet" global et cohérent de propositions (...). Commission document, unreferenced: *Marché intérieur, annexe 1*. See also de Ruyt, *L'Acte Unique*, pp. 298-304.

⁸⁷Extracts of the book were published for public consumption: French version: Cecchini, P., 1992. *Le défi. Nouvelles données économiques de l'Europe sans frontières* (Paris, Flammarion, 1988); the full report, of a committee chaired by Cecchini, a Commission senior official, was a multi-volume work published by the Economic Affairs directorate of the Commission: 'The Economics of 1992'.

⁸⁸(The deadline of 1 January 1993, as laid out in the Single Act, was met following substantial efforts made during the final year of preparations for the single market.) Internal unclassified, unreferenced Commission document from the Commission Secretariat-General: *Marché intérieur, annexe 1*.

⁸⁹See *Making the most of the internal market* (COM (93) 632); *Reinforcing the effectiveness of the internal market* and *Towards a strategic programme for the internal market* (published together in June 1993 as COM (93) 256), cited in Commission of the European Communities (London), *Background Report. Making the most of the internal market – the Commission's strategic programme*, ISEC/B8/94, 25 February 1994.

⁹⁰From an internal unclassified document made available by one interviewee.

De Ruyt's account of the Single European Act underlined the importance of the Commission's White Paper in ensuring the success of the SEA negotiations, and so in taking the Community into a new phase of integration: 'Elle [la CIG] disposait, heureusement, d'un ouvrage de référence providentiel, le fameux Livre blanc de la Commission. Même ceux qui par principe ne voulaient pas l'admettre, devaient bien reconnaître, suite aux "fresques" de la Commission et aux travaux du Comité Dooge, que réaliser l'objectif du Livre blanc imposait le passage de l'unanimité à la majorité qualifiée.'⁹¹ De Ruyt emphasised in particular the significance of the White Paper in persuading those member states such as the United Kingdom who were least committed to institutional reform *per se*, but favourable to market integration, to agree to a revision of the Treaty in order for such integration to be relaunched; but a revision which simultaneously provided for dimensions additional to market integration: economic and monetary cooperation, and economic and social cohesion.

De Ruyt pointed to the role of President Delors and his colleagues, specifically his *cabinet*, led by *chef de cabinet* Pascal Lamy; Arthur Cockfield and his *cabinet* (especially his *chef de cabinet* Adrian Fortescue and advisor, Michel Petite⁹²) in maintaining the momentum of the initiative they had taken (in part through sustained hard work and effort) and also by combining political realism and idealism in the Commission's part in the negotiations:

⁹¹(Luckily, the Intergovernmental conference had at its disposal a reference document: the Commission's White Paper. Even those who were opposed in principle to majority voting were forced to recognise, thanks to the Commission's work and that of the Dooge Committee, that achieving the goals of the White Paper meant moving from unanimity to majority voting.) De Ruyt, *L'Acte Unique*, p.149.

⁹²Both interviewed for this research. And see Ross, 'Inside the Delors Cabinet', for a detailed account of the *cabinet* functions in general, and the role of Delors's *cabinet* in particular; for example, p.502: 'The Delors Cabinet has been a special case in the recent history of the Commission. The practical line is thin between a Commission President acting to promote consensus and coherence in a Collegial system and one which plays a significant autonomous role in setting the College's actual agenda. The college-Cabinet system leaves informal space for presidential, as opposed to collegially-induced, strategy. Indeed, it is likely that the ability of a Commission President to utilize this space is one of the important, constitutive factors of a strong, successful, Commission Presidency. In any event, this has been true of the Delors Presidency, and a subtle combination of Jacques Delors' own leadership and the work of his staff has made it so.' The Commission's part in the SEA negotiations was also the work of the Commission's legal services, with Adrian Fortescue representing Lord Cockfield in the task of identifying the articles in the Treaty of Rome which needed reform in the light of the single market programme.

Une autre raison du succès de la conférence est le rôle déterminant qu'y joua la Commission. Comme M. Delors l'avait annoncé dans un brillant exposé lors de la réunion inaugurale, la Commission prit l'initiative dès le début des travaux. Elle soumit, sur la plupart des sujets traités, des documents bien charpentés qu'elle eut la souplesse de remanier régulièrement sur la base des réactions des délégations. Il fut dès lors possible d'endiguer l'afflux des projets nationaux et de contenir l'exercice dans une réflexion encadrée (...).

Our own observations, in summary, and as suggested by the foregoing analysis, are that Delors played a personally significant role, as Commission President, in optimising the favourable climate towards integration which existed in 1984-5. He made charismatic-type claims to authority **within** the Commission (the imposition of a strategic programme; the organisation and control of his cabinet, and of the College of Commissioners); and, equally significant, **externally** in the Community system (to the EP; the national leaders; to organised interests and beyond⁹³), using his public discourse as a principle vehicle of these external claims.⁹⁴ The goal of such discourse on the part of the Commission President was to sustain the Commission's claim to its legal-rational authority in the integration process, as expressed by the White Paper. This has been described as part of a 'public relations coup';⁹⁵ but such descriptions simplify Delors's (and Cockfield's) personal and strategic input into the White Paper output.

By reproducing the 1958 situation through the production of a founding text providing the Commission with circumscribed authority in low, functional politics, Delors contributed to the Commission's regaining its legitimacy in the Community system as a supranational institution charged with the general interest on the basis of its legal-rational authority. It was not a discourse, at this stage, which drew other than

⁹³Delors made his first official visit to the United States in April 1985. See *Agence Europe*, no. 4075, 22/23 April 1985.

⁹⁴Commissioner Cockfield also had responsibility for publicising the White Paper to external constituencies such as the Confederation of British Industry (CBI). See *Agence Europe* no. 4099, 31 May 1985, p.10.

⁹⁵Cameron, 'The 1992 Initiative', p.51: 'By setting a date in the not-so-distant future (1992) for the creation of the internal market and by including in the Commission's 1985 White Paper some three hundred proposals concerning every conceivable aspect of market enlargement, Delors and Lord Cockfield scored a public relations coup. They gave to a complex, technical and business-oriented process of market enlargement that was likely to drag on for years the image of a simple and finite adventure in "building Europe".'

marginally on what we have previously defined as the more traditional-type bases logically available to a Commission President – Europe’s past and future; its survival, and so on – and in this differed significantly, as we show below, from his discourse in 1993, in which, for example, the theme of a choice to be made between Europe’s ‘survival’ or ‘decline’ had become prevalent: ‘It [the 1985 White Paper] was all gloriously codified and unpolitical.’⁹⁶ This was a strategy which fitted and drew on the prevailing intergovernmental consensus, although it implied, indirectly, in the political commitment it required from national governments, a significant political development in integration. The political nature of the *relance* was, however, not emphasised at the time, a factor itself contributing to the success of that *relance*: ‘A more careful reading of the political implications of some of the measures proposed and, perhaps, a certain prophetic ability to foresee the new momentum in European integration, initiated by the internal market programme, would have made some governments much more reticent about committing themselves to the 1992 target.’⁹⁷

Where the internal functioning of the Commission was concerned during the drafting of the White Paper, Delors’s leadership consisted of organising the Commission’s work in such a way as to prioritise and favour the role of experts, such as Lord Cockfield;⁹⁸ to call on a small team of these; to involve the College of commissioners and the Commission’s administration (*les services*) only to the extent that this was absolutely necessary. We discussed above, furthermore, how the Commission sustained its effort throughout the SEA negotiations, with Delors taking many individual initiatives (including even, when deemed necessary, the threat of a Commission boycott) to ensure that the commitment of the member states to a relaunching of integration was fulfilled. The dynamic process which led from the

⁹⁶Colchester and Buchan, *Europe Relunched*, p.29.

⁹⁷Tsoukalis, *The New European Economy*, p.57.

⁹⁸Axel Krause, *Inside the New Europe*, p.79: ‘Once settled into Brussels (...) Cockfield surprised the EC bureaucracy by the quiet, audacious manner in which he plunged into drafting the program – an approach and a zealous sense of mission that later was to exasperate Mrs Thatcher and cause his demise (...). He wrote the draft of the plan alone, helped by aides who deliberately ignored most of the conflicting national interests – and pressures – of member governments, with Delors’s unflinching guidance and support.’

White Paper to the institutional reform of the SEA was a condition of the White Paper's success, and was pursued with conviction by Delors and his team of negotiators in the SEA IGC, despite the fact that the Commission itself had no mandate for such reform. The Commission under Delors' presidency did not hesitate to follow through its initial initiative, the White Paper, to its logical conclusion, institutional reform, which subsequently was so significant in enabling the Commission to fully play its role of initiative. This ability to see matters through to implementation was, moreover, a characteristic of Delors's Commission leadership not associated with that of certain of his predecessors, and one emphasised by several interviewees.⁹⁹

We have also seen how Delors addressed the EP within two weeks of taking up office as President, and in his discourse there laid claim, on behalf of the Commission, to a leading role in the integration process and in optimising the emerging inter-governmental consensus on further integration. He drew on his personal standing and credibility with national leaders (and on the credibility which the post of Commission President had begun to accumulate over recent years) in order to extract from them a renewed mandate for a Commission initiative, and he maintained pressure on those leaders through a mixture of political pragmatism, and the invoking of the Community's ideals and long-term goals.

Delors himself described his external strategy as the process of appealing to the various elements of civil society for support and commitment.¹⁰⁰ In this respect, he treated the Community system as if it were a polity, with citizens and representatives of those citizens (and their interests); although, as we have already mentioned, a characteristic of Europe's 'would-be polity' is that it has yet to develop the components such a polity would contain: a European-wide public opinion; strong European political parties with a sense of identity; a well-established and active European citizenship or, more broadly, a European political culture (in the sense of

⁹⁹For discussions of Delors' style of presidency see Ross, 'Inside the Delors Cabinet', who writes of 'presidentialism'; Dinan, *Ever Closer Union?*, p.201 – 'towards an imperial presidency?'

¹⁰⁰Interviewees emphasised this aspect of his strategic formulation of the general interest.

shared values and expectations about the nature and goals of European integration and Union, or in the form of a set of political traditions, myths and references). Delors's treatment of his and the Commission's environment **as if it were** an emerging polity was characteristic of his presidency and had significant effects on the Commission's legitimacy in the Community. We shall develop these points and their implications below when we discuss the 1993 White Paper.

The 1985 White Paper and its promotion, finally, were expressed in the mainly rational and functional terms of the economic benefits of a completed internal market. However, Delors' interpretation of his presidential role as both a spokesperson for the Commission (*primus inter pares*), and as a space and site for personal initiative and authority in relation to the Commission's external constituencies; his mention of the broader context – the political context – of the White Paper, were indications of the charismatic style of leadership, including appeals to the longer-term goals of European unity and integration – the bases of a **future traditional type authority** – by which President Delors altered the reality and expectations of the relations between the Commission President and, amongst others, MEPs and Heads of State and Government. The effects of this style contributed to a situation in which the 1993 White Paper was a document which differed significantly in tone, content and intent from that of 1985. The Paper expressed an altered view and enactment of the Commission's authority in the Community system, and addressed the effects of the development of Delors's presidential style towards the more political, transcendental **European** leadership implied logically by the founding texts and principles of the Community. It is to the case of 1993 that we now turn.

The 1993 White Paper on Growth, Competitiveness and Employment¹⁰¹

¹⁰¹The White Paper was published as: *The White Paper on growth, competitiveness, and employment. The challenges and ways forward into the 21st century*, COM (93) 700 final (5.12.93); in *Bulletin EC: Supplement*, no. 6, 1993; also in book form in France: *Pour entrer dans le XXIe siècle. Emploi. Croissance. Compétitivité. Le Livre blanc de la Commission des Communautés européennes* (Paris, Michel Lafont/Ramsay, 1993). The French book version is prefaced by Jacques Delors: this preface is more detailed and more personalised than the preamble to the official version of the White Paper. In a

Introduction: the state of the intergovernmental consensus on European Union

As was the case with our analysis of 1985, the White Paper of 1993 can only be understood with reference to its specific and immediate context. In many respects, by 1993, the European Community had been transformed, with many apparently positive effects. The Single Market was virtually completed, and on time, and was scheduled to develop into an economic and monetary union by 1999 at the latest. The European Community was now one ‘pillar’ of the European Union established by the Maastricht Treaty after decades of dead-end plans and projects for political union. The waiting list of applicants to join the European Union was growing longer, as many countries of Eastern and Central Europe in particular looked to EU membership as a desirable stage in their transition to democracy and the market economy. The EU was beginning to look like a region close to full economic integration, and an attractive pole – a model – of democracy and shared political decision-making.

In political terms, however, integration had in fact become more complex and problematical. The scope of the integration process had extended into areas hitherto regarded as high politics, such as defence and security, areas in which earlier attempts to integrate Europe’s member states (such as the European Defence Community of the 1950s) had failed. The reasons why European integration had become more politicised relate in large part to the ending of the Cold-War order in Europe which began in the late 1980s, and which encouraged certain member states, principally France and Germany, to renew their commitment to fuller economic and political European integration, particularly in the context of economic recession. The Maastricht Treaty was the first step which the Community took towards a revised European order. The complexity of the Treaty – in particular its so-called pillar structure – reflected the fact that member states were united in their understanding of the need to reform the Community to take account of changing European and world

very similar manner to Delors, *La France par l’Europe*, where Delors recounts how ‘he’ came to the 1992 idea in 1985, it provides Delors’s account of the genesis of the 1993 White Paper idea, and reads like a justification of the idea itself, and of Delors’ and the Commission’s responsibility for it. See below, where we discuss the White Paper in more detail.

circumstances, but divided over the extent of such reform and the means by which to accomplish it.

The provisions of the Maastricht Treaty for an Economic and Monetary Union (EMU) by 1999, for a common social policy, and for moves towards a common foreign and security policy for the newly-instituted European Union, were specific grounds on which the member states differed in their attitudes towards both the goals and means of European integration. Two countries – Britain and Denmark – negotiated opt-out clauses regarding EMU¹⁰²; Britain's objections to a social policy forced the social provisions out of the Treaty text proper, and into a protocol appended to the Treaty and signed by the other 11 member states. Furthermore, in many member states, particularly France and Denmark where referenda were held to ratify the Treaty, but also in Britain, the content of the Maastricht Treaty exacerbated differences within political parties and governing majorities over the principles and methods of European integration (we discussed some of these issues above in Chapter One).

One consequence of the acceleration in integration was therefore, somewhat paradoxically, to emphasise the significant and serious differences between member states over the integration process itself. The intergovernmental consensus that had led to the Maastricht agreement in the first place was revealed to be volatile by the realities of agreement itself, and particularly by its promise – or threat – of even further and even deeper integration. The situation was in fact even more complex than this description would suggest, in that there existed **several** intergovernmental consensuses, none of which extended to include all the member states, or which coincided exactly in their membership. France and Germany appeared jointly committed to EMU; France and Britain shared reservations regarding the EC's and EU's common institutions; other member states were grouped in agreement around

¹⁰²In the case of Denmark, after it had first rejected the Treaty by referendum.

specific aspects of the Maastricht agreement (such as the 11 member states on the social protocol).

Furthermore, this was a situation in which the highly publicised difficulties of these intergovernmental relations themselves, as well as the extension and acceleration of the integration process since the mid-1980s, had created a higher level of popular awareness of integration in many member states. The process of completing the Single Market had inevitably attracted the attention and focus of various constituencies – labour, employers, media – with the result that the integration process reached more tangibly into the lives of ordinary people. Popular consternation with the integration process was expressed most forcefully in the referenda held in Denmark and in France; in Britain, the parliamentary vote on Maastricht was an intense challenge to the authority of the Major government, and exacerbated divisions on Europe in the Conservative Party; and in Germany, the effective taboo on criticising European integration that had characterised German political and popular attitudes to the EC for 40 years had begun to be breached, provoked specifically by the prospect of losing the Deutschmark to a single European currency.

In this context, the Commission's role in the integration process was also the object of greater awareness, although not necessarily understanding. To a considerable extent, the Commission came to symbolise popular discontent with integration, in that it appeared to be the institution both responsible for measures deemed unpopular in some constituencies, such as EMU, and to have acquired a vast range and scope of tasks, affording it thereby an extensive reach into ordinary daily lives.¹⁰³ The reasons for which the Commission was often portrayed and perceived as a scapegoat in this

¹⁰³ We discussed the expansion of the Commission's activity in Chapter Three. To summarise here, the Maastricht Treaty added to the Commission's functional scope responsibility for the following additional areas: the environment, education, health, consumer affairs, the development of trans-European networks, R&D policy, culture, and economic and monetary union. In the context of the 1990s, it also acquired responsibilities for aid and development programmes in third countries. Finally, under the terms of the Maastricht Treaty the Commission was associated with the intergovernmental activities under the so-called pillars two (Common Foreign and Security Policy) and three (justice and home affairs).

way are complex, because they relate in part to member state governments's attitudes to European integration and the transmission of these attitudes to their electorates. In part, however, they are linked to the specificities of the Commission as it evolved during Delors's presidency, and in particular to the comportment of President Delors himself. By the 1990s, President Delors enjoyed an increasingly public persona; he had been portrayed variously as the 'Czar of Brussels'; the 'European man of the year'; and he himself saw a need to act in Europe's interests vis-à-vis third parties (such as the United States administration) as 'Mr Europe', in the absence of any formal, stable provisions for a European spokesperson and leader. The growing intensity of Delors' public persona can be explained partly by phenomena general to politics; partly by factors specific to the Delors case.

In general terms, politics was in the 1980s and 1990s undergoing an intensification of media attention and personalisation, with, as consequences, ever-expanding summitry, and a focus on the individual politician. In this context, the protocol and trappings of **political** office were increasingly and inevitably conferred on Delors over time, given his appearance and standing with the world's political leaders, and his familiarity and presence at political rendez-vous traditionally reserved for democratically-elected national leaders. But in more specific terms, this was a development to which Delors had himself consciously contributed: in his public discourse and appearances; in his public visibility and audibility; in his dealings with national leaders, Delors behaved ever more like a national political leader. In so doing, he had begun to incorporate into his persona the seeds of defeat, like many national, charismatic (and historically significant) leaders. Furthermore, the Commission's increased rational-legal authority (the result of the extended reach and scope of the integration process) under the SEA and Maastricht, opened it to the criticism of being too **bureaucratic**, as we saw in Chapter Three, while Delors' political style (and that of the increasing numbers of politicians who became commissioners during the 1980s and 1990s), in the general context of the

transforming norms of politics, led to it being dubbed as too **political**; we referred to these developments in Chapters One and Three.

This was the context of the Commission's 1993 White Paper. Moreover, the general background was one in which the EU, in seeking ways to maintain the dynamic of integration, was increasingly discussing matters traditionally defining of national sovereignty (such as EMU, or a Common Foreign and Security Policy), which tended to exclude the Commission from decision-making in such matters (as institutionalised by Pillars II and III of the Maastricht Treaty)¹⁰⁴ and which, by encroaching into the 'high' politics of traditional international diplomacy, raised more fundamental questions about the rational, functional, low politics rationale of the Community system.

Although, therefore, in 1993 as in 1985, the Commission was part of a situation in which there had been a recent demonstration of an intergovernmental consensus to proceed with deeper integration, and although there was a text providing for that development (the Maastricht Treaty) – two elements of our 'formula' for integration thus being in place – the scope encompassed by that consensus, as discussed above, in a general climate of elite and public scepticism and uncertainty regarding the future of Europe, undermined the consensus itself. Specifically, in reaching into high politics, the consensus questioned the Commission's authority to participate in the next phase – the next relaunch – of the integration process.

In such circumstances, it was not obvious, in the mid-1990s, what the activities of the Commission should be. The Commission's response to the situation was to publish a bold statement designed to stimulate debate and action in one area – employment – where the Commission had perceived it was in the EU's general interest to think and act in a concerted fashion, and within a broader framework of Europe's ideal model of economic development. Thus, the preamble to the White Paper began: 'This White Paper sets out to foster debate and to assist decision-making

¹⁰⁴One interviewee described Maastricht as having led to 'un moment de remise en cause du leadership politique de la Commission, ou plus exactement d'un coup d'arrêt à son extension vers de nouveaux domaines qui étaient plus proches de la souveraineté des états-membres.'

– at decentralized, national or Community level – so as to lay the foundations for sustainable developments of the European economies, thereby enabling them to withstand international competition while creating the millions of jobs that are needed.¹⁰⁵ One of the gravest of the EU's problems in the 1990s, and that which Delors perceived as an area in which the Community had failed in its tasks, was that of enduring unemployment, in double figures in many EU member states; highest in Spain, Ireland, France and the UK; and higher in the EU than in other major economies, such as the US.¹⁰⁶ Employment – and unemployment – policy was, however, a field of action which remained, for the most part, in the remit of national governments, and for which the founding treaties had made no specific provision for Community-level action.

There were, in fact, some precedents and provisions for common Community action in matters relating to employment and unemployment, and some role, therefore, for the Commission. In a broad sense, the goals of the Community and the Union in respect of economic union and development implied a commitment to address these matters jointly.¹⁰⁷ More specifically, action taken in the field of a common social policy (eg. the Social Charter; the Maastricht Treaty protocol on Social Policy), suggested an emerging common approach to the causes of unemployment and to its solutions, with a limited role for the Commission; and the Commission itself emphasised the social policy dimension of its 1993 White Paper.¹⁰⁸ Article 103 of the

¹⁰⁵ *Growth, Competitiveness, Employment, Bulletin EC Supplement 6/93*, p.3.

¹⁰⁶ See A. Scott, 'Developments in the Economies of the European Union', *Journal of Common Market Studies*, vol. 32, *The European Union 1993*, Annual Review, August 1994, pp. 87-104.

¹⁰⁷ Preamble EEC Treaty: '(...) Affirming as the essential objective of their efforts the constant improvement of the living and working conditions of their peoples.' Article 2 EEC Treaty: 'The Community shall have as its task, by establishing a common market and progressively *approximating the economic policies of Member States*, to promote throughout the Community a harmonious development of economic activities, a continuous and balanced expansion, an increase in stability, an accelerated raising of the standard of living and closer relations between the States belonging to it.' (Emphasis mine) Article B, Maastricht treaty: 'The Union shall set itself the following objectives: – to promote economic and social progress which is balanced and sustainable, in particular through the creation of an area without internal frontiers, through the strengthening of economic and social cohesion and through the establishment of economic and monetary union, ultimately including a single currency in accordance with the provisions of this Treaty; (...). Article 6/1. 'Member States shall, in close cooperation with the institutions of the Community, coordinate their respective economic policies to the extent necessary to attain the objectives of this Treaty.'

¹⁰⁸ 'La dimension sociale constitue un axe principal du livre blanc de la Commission sur la croissance, la compétitivité et l'emploi.' Internal Commission document: *Marché intérieur, annexe I*.

Maastricht Treaty provided for Commission proposals within the general area of 'broad guidelines of the economic policies of the Member States and of the Community, in the context of achieving EMU, and the Commission itself cited this Article in its presentation of an analysis of Europe's problematical economic development at the Copenhagen European Council of June 1993, which led to the 1993 White Paper (see below).¹⁰⁹ Furthermore, by the mid-1990s, the EU's member states had nevertheless begun to demonstrate a desire to address such problems, and to recognise their significance. At the December 1992 European Council in Edinburgh, the Heads of State and Government had launched a 'growth initiative': a loan package designed to respond to the enduring and worsening dilemma of unemployment (see below),¹¹⁰ and the Commission's White Paper the following year was part of its response to this specific initiative; more generally, however, it was a

¹⁰⁹Article 103, as cited in the Commission's document: *Entering the 21st Century: Orientations for Economic Renewal in Europe* (see below): '2. The Council shall, acting by a qualified majority on a recommendation from the Commission, formulate a draft for the broad guidelines of the economic policies of the Member States and of the Community, and shall report its findings to the European Council. The European Council shall, acting on the basis of the report from the Council, discuss a conclusion on the broad guidelines of the economic policies of the Member States and of the Community. On the basis of this conclusion, the Council shall, acting by a qualified majority, adopt a recommendation setting out these broad guidelines. The Council shall inform the European Parliament of its recommendation.' The same document also cites from Article 109E: '1. The second stage for achieving economic and monetary union shall begin on 1 January 1994. 2. Before that date: (...) the Council shall, on the basis of a report from the Commission, assess the progress made with regard to economic and monetary convergence, in particular with regard to price stability and sound public finances, and the progress made with the implementation of Community law concerning the internal market.' From the 'Agreement on Social Policy concluded between the Member States of the European Community with the Exception of the United Kingdom of Great Britain and Northern Ireland', Article 1: 'The Community and the Member States shall have as their objectives the promotion of employment, improved living and working conditions, proper social protection, dialogue between management and labour, the development of human resources with a view to lasting high employment and the combating of exclusion. To this end the Community and the Member States shall implement measures which take account of the diverse forms of national practices, in particular in the field of contractual relations, and the need to maintain the competitiveness of the Community economy.' The Commission's role (Article 3) is limited to 'the task of promoting the consultation of management and labour at Community level and shall take any relevant measure to facilitate their dialogue by ensuring balanced support for the parties' and (Article 7) to drawing up 'a report each year on progress in achieving the objectives of Article 1, including the demographic situation in the Community.'

¹¹⁰'In response to the continuing economic recession, and in particular to the continuing high levels of unemployment, the Community had launched a growth initiative at the December 1992 Edinburgh Council meeting.' N. Nugent, 'Editorial: Edging Towards European Union?', in N. Nugent (ed.), *The European Union 1993. Annual Review of Activities, Journal of Common Market Studies*, vol. 32, August 1994, p. 3. And see A. Scott, 'Developments in the Economies of the European Union', p.90. The 'growth initiative' was published by the Commission as: *Promoting economic recovery in Europe (The Edinburgh Growth Initiative)*, COM (93) 164 final (22.4.93).

document intended to address the complicated, and challenging context of the short to medium term.

In comparison with 1985, therefore, the Commission in 1993 could only draw on a broad and fragmented base of authorised Community action in economic policy and EMU as grounds for any authority in employment matters, rather than on any specific and closely-defined Treaty –rational-legal – authority to propose Community action in this field.¹¹¹ The perception by the Commission that it lacked precise and formal authority in the area of employment policy (and this in the era of subsidiarity and the screening of Community proposals for their salience) in itself spurred the Commission to demonstrate the costs of ‘non-Europe’ in this field.¹¹²

In 1993, therefore, the Commission, in the field of unemployment and its consequences, was presented with something of a dilemma: it – and particularly its President, Delors – perceived the need for Community-level analysis, if not action, in this field; yet the Commission itself had no formal mandate to exercise its right of initiative. The solution it found was to produce a document which, first, related to an issue – unemployment – which was of great importance for all member states individually, and so which would find resonance in the member states; and, second, explicitly invited the member states to reflect upon the problem and commit their thinking in writing, in a joint document – the White Paper – orchestrated by the Commission. The 1993 White Paper, in its form; in the manner in which it was presented and promoted to member states; in its discourse, and in its provisions, reflected the different distribution of authority – in comparison with 1985 – between the Commission (and the Community) on the one hand, and the member state governments (themselves in a systematic and sometimes critical relationship with public opinion), on the other.

¹¹¹Apart from the Maastricht Treaty provisions for Community action trans-European networks: Articles 129b; 129c; 129d.

¹¹²Interviewees stressed how they had no treaty-based authority in employment policy, and how such a situation made its contribution all the more noteworthy. Delors, as we show below, played upon the fact that the White Paper did not ask for authority in this field, but that it demonstrated the dangers of lack of action in this respect.

The Text and the President

As described above, the Commission's 1993 White Paper was the culmination of a set of steps taken by the Commission in reaction to the Union's moves towards addressing Europe's unemployment problem and, more generally, considering Europe's economic development in the broad context of the long term, and the establishment of Economic and Monetary Union by 1999. In this respect, the Commission's White Paper drew for its legitimacy on a growing mood in the Union – that something had to be done – without disposing, as we have seen, of the rational-legal authority with which to propose measures. The mood in the Union in respect of employment can be summarised by reviewing in more detail than in our introductory section above the most significant developments leading up to the White Paper.

In December 1992, at the Edinburgh European Council, the Union had negotiated a financial package proposed by the Commission (the so-called Delors II Budget Package), which raised the Union's revenue ceiling, and which was linked to a number of other issues: '(...) the budget question was intimately and inextricably linked with a series of non-budgetary issues. Without a settlement on future financing, there could be no agreement on the opening of enlargement negotiations, on the way to deal with Danish requests for opt-outs from the Maastricht Treaty, or on how to deal with the issue of subsidiarity.'¹¹³ As Shackleton wrote, '(...) the Delors II debate of 1992 is but a first foray into a debate on the need for clearer ground rules for the operation of the Community.'¹¹⁴ At the same summit, 'against a background of rising joblessness and mounting political pressure (...) discussion concerning mechanisms for tackling Europe's acute unemployment crisis [had] moved to the top of the EU agenda (...),'¹¹⁵ and the Heads of State 'launched the European growth initiative, which was intended to provide an immediate fillip to economic activity with a view to increasing employment in ways that would both be

¹¹³M. Shackleton, 'Keynote Article: The Delors II Budget Package', *Journal of Common Market Studies*, vol. 31, Annual Review, August 1993, p.11.

¹¹⁴M. Shackleton, 'Keynote Article', p.25.

¹¹⁵Scott, 'Developments in the Economies of the EU', p.89.

non-inflationary and would contribute to the longer-term growth potential of the European Union economy.’¹¹⁶

The Commission responded to the Edinburgh Growth Initiative in early 1993 by setting out ‘the range of measures that could be implemented under the growth initiative and the employment results which were likely to result.’¹¹⁷ But it was at the Copenhagen European Council in June 1993 that the Commission produced the larger-scale analysis of the causes and remedies of Europe’s unemployment, which subsequently developed into the 1993 White Paper. Delors himself has since placed great emphasis on the intentions and tactics behind his presentation to the Copenhagen summit, which we discuss here as a first illustration of Delors’ personal input to the 1993 White Paper, and its significance specifically as a reflection of Delors’ personal claim authoritatively to perceive and protect the European general interest: ‘No one who read the White Paper could fail to be impressed, in particular when the Commission’s effort was contrasted with other programmatic contenders on the field. Moreover, no one familiar with Europe’s recent history could overlook that its vertebrae were trademark ideas of Jacques Delors.’¹¹⁸

Delors presented the outcome of his analysis to the EU Heads of State and Government at the Copenhagen European Council of June 1993 where he stated: ‘We must (...) recover the momentum to take us into the 21st century, on the basis of economic and monetary integration, the as yet untapped potential of the single market and the new wave of technological advances and innovation. We can do it because we know how to do it.’¹¹⁹ In response to this presentation, the national leaders

¹¹⁶Scott, ‘Developments in the Economies of the EU’, p.89.

¹¹⁷Scott, ‘Developments in the Economies of the EU’, p.89.

¹¹⁸Ross, *Jacques Delors*, p.225.

¹¹⁹Taken from the document supporting this presentation that was made available to me by an interviewee within Delors’s *cabinet: Entering the 21st Century. Prospects for the European Economy*. The recommendations made in the presentation form a second, related document: *Orientations for Economic Renewal in Europe*. Eight ‘orientations’ are outlined in the document: ‘Staying on course for Economic and Monetary Union’; ‘The Community as an open and reliable partner in the world’; ‘Increased cooperation in the field of research and development’; ‘An efficient network of transport and telecommunications infrastructure’; ‘Common information are: the new technological revolution’; ‘profound changes in our education systems’; ‘Towards a new model of development’; ‘More active policies towards the labour market’. The remainder of the document is composed of extracts from the Treaty on European Union (Articles 102 and 109E; see above), and of 11 charts underpinning the analysis and recommendations of the document. These are the charts that Delors was so proud of (see

requested the Commission to prepare a written document stating the Commission's analysis of the causes, forms and consequences, and possible solutions to the EU's unemployment problem; this became the White Paper, which was presented to the member states at the following European Council in Brussels, December 1993, and welcomed by them as a 'lucid analysis of the present economic and social situation in the Union and (as constituting) a reference point for future work':¹²⁰ a statement typical of the diplomatic, if not anodyne, language of summit conclusions, and not spelling the promise of action.

Delors's presentation of the Commission's analysis of Community unemployment to the Copenhagen European Council was the means by which he secured, for the Commission, a mandate to issue an analysis – and recommendations – in a field in which, we have said, the treaty provides the Commission with no specific authority: 'The 1993 White Paper *Growth, Competitiveness, Employment* would point European Union to a post-Delors future. Delors chose the Copenhagen European Council in June 1993 for his first move. By force of intellect and surprise Delors convinced the heads of state and government that business as usual was not enough, and that a White Paper outlining a new medium-term development strategy was needed.'¹²¹

Analysing the manner in which the 1993 White Paper was presented and promoted to the Commission's external constituencies by Delors, in particular the Heads of State and Government, and beginning at the Copenhagen summit, presents us with an illustration of how the 1993 White Paper differed from that of 1985, in the Commission's perception, and in reality. Delors spoke and wrote at some length (as about 1985) about this process, and his strategy for the process is instructive of the

below). See Scott, 'Developments in the Economies of the European Union', page 90. Earlier in 1993, in March, the Commission had published a paper 'outlining the concrete measures to be implemented as the Community's part of the [growth] initiative, together with proposals already put forward': I.Thomson and D. Mitchell, 'A Guide to the Documentation of the European Community/Union', in N. Nugent (ed.), *The European Union 1993. Annual Review of Activities, Journal of Common Market Studies*, vol. 32, August 1994, p. 136. The document was published by the Commission as: *Communication on the implementation of the Community measures of the growth initiative*, OJ C60, 3.3.93, pp.2-4 and as COM (93) 54, 10.2.93.

¹²⁰European Council, *Presidency Conclusions*, Brussels 10-11 December 1993 (Brussels, General Secretariat of the Council), cited in N. Nugent, 'Editorial: Edging Towards European Union?', p. 4.

¹²¹Ross, *Jacques Delors*, pp. 223-5 for a detailed description of the contents of the paper.

altered patterns of authority in the Community by 1993, which we introduced above, and which are epitomised by the 1993 Paper:

Pourquoi, se demandent certains, lancer cet appel depuis Bruxelles? Ne serait-ce pas une tentative de subordonner les pouvoirs nationaux sous couvert de la gravité de la situation? Non, le Livre Blanc n'est aucunement la traduction d'une volonté d'étendre les compétences communautaires. Il affirme d'ailleurs clairement que la tâche principale de lutte contre le chômage incombe aux Etats membres. *Il ne propose pas un programme législatif communautaire, mais veut débroussailler le terrain et ouvrir des pistes pour des solutions à mettre rapidement en œuvre. (...)* Reste que la dimension européenne est indispensable là où les problèmes excèdent le cadre national.¹²²

We can summarise Delors's discursive strategy in relation to the 1993 Paper as one with two complementary strands, which are both simultaneously present in his presentation of the Paper, and signalled in his Copenhagen presentation. He maintained, first, a discourse of limited responsibility. This was a discourse in which he underlined the limitations of his and the Commission's authority in the Community of the 1990s; in which emphasised, in other words, the points we made above: that the extent to which the Community/Union had become dominated by high politics, with all the effects of that development (public disquiet and distrust; national discourses of national sovereignty; national divergences over integration) had placed limitations on the Community's – and so the Commission's – authority to enact the low politics for which the Community was established.

The second strand of his discourse, in such a context, initially appears contradictory, yet can be explained in terms of Delors's personal style of Commission leadership,

¹²²(Some might ask why this call has come from Brussels, and whether it is not an attempt to undermine national political power on the grounds of the seriousness of the situation. In matter of fact the White Paper is far from being an attempt to extend Community competences. It states clearly that the main task of combating unemployment falls to the member states. It does not put forward a Community legislative programme but seeks to clear the ground and open up possibilities for solutions which can be put into place quickly. It is still the case, however, that the European dimension is indispensable in cases where problems go beyond the national framework.) Delors, *Entrer dans le XXIe siècle*, preface, our emphasis.

and his personal convictions regarding integration. This was a discourse in the charismatic sense of Weber's plebiscited leader appealing for support on the grounds of transcendental interests and values. Delors presented the White Paper and its broader analyses in terms of the choice between Europe's survival and its decline; Europe's morality and civilisation, the 'model' its economic and social structures and values represented for other countries, as well as for Europeans themselves. We return below to the paradoxical nature of such a discourse at a time when the authority of the Commission and its President had been contested, and to its consequences, in order to assess the altered nature of the Commission's claims to legitimacy by 1993.

Delors, as we have said, attached great importance to the Copenhagen European Council at which he had presented to the Heads of State and Government his reasons for requesting a Commission mandate to write the White Paper. In speaking later of his tactic at Copenhagen, he spoke of how he set out to scare and impress the Heads of State by appealing to the problem which they all shared – unemployment – underlining its gravity and the threat of its consequences.¹²³ Delors also referred to his tactic on this occasion – as in 1985 – as '*la méthode du coup de poing à l'estomac*': jolting the leaders into action by the force of his arguments and analysis. This was one illustration of the moralising strand of his discourse to which we referred above. In the same exchange, he also employed the first strand which we identified above: his recognition of the Commission's lack of formal mandate for

¹²³Delors, *L'Unité d'un homme*, p.293: 'En allant à Copenhague, j'avais deux motivations, que l'on pourrait aussi présenter sous forme d'interrogations. Premièrement, comment se fait-il qu'après avoir réalisé ce grand espace économique qui a stimulé la croissance, l'emploi et les investissements, nous soyons à nouveau tombés dans la récession? Plus grave encore, pourquoi avons-nous l'impression que nous n'arriverons pas à enrayer la marée noire du chômage? Autrement dit, l'Europe est-elle à nouveau, comme c'était ma grande angoisse dans les années soixante-dix, au carrefour entre la survie et le déclin? Je voulais poser cette question aux chefs d'Etat et de gouvernements, car je pensais que, si la croissance revenait (et elle est en train de revenir), il jugerait le problème résolu alors qu'il ne le serait pas. Deuxièmement, l'année 1993 subit les contrecoups des difficultés de ratification du traité de Maastricht: l'ambiance est délétère, les pro-Européens osent à peine se montrer. Je me demande alors s'il ne faut pas, comme président de la Commission, donner un nouvel élan et une nouvelle raison de vivre, pratique, aux institutions européennes. Je suis arrivé avec mes graphiques et je leur ai dit: "Attention, Messieurs, l'Europe est à nouveau tentée par le déclin." Cela a été un choc pour les gouvernements qui ont tous compris l'avertissement et approuvé mon analyse.' Interviews with Delors's collaborators confirmed this version of events.

such a Paper, and the use of this absence to, ironically, justify the Paper nonetheless, by indicating to the member states where their responsibilities lay; it was a discourse of chiding and chastising. Delors described his attitude at Copenhagen as ‘severe’, in a situation in which, he said, he had ‘nothing to lose’.¹²⁴ The Conclusions of the Copenhagen summit recorded that ‘The European Council heard an analysis by the President of the Commission on the competitive situation of the European economy. It fully endorsed his diagnosis.’¹²⁵

As in 1985, therefore, when the Commission received from the Brussels March 1985 Council the mandate to prepare a document on completing the internal market, the Commission in 1993 created a similar situation regarding its authority in relation to the member states, in the form of a formal request from the European Council. While this request and the mandate it implied was a significant – and necessary – part of the Commission’s strategy regarding its White Paper, it was not a substitute for the formal authority of the Treaty. The 1993 White Paper is to be interpreted in this context as an appeal to the member states to recognise the consequences of Community inaction in low politics. The White Paper did not itself request additional rational-legal power for the Commission in the field of employment policy, but had the **effect** of – and intentionally so – demonstrating to the member states the consequences of the lack of such authority. Delors’s role in both recognising the Commission’s limited legitimacy in the field covered by the White Paper, and in warning the member states of the dangers posed by unemployment to the stability of Europe provides us with an interesting case of the exercise of charismatic (and, we shall see, traditional) authority. We shall return to the significance of this

¹²⁴Delors, ‘Entretien avec Jacques Delors’, p. 9: ‘J’avais le pressentiment que le monde allait plus vite que nous, mais je n’en avais pas tiré toutes les conséquences, et les gouvernements encore moins que moi. C’est ce qui m’a décidé à tenir un discours sévère, en août 1993, à Copenhague. Si vous continuez ainsi, ai-je dit en substance, en 2020 vous autres Européens serez entraînés par l’histoire comme un galet par la mer. Votre compétitivité baisse, vous êtes incapables d’offrir des perspectives d’emploi aux nouvelles générations. J’ai cru devoir donner un nouveau coup à l’estomac, mais sous une forme beaucoup plus négative, ronchonante, qu’à l’époque du marché intérieur. Il est vrai qu’entre-temps les gouvernements avaient appris à me connaître et qu’ils trouvaient que j’avais trop de pouvoir, trop d’influence. Je n’avais rien à perdre. Ils ont été apparemment convaincus.’

¹²⁵Conclusions of the Presidency, *Bulletin EC*, 6/93, p.10.

development and to its implications for our study of authority in the Community system in our conclusions to this chapter.

We have already said that Delors' personal analysis and reflection was a major source of ideas for the content of the White Paper. The result of these ideas were distilled into the Preamble and Part A of the White Paper, for which he was largely personally responsible (as well as for Chapter 10 of Part B: 'Towards a New Development Model'), Part A being the text of the White Paper proper, and entitled as such; Part B the 'preparatory work': 'the conditions of growth, competitiveness and more jobs'. This was a first way in which the 1993 White Paper differed significantly from its 1985 predecessor, which had been written principally by Lord Cockfield and members of his directorate-general, as we saw above. Unlike the 1985 Paper, that of 1993 was more representative of Delors' life-long philosophy and practice of politics; of his ideals for and vision of a moral 'European model of society': 'We are convinced that the European economies have a future. Looking at the traditional bases of prosperity and competitiveness, Europe has preserved its chances. It possesses assets which it has only to exploit – assets such as (...) the soundness of its social model, and the virtues of cooperation between the two sides of industry.'¹²⁶ Moreover, many of the themes which Delors presented in Part A of the 1993 Paper can be found in his earlier discourse and writings, such as the concept of the choice facing Europe – survival or decline – and to which addressing unemployment is part of the appropriate response; and the notion of a blueprint for European economy and society, based on European values and history, and encapsulated in the three-fold framework of cooperation, competition and solidarity.

The 1993 White Paper began with a 'high-profile political objective: to adopt corrective measures to resolve the current crisis and create at least 15 million jobs by the year 2000.'¹²⁷ In his presentation of the White Paper to the press on 8 December 1993, however, Delors said that it was neither a spending plan, nor a plan for a

¹²⁶Commission, Preamble, *Growth, Competitiveness, Employment*, p.3.

¹²⁷'Opinion of the Economic and Social Committee on the Economic and financial aspects of the White Paper' (CES 750/94), p.5.

relaunch of integration, but a plan of action, with all stops pulled out.¹²⁸ In the opening paragraphs of Part A of the Paper, moreover, the text emphasised the Paper's status as a collaborative document to which the Member States had themselves contributed, while nevertheless indicating the desirability of joint Community action: 'With national situations being so different, any proposal has to be presented with sensitivity and caution. That being so, the Commission does share the view, expressed by many Member States, that joint responses would strengthen the hand of each player, and therefore of the European Union.'¹²⁹

The remainder of Part A (13 pages in total) rules out a 'miracle cure' for unemployment (such as protectionism, which it deems 'suicidal'), summarises the Community's relatively weak competitive position vis-à-vis its competitor partners, and outlines its analysis of the three types of unemployment: cyclical, structural and technological. It then traces the 'ways forward into the 21st century', and this is where the Paper launches its target of 'creating 15 million jobs by the end of the century', and outlines the characteristics of the economic policy framework within which such job creation should take place. Part A concludes that it will call for a 'sustainable development model' (p.20), while deeming it preferable 'not to formulate the possible solutions in unduly concise terms' (p.21), and introducing Part B as 'the basis for work in the various specialized meetings of the Council of Ministers' (p.21), and summarising the areas in which 'Community action proper' (p.21) is proposed in the form of 'a new impetus (...) in accordance with five priorities' where Community competencies exist (such as in 'creating the major European infrastructure networks': proposals for these networks, in information technology, transport and energy, are then developed over several pages of analysis, graphs and maps together with a call for a public borrowing programme, 'costing some 20 billion Ecu per year.'¹³⁰)

¹²⁸'Le Livre blanc n'est pas un plan de dépenses, ni un plan de relance, mais un plan d'action, tous azimuts.' Reported in *Les Echos*, 10 December 1993, p.31.

¹²⁹Commission, *Growth, Competitiveness, Employment*, Part A, p.9.

¹³⁰'Editorial Comments', *Common Market Law Review*, p.2. See also Delors, *Entrer dans le XXIe siècle*, preface, pp. VI-VII: 'Le Conseil européen de Bruxelles de décembre 1993, qui a "planché" sur le Livre Blanc, s'est attaché dans ses conclusions à clarifier le partage des tâches. Au titre des actions spécifiques à mener au plan communautaire, il distingue: tirer tous les avantages attendus du grand

Part B of the Paper, which accounts for roughly 60% of the total Paper's length, is a series of chapters representing the Commission's preparatory work on the 'conditions of growth, competitiveness and more jobs.' This is the part of the Paper in which the outline and philosophy of Part A are elaborated in detail in three parts – growth, competitiveness, and employment – and summarised in the fourth and final part: 'towards a new development model', which emphasises the structural and fundamental thrust of the Commission's Paper: 'The nature of the structural change the Community is going through needs to be recognized and addressed. It is important to develop a societal model for a higher quality of life in the Community, which can motivate people and hence can generate the required human energy' (p.166). This description of the Paper raises a number of points concerning the mode of production of the Paper within the Commission, Delors's personal role and discourse in promoting and identifying with the Paper, and the Paper's status as an illustration of the Commission's legitimacy in the Community system, and the Commission's (specifically, Delors's) perception of this.

First, the 'pioneering' Commission of 1984-1989¹³¹, for example, was succeeded by a more 'reflective' one, although what has been referred to as Delors's 'kitchen cabinet'¹³² – his own *cabinet*, and the Forward Planning Unit (*cellule de prospective*) – was a factor common to both, housing and promoting individuals committed to integration. The White Paper of 1993 reflected these developments in the President's role and style of presidency. Second, the production of the 1993 White Paper was characterised by procedures designed to centralise and plan the work of the *services* (under the control of the Secretary-General, David Williamson, drawing in particular

marché sans frontières (...), construire les réseaux transeuropéens, les infrastructures dans le domaine de l'information, unir ou coordonner nos efforts en matière de recherche-développement.' (...) A l'inverse, la diversité des situations nationales interdisait de formuler des propositions uniformes sur les politiques de l'emploi: *le Livre Blanc n'est qu'un cadre général défini en commun, dont les Etats membres peuvent s'inspirer.* (...) Le rôle de la Commission européenne, en l'espèce, consiste surtout à comparer les politiques nationales, à faire connaître les expériences les plus novatrices, parfois à favoriser certaines d'entre elles. Ainsi le Conseil européen n'a pas fait que se livrer à un exercice intellectuel: il a donné des orientations, fixé des rendez-vous pour le suivi des mesures à prendre. Sans attendre, le travail a commencé afin de profiter très vite de la dynamique ainsi créée.' Our emphasis.

¹³¹ A term used by one interviewee.

¹³² A term used by one interviewee.

on the services of the Directorate-Generals for Industrial Affairs and Information Policy (DGIII) and for Employment, Industrial Relations and Social Affairs (DG V)), and this in a more deliberative and controlled way than had been the case in 1985. One interviewee described the mode of production of the 1993 Paper as drawing ‘wide and deep’ in the Commission, while another said that the 1993 White Paper drew on more research, material and documentation than any other previous Commission initiative he had known. Fewer people were involved than in 1985, but they were drawn from a wider net within the College and the Commission services. The process was Delors-centred, and Delors-inspired, with Delors drawing on his *cabinet* and the *cellule de prospective* for input, but with the input of the Commission’s services coordinated under so-called *chefs de file* – the Commissioners in charge of the various parts of Part B of the paper – who sent nominees to a ‘core group’ chaired by Secretary-General David Williamson. Interviewees perceived President Delors (in part as a result of growing calls for subsidiarity, transparency and openness in the Community’ institutions) as having become more mindful of the internal organisation of the Commission, and having taken initiatives to improve the Commission’s internal functioning generally. This development, and the fact that the Delors III Commission contained more politically powerful Commissioners prepared to act as counterweights to Delors than had been the case in 1985 (Leon Brittan and Martin Bangemann were reappointed from Delors’s second Commission; Hans van den Broek and Joao de Deus Pinhero, previously senior national government ministers (see Dinan, *Ever Closer Union?*, p.206)), taken with the general climate in which the Commission was more exposed to media interest than in 1985, were considered to have imposed on Delors a more consensual approach to the taking, drafting and deciding of initiatives such as the 1993 White Paper. Interviewees considered that this method had provided a mechanism for reconciling fact-finding, analysis, and Delors’s personal convictions, some of which he was persuaded to drop, but most of which found their way into the Paper in some form. One interviewee described the 1993 Paper as a ‘vehicle’ for Delors’s ideas, not a legislative document.

A dynamic tension persisted nevertheless, in the production of the White Paper, between the Commission's formal structures on the one hand, and the political, idiosyncratic input of Delors and his kitchen cabinet on the other; the structure of the Paper into Parts A and B is one reflection of this dynamic tension.

Third, although the 1993 Paper emerged from a more democratic internal process,¹³³ with less call and opportunity for the secrecy of 1985 (and this in part as a result of the emphasis, post-Maastricht, on subsidiarity and transparency, in which context the Commission became more self-reflective and scrutinising¹³⁴), it has still been described as the work of the 'plume de Delors', in place of the 'plume de Cockfield' that had penned the 1985 Paper.¹³⁵ The aggressive leadership style of 1985 whereby Delors had imported a new range of behaviour for the Commission and its President, was still in evidence in 1993, although subject to countervailing forces, within the College of Commissioners itself; within the Commission more generally; and within the Community system at large with the advent and application of subsidiarity.

Fourth, given Delors's personal commitment to and hand in the writing of the White Paper, moreover, it is instructive for us here, in the same way as we looked at Delors' speech to the EP in January 1985, where he launched the idea behind the 1985 White Paper, to take into our consideration Delors's public justification and explanation of the 1993 initiative as an illustration of the strategy underlying the production of the White Paper. The occasion on which he did this at greatest length was in an interview broadcast on French television at the end of the weekend during which the White Paper was discussed and adopted by the national leaders – at the Brussels European Council of December 1993. What we can learn from his discourse on this occasion is the extent to which Delors emphasised the demarcation of responsibilities and

¹³³The production of the Paper also involved consultation with representatives of 'civil society', true to Delors's favoured strategy: the leaders of many large corporations were invited to contribute and comment, as well as individuals from organised labour, and international organisations such as the OECD.

¹³⁴See J. Fitzmaurice, 'The European Commission', in A. Duff *et al* (eds.), *Maastricht and Beyond. Building the European Union* (London, Routledge, 1994); and G. Ross, 'Sidling into Industrial Policy: inside the European Commission', *French Politics and Society*, vol. 11, 1993, pp. 20-43; Dinan, *Ever Closer Union?*, pp. 205-6.

¹³⁵Term used by an interviewee from the *Cellule de Prospective*.

authority in the EU, and the Commission's position in this setting; we return to the significance of these choices below. In the case of the 1993 White Paper, for reasons which we develop in our conclusions below, Delors's emphasis on his presentation and justification of the Paper weighs heavier than in the case of 1985; this is a further illustration of the paradoxical relationship to which we referred above between the limited nature of the Commission's authority, and the personalised claims to authority – the authority to speak on behalf of Europe, to point out Europe's dangers on behalf of Europe – made by Delors on this occasion.

The interview in question (*7 sur 7*, Interview of Jacques Delors by Anne Sinclair on French television (TF1), 12 December, 1993)¹³⁶ was conducted, we recall, after a period of two years (1992-3) during which European integration had encountered serious obstacles. Certain of the objectives Delors had laid out in his 1985 'inaugural' speech had been achieved, notably the completion of the Single Market, and the institutional reform that this had required (in the form of the Single European Act). But the following step towards integration – the Maastricht Treaty on European Union – had encountered considerable resistance from both the political class and public opinion in several member states, and had created a climate of more widespread scepticism towards the objectives of integration than had been manifested at any other time during Delors' presidency, much of which was directed personally at Delors, as we noted above.¹³⁷ Moreover, the Uruguay Round of the GATT had fallen seriously behind schedule, with the negotiations between the Commission (negotiating on behalf of the Twelve) and the American administration becoming increasingly dominated by French objections and interests. In general terms, unemployment in the EU had continued to rise; Delors, as Commission President, was called to account on each of these points during the interview in question.

¹³⁶We used, for analysis, the transcript of interview provided by the Spokesperson's service of the Commission, as well as a video recording of the interview. See Drake, 'Jacques Delors and the Discourse of Political Legitimacy', for further detailed analysis of this interview.

¹³⁷For background information, see N. Nugent, 'Editorial: The Treaty on European Union – Looking Rather Different Twelve Months On', *The European Community 1992. Annual Review of Activities, Journal of Common Market Studies*, vol. 31, 1993, pp. 1-9; N. Nugent, 'Editorial: Edging Towards European Union?', pp. 1-10.

After discussing with the interviewer the Commission's role in the GATT negotiations (the Uruguay Round, in the final stage of negotiations in Geneva during the interview), Delors was questioned on the White Paper. In his responses, he invoked the principles on which he believed Europe to be based, how he had fought to uphold these, and how they had led him to propose particular kinds of action. Delors was first asked whether he thought that the Brussels European Council, which had taken place over the weekend when the interview was held, would change anything for ordinary French people. In other words, would the fact that the Commission's White Paper was welcomed by the national leaders improve people's lives? He based his reply on the metaphor of himself as a simple, honest craftsman working on behalf of others, and experiencing pride when his work is recognised and praised: 'Il faut voir les limites de ce qui a été fait. Je suis content comme sans doute vous êtes satisfaite quand on vous fait des compliments pour votre travail? (...) J'ai la réaction d'un artisan, on me dit que c'est un bon travail, je suis content. (...) Je ne suis pas là pour construire l'Europe, je suis là pour construire une Europe au bénéfice des peuples, de l'indépendance et du rôle de l'Europe dans le monde.'¹³⁸

There are three remarks we can make here. First, Delors stated the objectives which guided his presidency: to build a Europe at the service of its people, its independence and its role in the world. These were principles which guided his interpretation of his mission as President, and on which he should be judged. Second, the motif of the *artisan*, the craftsman, was one which recurred in Delors' discourse, and which expressed his desire to endow his work with the qualities of the honest worker who performs a delicate task to the best of his ability, with loving attention, creativity, and a high degree of skill (we saw a similar motif in the 1985 interview).¹³⁹ Third, using the craftsman metaphor led Delors to deliver these responses in a more emotional

¹³⁸ (Of course there are limits to what has been accomplished. I am pleased, as you no doubt are satisfied when you are complimented on your work. I react like a craftsman; they tell me that I've done a good job and I'm pleased (...). I'm not here to build Europe, I'm here to build a Europe for the people, an independent Europe, with a role in the world).

¹³⁹ See H. Drake, 'Political Leadership and European Integration: The Case of Jacques Delors', *West European Politics*, vol. 18, no. 1, pp. 140-160 for further examples.

tone than earlier exchanges, signifying his commitment and authenticity, criteria which should be taken into account in any judgment of his record. In the remainder of his responses, Delors developed the craftsman motif and, more generally, expressed his emotions and thoughts.

Delors continued to refer to his emotions when asked whether he had now regained a sense of direction for Europe, which he was deemed to have lost over the Maastricht years: his pleasure (*'je suis content'* – I'm pleased) that the Twelve have come together again over GATT; his pride (*'je ne suis pas peu fier'* – I'm rather proud) at having contributed to the agreement concerning the consequences for the EU of GATT; his pleasure (*'je suis content'* – I'm pleased), again, that the Twelve have regained the strength of unity. Delors then amplified a discourse of true emotion, as he revealed his hopes, desires, and goals for European unity. Here he was returning to the principles on which he considered he was legitimated to act, above all, the European general interest, and underscoring his personal commitment to these principles; this is the personalised, paradoxical strand of his discourse to which we referred above: '(...) mon but est d'éviter la marginalisation de l'Europe dans l'Histoire. (...) Depuis 20 ans je suis hanté par le déclin de l'Europe, c'est cela qui m'a amené à Bruxelles. Je veux que l'Europe qui a été le continent-mère de la démocratie, de la spiritualité dans beaucoup de domaines, de la culture, je veux que cette Europe, dans vingt ans, trente ans – je ne serai plus là – rayonne encore et, pour cela, on ne peut plus le faire chacun d'entre-nous, il faut s'unir.'¹⁴⁰

This was Delors at his most emotional and most abstract, where he took up the themes which had increasingly come to characterise his discourse: the threat of Europe's economic and moral decline, and the salvation that European unification could bring. He had a method for bringing it about, which was to remind the member states, in practical terms, of their commitments: the *artisan* at work again. When

¹⁴⁰(My aim is to avoid Europe being marginalised in history. (...) For twenty years I have been haunted by Europe's decline; that was what brought me to Brussels. I want Europe, the mother-continent of democracy and spirituality in many ways, of culture, I want this Europe, in ten or twenty years from now – I will no longer be here – to shine again and for that to happen, we can no longer each of us do it separately, we must unite).

asked whether he was ready to confront the Heads of State and Government at the Brussels summit if they failed to make progress on the White Paper, he related an anecdote, which we will relate in full:

Bien sûr! A un moment, la discussion s'effiloçait, pour reprendre cette remarque de l'artisan, je peux le dire, ce n'est pas indiscret, je leur ai tenu le langage suivant: J'ai le sentiment que je suis dans la peau d'un artisan à qui on a demandé une table et six chaises. Il les apporte le vendredi, on le félicite, 'travail remarquable', le samedi, par curiosité, il va voir chez celui qui avait commandité cette œuvre, où sont les six chaises et la table, et il apprend malheureusement qu'elles sont au grenier. Et bien, si vous ne vous mettez pas d'accord, c'est cela que je dirai à la presse.

(Of course! There was a moment when the discussion had run out of steam. To take up the craftsman remark again, and I don't think I'm being indiscreet, I spoke to them in the following terms. I said: I get the feeling that I'm like the craftsman who has been asked to make a table and six chairs. He brings them on Friday, he's congratulated – 'remarkable work'! On the Saturday, out of curiosity, he goes to see the person who placed the order and he learns that the table and six chairs have been put in the attic. Well, if you don't reach an agreement, that's what I'll tell the press).

This rather strange story, taken with what has gone before, suggests that Delors combined in this interview the discourse of the visionary President and that of the President-craftsman applying his skill to tasks set by his masters; a discourse of limited responsibility and of personal claims to vision and conscience. On both counts, he was laying down the markers of his personal legitimacy: he was competent and dedicated to executing the tasks he was given. Such competence and dedication would be wasted if he did not know how to apply it. But Delors claimed to know what the Europeans did and did not want, and he implicitly drew on this knowledge to justify his action: '*Les Européens ne voudraient pas abandonner leur système social dans la perspective de créer plus d'emplois*' (The Europeans would not want to abandon their welfare systems to create more jobs). Such claims to knowledge, as we saw in our analysis of Delors's inaugural speech in 1985, were based on Delors's personal experience and his analytical talents, and were delivered in a pedagogical style which reinforced the claim.

We said that Delors's speech to the European Parliament in January 1985 consisted in creating a space in which he could act legitimately. Delors's discourse in 1985

represented a Delors on the offensive, defining the balance of political power between the Commission and the other institutions of the EU according to the founding constitutional texts of the Communities, insofar as these were sufficient; and claiming more Community authority where they were not. As regards Delors's interview in 1993, we can see how his discourse was of a still presidential, yet more defensive character. It was as if he was being called upon to justify a political legitimacy and presidential authority which he had earlier claimed. In 1993, Delors's defensive response was to emphasise the precise contours of his and the Commission's relationship with the member states; to stress what the Commission was supposed to do and called upon to do, and the obstacles it encountered in fulfilling its role. He stressed his and the Commission's competence and expertise (the craftsman analogy), and the fact that they served the member states, their masters. He underplayed, in other words, the elements by which the Commission could be accused of arrogating political legitimacy: he did not pretend to speak directly to the citizens of Europe; he pointed to national politicians as being those responsible for making political power more palatable to their citizens; he confined the Commission's role, and indicated the extent to which it was a victim of political circumstance.

Also present in Delors's 1993 discourse, however, was a discourse of personal emotions and conscience; of vision and concern for Europe's future. This was a discourse which cast Delors in the role of statesman of Europe speaking to and on behalf of Europeans and their survival. It was this strand of Delors's discursive strategy that raises the most questions in relation to the subject of this chapter: What does it demonstrate regarding the Commission presidency of Delors? How does this leadership, and the moments of the 1985 and 1993 White Papers in their totality, illustrate the politics of legitimacy and authority in the EU?

The White Paper of 1993: preliminary conclusions

Although initially enthusiastic, the response of the member states to the 1993 White Paper's call for action dwindled to very little concrete action, although it remained

prevalent in the discourse of the Commission during the remainder of Delors's presidency, and grew increasingly into a priority of Delors's successor, Jacques Santer. The special European Council of 29 October 1993, on the eve of the entry into force of the Treaty on European Union, urged the Commission to pursue its work on the White Paper, recognising that 'a situation in which the Community has 17 million unemployed workers and where a majority of the population is cut off from the labour market on a long term basis, is intolerable and every effort must be undertaken, as a matter of priority, to remedy that situation.'¹⁴¹ The following European Council meeting, on 10-11 December 1993 was where, as we saw in our analysis of Delors's televised interview, the member states formally acknowledged and welcomed the Commission's White Paper, although commentators questioned the level of their commitment to its suggestions:

At the Brussels summit of 10 and 11 December 1993, the European Council expressed support for the White Paper but it appeared to stifle the plan's core, the borrowing programme to finance the trans-European networks, by referring to the EcoFin Council the question of borrowing internationally the 8 billion Ecu necessary to arrive at the 20 billion Ecu budget for investment in the networks. The figure of 15 million new jobs posited in the White Paper was abandoned and instead the European Council speaks of "reversing the trend and then, by the end of the century, significantly reducing the number of unemployed", without pledging specific goals. The Council also showed little enthusiasm for making any concrete commitment to embark on the projects of carry out other parts of the programme relating to job creation. (...) It can be seen therefore that not all the Plan was accepted, nor was it rejected in its entirety. Work on the White Paper is to become an annual exercise, and it will, in the words of the Conclusions of the Presidency at the Brussels summit, provide "a reference point for future work". *It is unfortunate that financing of the trans-European networks dominated discussions, and overshadowed the visionary part of the Delors document concerning growth and competitiveness.*¹⁴²

At the December 1993 Brussels European Council, specifically, national leaders adopted a plan of social and economic action on the basis of the Paper: 'In the light of the White Paper, it [the European Council] adopted a short and medium-term action

¹⁴¹Conclusions of the presidency, cited in 'Editorial Comments, *Common Market Law Review*, p.1. The summit also 'decided to strengthen the growth initiative decided on in Edinburgh by extending the Edinburgh financial mechanism to projects in the fields of transport, energy production and urban renewal.' *Bulletin EC*, 10/93, p.7.

¹⁴²'Editorial Comments, *Common Market Law Review*, pp. 4-5, our emphasis.

plan whose implementation it will itself monitor'.¹⁴³ The plan laid out guidelines for measures to be taken by member states within a broad Community framework, and some Community-level measures in the fields of trans-European networks, research, training, and investment, generally, in human capital.¹⁴⁴ At subsequent European Council meetings in 1994, the White Paper remained high on the national leaders' agenda, but '(...) it [the Commission] is generally disappointed with the response to the White Paper in this respect and the minimal achievements so far.'¹⁴⁵ In the view of the Community's Economic and Social Committee, interest in the Paper waned, in the absence of concerted political will:

The Commission's White Paper on *Growth, Competitiveness and Employment (...)*, currently the only document on the European Union's overall economic policy, had a considerable impact on the most alert and best-informed sectors of public opinion when it was launched in mid-December 1993. Given the depth of the economic crisis, together with rising unemployment, citizens have viewed the Commission's proposals with the hope that they might, at last, indicate a way out from the difficult situation in which Europe has found itself over recent years. It should however be noted, a few months after publication, that the initial public interest has gradually dissipated, partly due to the media silence on it. It may therefore be concluded that the White Paper has not met with the favourable response which greeted the launch of the 1992 single market project in 1985. It is regrettable that the mass media, public bodies and governments have failed to give the White Paper the attention it deserves. There are a number of reasons. One of these might be that the White Paper, by its very nature, sets out possible guidelines for medium-term economic policies: these are largely the responsibility of Member State governments who are loath to delegate authority in this area to the Community institutions.¹⁴⁶

¹⁴³Conclusions of the Presidency, *Bulletin EC*, 12/93, p.7.

¹⁴⁴'Opinion of the Economic and Social Committee on the Industrial Aspects of the Commission's White Paper entitled "Growth, Competitiveness, Employment: The Challenges and Ways Forward into the 21st Century" (CES 751/94), p.1: 'At its meeting in Brussels on 10/11 December 1993, the European Council considered Part A of the White Paper and drew up a plan of action comprising: – a general framework for employment policy at Member-State level; – specific accompanying measures at EU level (in particular trans-European networks); – a follow-up procedure. The aim of the plan of action is to bring about an early change in growth and industrial competitiveness trends with a view to creating 15 million new jobs by the end of the century.'

¹⁴⁵J. Redmond, 'Internal Policy Developments', in *The European Union 1994. Annual Review of Activities*, ed. N. Nugent, pp.55-6. At the Essen European Council in December 1994 a medium-term strategy for employment was outlined, including a mechanism for monitoring employment in the member states; this strategy was confirmed in Cannes in June 1995; and the Madrid European Council, 15-16 December 1995 confirmed in its conclusions that 'the fight against unemployment and for equal opportunities is the priority task of the Community and its Member States', and noted a convergence of views and priorities between the Community institutions (specifically, Council and Commission), and between the social partners and the Community institutions.

¹⁴⁶Economic and Social Committee, 'Opinion of the Economic and Social Committee on the Economic and financial aspects of the White Paper on Growth, Competitiveness, Employment' (CES 750/94).

The Commission for its part, set up two committees (the Bangemann group and the Christophersen Group, named after the Commissioners responsible) to pursue the White Paper's proposals for Community-level work on trans-european networks for information technology, transport and energy, and presented their proposals to the member states in the course of 1994.¹⁴⁷ The Commission also made proposals to the Essen European Council in December 1994 with respect to labour market flexibility, to which the member states' responses were judged disappointing. Delors himself continued to call for the action on employment that had formed the centrepiece of the 1993 White Paper, and continued to attempt to transcend the controversy over which level of government should do what.¹⁴⁸

Under Delors's successor, Jacques Santer, the Commission followed up the White Paper with further work: it featured as one of the Community's 'great debates' in President Santer's speech to the European Parliament on 15 February 1995 (under the heading 'improving industrial competitiveness'), in which he presented the Commission's work programme; the Commission published a document entitled 'Employment in Europe 1995', whose theme was 're-employment: a strategy for the Union';¹⁴⁹ Santer's speech to the European Parliament on 31 January 1996 was entitled 'For a European Confidence Pact for Employment'; and the first chapter of the Commission's 1996 Work Programme was entitled 'Action for Employment and Solidarity.' Taken with what has gone before, the fragmentation of the response to the White Paper invites us to draw a number of preliminary conclusions about the 1993 White Paper, its status in comparison with that of 1985, and its reflection of the questions and problems of leadership, legitimacy and authority in the EU.

The 1993 White Paper was a claim to Commission authority which reflected both the state of integration in 1993 and the problems of authority in the Union. It depended for its production on the 'charisma' of Delors in the sense that we have

¹⁴⁷The Bangemann report was presented to the Corfu European Council, 24-25 June 1994.

¹⁴⁸See J. Delors, 'L'Europe sociale et l'emploi', *Echange et projets*, no. 73, Feb. 1995, pp.14-18: 'Je ne parle pas de politique européenne pour l'emploi, je parle d'action européenne pour l'emploi.' (p.14)

¹⁴⁹COM (95) 381.

defined it above: the ability to win support for an initiative by the purposeful and deliberate creation of key relationships, and, in 1993, unlike in 1985 (in its frequency, volume and intensity), the appeal to visionary, and **European**, justifications and principles: 'If the plan succeeds, even as modified by the European Council, it will crown Mr. Delors's contributions to the Community, following the Single European Act and single market programme, and the Treaty on European Union.'¹⁵⁰ Delors' charismatic discourse of 1993 both reflected the circumstances of the time in the EU, and attempted to respond to them. It reflected the state of integration in several ways.

REFLECTING THE STATE OF INTEGRATION

First, as discussed above, Delors' organisation within the Commission of the drafting process recognised the altered balance of power within the Commission in which Delors was not as dominant as in 1985; which acknowledged the external scrutiny to which the Commission was subjected; and the need to produce a document which would be accepted by all 12 Member States; the result was a more systematic creation of consensus within the Commission.

Second, where the Commission's relations with its external constituences were concerned, and in particular the national Heads of State and Government, the White Paper and Delors's discourse on it reflected the ways in which the events of the late 1980s and early 1990s, to which we referred above, had altered the balance of power between the Community institutions: this was the discourse of limited responsibility. The Commission had relatively less potential for initiative than in 1985 – less legal-rational legitimacy – because by 1993 the scope of integration had expanded so dramatically and much which was incomplete in 1985 – the SEM; European union; EMU – was in 1993 either completed or *en route* for completion in the short-term future, leaving the Commission bereft of a 'big idea' which it could claim for itself. Public and elite awareness of the Commission had risen dramatically, and with it had emerged a climate of criticism in which the Commission – often wrongly, and

¹⁵⁰ 'Editorial Comments', *Common Market Law Review*, p.5.

wilfully so – was perceived and portrayed as the nub of the so-called ‘legitimacy crisis’ in the Union, with its unelected President and tendency to, as it was perceived, be too ‘political’ and too ‘bureaucratic’. We have already discussed Delors’s own contribution to these perceptions in the years leading up to 1993: his behaviour as statesperson; his visibility, audibility, and growing credibility as ‘Mr Europe’.

In this climate, Delors’s response was to produce a Commission document in which the lines of power and responsibility, authority and accountability were clearly drawn, but which simultaneously allowed the Commission to fulfil its duty to articulate the general interest: ‘The White Paper, intended as a general strategic document for the medium term, provides a basis for starting a process of reviewing the prospects and future structures of the European Union – a process which would directly involve Member State governments and economic and social organizations. In this sense the White Paper seems capable of fulfilling its brief, which is to map out the ways forward for the European Union, created by the Maastricht Treaty, identifying medium-term solutions to the key problems of development, focussing on employment.’¹⁵¹

RESPONDING TO THE STATE OF INTEGRATION

It is in respect of the Commission’s duty to the general interest that the 1993 Paper was also a response to the state of integration in 1993, and which explains, in part, the second strand to Delors’s strategy that we identified, and which would appear to be in contradiction to a situation in which his authority was contested: this was the visionary discourse of, and for, Europe. Both in terms of the content of the White Paper, and the presentation of it, the 1993 White Paper was an initiative designed to draw to the member states’ attention the most preoccupying of the EU’s problems, and to recommend courses of action to them: ‘Not least because of the global approach adopted, the White Paper is currently the most important policy document

¹⁵¹Economic and Social Committee, ‘Opinion of the Economic and Social Committee on the Economic and financial aspects of the White Paper’, p.2.

advocating higher levels of growth, competitiveness and employment in Europe'.¹⁵² It was intended to address the concerns and difficulties of individuals, and in this sense redress the climate in which 'the people' seemed to question the benefits for them of integration.

The Commission in 1993, through the voice of its President, was fulfilling its functions of 'mémoire and provocateur' (memory and provocateur)¹⁵³, and its role as 'ingénieur de la construction européenne' (engineer on the European construction project, the expression Delors used in his January 1985 speech to the EP) to express the burning general interest of the day, to cast the Union's most pressing economic problems in a new mould, and to attempt to change 'mindsets' on unemployment, its causes, consequences and solutions: 'The White Paper is a significant milestone in recognizing that economic growth does not necessarily equate with an increase in jobs. It also makes an important step forward in accepting that the relationship both between actors of local development and environmental objectives needs to be refashioned. The transition from the present to the new development model will be highly challenging but this is a challenge which must be met in the interests of future generations.'¹⁵⁴

¹⁵²Economic and Social Committee, 'Opinion of the Economic and Social Committee on the Industrial aspects of the Commission's White Paper', p. 2

¹⁵³In an interview with *le Monde* on 20 July 1988, Delors described his understanding of his and the Commission's role as follows: 'Je considère que, dans mes fonctions, je dois être, avec la Commission dans son ensemble, une mémoire et un provocateur. Une mémoire, pour rappeler aux gouvernements ce qu'ils ont décidé, généralement sur les propositions de la Commissions, et leur fournir les moyens de remplir leurs engagements. Un provocateur, afin que, là aussi, les faits ne soient pas trop en avance sur la maîtrise politique.' (I consider that as President I, along with the Commission as a whole, should be a memory and a provocateur. A memory, to remind governments what they have agreed upon, usually on the basis of proposals from the Commission, and to provide them with the means for fulfilling their commitments. A provocateur, so that I can ensure that events do not run on too far without some political action being taken.'). In his so-called Bruges speech to the College of Europe the following year, in October 1989, he took up the same theme of the Commission as memory (Delors, *le Nouveau Concert européen*): 'La Commission européenne, sorte de mémoire militante de la construction européenne, est là pour rappeler, non pas dans le secret désir d'accroître ses prérogatives, mais avec le sentiment impérieux que ce qui a été décidé en commun doit être réalisé. La vigilance est d'autant plus de règle que le projet est ambitieux.' (The Commission is a sort of activist memory of European integration. It is there to act as a reminder, not out of some secret desire to extend its own prerogatives, but because of an urgent feeling that that which has been decided in common must be carried out. And the more ambitious the project, the more vigilant we must be.)

¹⁵⁴Committee of the Regions, 'Opinion on the White Paper on growth, competitiveness, employment', p.C210/25.

The 1993 White Paper was a work of conscience too in the sense that we used the term in Chapter Three, to refer to one of the Commission's functions; this is why the document was bold in its content and recommendations – 'The White Paper advocates abandoning some of the approaches used in the past. It is innovative in the form and substance of its discourse on jobs and unemployment'¹⁵⁵ (but less so in terms of the implementation of its ideas¹⁵⁶) – and in Delors's presentation of it; why it was a major task for the Commission for several months, and why the Commission worked hard at ensuring it was followed up with the action requested in the Paper: 'The White Paper was Jacques Delors's last big gamble, or perhaps, as a British journalist aptly labeled it, "something of a last will and testament." What its consequences might turn out to be were anyone's guess. (...) The effort was clearly to free the Europe [sic] from the mud in which it had become mired, give it a burst of new momentum, and sketch out a new map for its further progress. It might work.'¹⁵⁷

The 1993 White Paper marked out the territory of the ideal and the possible, where its 1985 predecessor had revealed and enacted the terrain of the necessary and the possible. In 1985, Delors's personal ideas and preferences took second place to expediency to produce an action plan for 1992 that will, however, provide his epitaph; in 1993, for all the reasons we have discussed above, Delors's personal ideas, blueprint and intuition¹⁵⁸ for a societal model coincided with what he frequently referred to as 'l'air du temps' (the sign of the times), and dominated the Commission's response to the circumstances. It was a document which Delors saw as

¹⁵⁵The Economic and Social Committee, 'Opinion on the Social Aspects of the White paper on Growth, Competitiveness, Employment, *Official Journal* no. C295/57, vol. 37, 22.10.94.

¹⁵⁶Criticisms were made concerning the form and content of the Paper see for example B.-O. Kuper, 'The Green and White Papers of the European Union', *Journal of European Social Policy* vol. 4, no. 2, 1994, p.137: 'There is ... an insufficient awareness of the wide-ranging significance of these Brussels conclusions [December 1993 summit] among the political public. this is not helped by the form and content of the two Papers [including the Green Paper on social policy], which are a serious bar to readability and comprehensibility, particularly in the constant repetitions.' 'Opinion of the Economic and Social Committee on the Industrial aspects of the Commission's White Paper', p.3: 'The Committee deplores the fact that the White Paper is vague over the matter of implementation. It many areas it is unclear who is to be responsible for implementing the proposed measures.'

¹⁵⁷Ross, *Jacques Delors.*, pp.225-6. A member of Delors's *cabinet* in 1993 described the Paper as Delors's 'valedictory statement'; as 'his framework for the future.'

¹⁵⁸Interviewees frequently referred to Delors's political intuition.

central to the wider debate about Europe's economic, political, social and moral future and identity.¹⁵⁹

Conclusions

The State of the intergovernmental consensus

The relative inaction, or fragmented action, that followed the 1993 White Paper was a reflection of the state of integration in 1993, in terms of its goals and aims, and the means available for articulating these and providing leadership for their fulfilment. The basis for the 1993 White Paper, as expressed in Delors's analysis of unemployment in the Community, found a resonance in the member states, as manifested at the Brussels European Council of December 1993, where all governments agreed that action had to be taken on unemployment, and committed themselves to considering a common approach. But it was not actionable in the same way as that of 1985: the Commission had exhausted its legal-rational authority, and the provisions of the White Paper would remain dead letters in the absence of a renewed inter-governmental consensus concerning the goals and aims of integration. In the absence of a member state consensus, the limitations of what the Commission could achieve – the limitations of legal-rational authority in the Community system – had, paradoxically, been illustrated by the 1993 Paper, which was designed to encourage such a consensus.¹⁶⁰

The 1985 Paper had responded to an emerging intergovernmental strategy on the future of integration which, along with the Treaty provisions for an internal market, provided the Commission with both supranational authority and intergovernmental

¹⁵⁹Delors, *l'Unité d'un homme*, p.297: 'Vous vous rendez bien compte qu'à travers le *Livre blanc* se livre une autre bataille, qui n'a jamais cessé, entre ceux qui sont partisans d'une organisation politique de l'Europe et ceux qui ne voient dans nos affaires que la création d'un grand marché ouvert au reste du monde. Cette bataille-là est sous-jacente à toutes les péripéties de la construction européenne.'

¹⁶⁰One member of Delors's *cabinet* in 1993, when interviewed, stated: 'The 1993 White Paper was the Commission's statement on unemployment policy, where the Commission has no formal responsibility.'

support; the 1993 equivalent had no such counterweight in the form of intergovernmental strategy or vision, and risked disappearing into a vacuum of leadership. 1985 was a Paper with entrenched **Community** credentials, as expressed by Arthur Cockfield in the following remark: ‘The White Paper setting out the Programme for the Completion of the Internal Market is important not just because it detailed some three hundred legislative measures which were needed but also because it was and remains one of the best expositions of **Community** policy, **Community** philosophy and **Community** aspirations.’¹⁶¹

The Commission’s strategy in 1993 – to reveal the limits on its authority – can and has been seen in critical terms;¹⁶² it was nevertheless a reflection of the real state of integration in the mid-1990s. In respect of the White Paper’s social provisions, for example, it has been remarked that: ‘(...) although the Member States of the Union are still not seeking a general European social policy regulated by Brussels, their concern is to agree the basic principles of their national policies in the Union. (...) Until now the legal authority of this policy [social policy] has certainly been insufficiently established at the democratic level. Owing to the non-binding nature of this recommendation policy, European control bodies scarcely have an opportunity to exert any real political influence.’¹⁶³

The President and the text

In terms of the formulaic expression of 1958 and 1985 that we used above (*intergovernmental consensus + founding text + charismatic Commission President*), the emergence of the 1993 White Paper, and Delors’s role in producing

¹⁶¹Lord Cockfield, ‘The Real Significance of 1992’, p.4, our emphasis. An interviewee described the 1985 White Paper as having ‘impeccable treaty credentials.’

¹⁶²‘[in the White Paper] action to attune Community economic structures to developments on the international economic and social scene must remain within the ambit of Member States. The Commission and the Council, indeed, wish only to issue general recommendations on such action. The Committee is critical of this minimalist view of the Community’s executive role in the macroeconomic sphere. The Committee considers that the European Union will not fully discharge its responsibilities if it simply publishes a White Paper and leaves the Member States to face this difficult situation on their own.’ ‘Opinion of the Economic and Social Committee on the Economic and financial aspects of the White Paper’, p.5.

¹⁶³B.-O Kuper, ‘The Green and White Papers of the European Union’, p.136.

the Paper, had the effect of highlighting the flaws in the intergovernmental consensus, whereas the 1985 Paper had corresponded more closely, thanks to its rational-legal bases, to the minimum elements of the consensus of that time: ‘*Le principe de réalité fut au cœur de la success story des années 1985-1989, l’âge d’or de l’aventure delorienne.*’¹⁶⁴ Delors’s response to this situation was to call increasingly in his discourse for strong European leadership, claiming that his own Commission presidency had come to offer, within but especially outside the Community, with representatives from politics and civil society alike, a *de facto* personalised European leadership; he had, he said, filled a vacuum of leadership; a vacuum which still remained and called to be filled:

Il est vrai que j’ai incarné un peu cette Europe pendant une période où on me prêtait d’ailleurs plus de pouvoirs que je n’en avais. Mais si demain il y a un président de l’Union européenne désigné par le Conseil européen pour deux ou trois ans, alors il sera possible, à ce moment-là, d’avancer. Car il y aura un interlocuteur connu, responsable, qui pourra s’adresser à l’ensemble des opinions publiques.’¹⁶⁵

Such a call, moreover, for a personalised and democratic incarnation of Europe, was a logical extension to his recognition and promotion of the ‘European spirit’ in his discourse of the late 1990s: ‘Il existe un état d’esprit européen, qui justifie qu’un jour des nations européennes souveraines œuvrent ensemble. (...) La grandeur de notre tâche, au-delà des quotas laitiers, des négociations commerciales et autres, est

¹⁶⁴D. Bocquet, ‘Paris, Bonn, Delors: l’Europe en quête de centre’, *Débat*, no. 83, Jan-Feb. 1995, pp.24-34. (Authors’ emphasis)

¹⁶⁵(It is true that I more or less incarnated Europe during a period when I was attributed more power than I really had. But if one day there is a President of the European Union, designated for two or three years by the European Council, it will be possible to make progress because there will be a known and accountable interlocutor who will be in a position to address all public opinions.) Delors, *L’Unité d’un homme*, p.304; Delors, ‘Entretien avec Jacques Delors’, pp.13-14: Question: ‘Pendant très longtemps, l’Europe a été très peu identifiée à des personnes, à des responsables. Or, vous l’avez souligné vous-même, vous en êtes venu, vous, au contraire, à incarner l’Europe. Qu’est-ce qui explique ce changement? Vous en avez fait une politique délibérée?’ Answer: ‘Il s’agissait pour moi de prendre ma part personnelle des risques, sans l’obsession du retour dans son propre pays qui a paralysé, souvent, beaucoup de membres de la Commission. Prendre des risques et monter au créneau, de plus en plus, au fur et à mesure que l’idée s’affirmait. Mais le principal s’est joué de l’extérieur. Puisque l’Europe revivait, puisqu’elle attirait l’œil, du dehors, à un certain moment, le besoin s’est fait sentir de lui donner un visage. Or les présidence, comme vous le savez, tournent tous les six mois. Le président de la Commission, lui, reste. Si celui-ci montrait de la personnalité, avançait des propositions utiles, alors il devenait tout naturellement l’interlocuteur vis-à-vis du monde extérieur. (...) Tout simplement parce qu’il y avait un vide.’ (Emphasis mine)

justement de ne pas construire l'Europe uniquement sur des convergences d'intérêts nationaux, mais aussi par l'esprit européen.'¹⁶⁶

The idea of a transcendent European interest as expressed by Delors above fits, as we have seen, with the Weberian concept of charismatic leadership in the political context. In exercising the personalised, charismatic leadership that he did, in 1993, at the level of a Paper for which the Commission had no formal authority¹⁶⁷ ('Although the Commission's task is to promote and facilitate job-creation, it does not actually have the ability to take decisions or create jobs itself'¹⁶⁸), and in appealing to traditional-type sources of authority (Europe's shared past and future), Delors paradoxically – and, we can surmise, intentionally – revealed how the logic of the Community system provided for such a leadership; how the founding texts, in their calls for 'ever closer union' and for a 'federation of Europe' implied that such traditional bases of European authority were desirable and possible,¹⁶⁹ while simultaneously making the Commission President an undemocratic candidate for such a 'post' as well as, as we have said above, designing a system intended to prevent strong leadership by individuals. Delors himself, moreover, by 1993, had become

¹⁶⁶(There is a European frame of mind which justifies sovereign European nations working together one day. (...) The scale of our task goes beyond milk quotas, commercial negotiations and the like, so that we do not just build a Europe out of convergent national interests, but on the basis of the European mind.) Delors, *L'Unité d'un homme*, pp. 289-90.

¹⁶⁷The Commission was criticised for not drawing on its full bank of authority in producing this Paper, for example by the Economic and Social Committee in its 'Opinion on the Social Aspects of the White Paper', *Official Journal of the European Communities, Information and Notices*, 1994, vol. 37, no. 295, 22.10.94: p.C295/58: 'The Committee regrets that no reference is made in the White Paper to the Treaty of Rome, and particularly its Title III which is crucially important on the matter of employment and social rights.' Title III of the Treaty of Rome covers the 'Free movement of persons, services and capital'. It was also criticised for not explicitly linking the proposals of the White Paper to existing or previous policies, 'either to affirm the continuity of the action, or to demonstrate the need for a change in direction. This would enhance the credibility of the proposals in the eyes of public opinion. Objective information is a very important ingredient of credibility...' These comments are interesting and confirm our analysis of the 1993 White Paper as a substantively different document than that of 1985, concerned more with vision and direction than concrete implementation and operation.

¹⁶⁸The Economic and Social Committee, 'Opinion on The Social Aspects of the White Paper', pp. C295/59-60.

¹⁶⁹And, to some extent, the institutional ethos of the Commission, in so far as one can be defined, suggests an institution with a sense of a European past and future, and of its own role in and responsibility towards bringing 'Europe' into being: 'L'approche anthropologique de la Commission met en évidence un mode de rapport à l'histoire et à la mémoire qui méritait à lui seule une étude spécifique. Les fonctionnaires sont en permanence tournés vers l'avenir: ils travaillent dans le souci d'un futur dont l'avènement est toujours retardé. L'obsession de conclure, de "finaliser" est très présente à la Commission, alors même que l'Europe n'en finit pas de se faire.' Abélès, Bellier and McDonald, *Approche anthropologique*, p78.

swept up by the federalist logic of the Community design, as we have discussed above. He suggested, to bridge this gap between the Community ideals and reality, a Commission President personally accountable to the European Council.

In this sense the 1993 White Paper has been depicted as Delors's '(...) bittersweet last major act'¹⁷⁰, in which Delors compensated for the Commission's reduced authority by means of personalised claims to an authority which he knew he could not democratically exercise, in the institutional framework of that time, but which was written into the logic of the Community system, however ambiguously or unintentionally; and for which there was a functional need. Delors's discourse in 1985, and the White Paper itself, expressed the Commission's confidence in its rational-legal bases of authority; it subsequently (under Jacques Santer's presidency) described the 1985 initiative as its greatest initiative ever in recent times: 'Thanks to its right of initiative, the Commission has acted as the motor of European integration. The most striking recent example of this kind of Commission action on a grand scale was the bold strategy, phased over a period of seven years, which led to the completion, at the beginning of 1993, of the European single market.'¹⁷¹

In 1993, the Paper and its presentation expressed a Commission uncertain of its role and authority in the emerging European Union; or, rather, certain of the limitations of this role. Delors's unique contribution was to draw attention to and highlight this situation, and its potential implications. In 1985, Delors exercised what we called in Chapters One and Two his leadership skills in order to reactivate the rules by which the Commission was authorised to act as the Community's bureaucratic executive, acting according to rational-legal rules, conventions and expectations. He brought charisma to bear in order to make the rules work or, in other terms, he drew on personal legitimacy to establish the Commission as an institution among equals in the Community system.

¹⁷⁰ Ross, *Jacques Delors*, p. 240

¹⁷¹ Source: *EUROPA*.

In 1993, Delors's appeal to charismatic and traditional authority were greater than in 1985, yet at a time when the Commission was contested both as bureaucracy and as the conscience of Europe; the strength of his appeal compensating, as it were, for the weaknesses in the Community's provision for stable forms of authority in the areas of low **and** high politics. Delors himself explicitly said that the White Paper of 1993 had to be different from that of 1985, not necessarily because the Commission should not have authority in the areas it covered, but because its authority, including his personal authority, was by then contested.¹⁷² The case of the 1993 White Paper, therefore, in this respect, demonstrates a tactical retreat on Delors's part (on behalf of the Commission), in order to better advance the Commission's strategy in the employment domain and, more generally, its vital role in articulating the European general interest.

The differences between Delors's discourse in 1985 and 1993, moreover, supported our hypothesis that the study of discourse can be used to help assess Delors's leadership, in that it demonstrated the range of strategies that Delors was able to adopt in his discourse in response to evolving circumstances. In 1993, Delors evoked a number of the same legitimating factors as in 1985 in order to defend his record – his knowledge, his experience, his expertise as the 'pragmatic visionary' – but he reinforced these strategies with others more combative and suitable to the occasion. We can see, therefore, how in contemporary politics the concept and reality of legitimacy is at least in part bound up with **claims** to legitimacy. Claims to legitimacy are one of the ways in which a leader interacts with the post he or she holds; one of the ways in which s/he interprets the confines and opportunities of the post. In the case of Delors, he was the first Commission President significantly to

¹⁷²Delors, 'Entretien avec Jacques Delors', p.12: 'En revanche, le livre blanc, compte tenu aussi de la montée en puissance de la Commission qui inquiétait beaucoup de gouvernements, se veut simplement un cadre pour la réflexion, le débat et l'action. Autrement dit, le livre blanc n'implique pas un transfert supplémentaire de pouvoirs au niveau communautaire alors que tel était le cas de l'Acte unique. La démarche est liée à la spécificité des problèmes à traiter, *mais elle est aussi la conséquence d'une précaution politique que j'ai prise à un moment où la manière dont j'ai été amené à incarner l'Europe aux yeux du monde extérieur a été jugée comme trop envahissante par certains gouvernements.*' (Emphasis mine).

push outwards the limits of what was a relatively undefined and unscripted role and so create a space within which he legitimately could act. Partly through his discourse, he publicly stamped on his role a defined legitimacy. This was something his predecessors had not done to any comparable degree, and which won him both support and opprobrium.

Furthermore, our analysis has revealed an idiosyncratic discourse derived from a relatively atypical national political career and philosophy of political action, while our analysis of the context of Delors's discourse as Commission President (the nature of the role; the evolution of the role over time; its possibilities, pressures and constraints) suggests that it was a highly unusual and challenging role when one measures the discrepancy between demands upon it, and legitimacy conferred upon it. The reasons for the discrepancy relate, as we have seen, to the politics of post-Second World War Europe. Delors's Commission presidency demonstrated how, in given circumstances, an individual can alter the relationship between these contradictory factors.¹⁷³ Expressed in other terms, Delors's unique contribution to the Commission presidency was to combine, however fleetingly and however controversially, the **legitimation** of the authority of the Commission President, with the **exercise** of that authority; and his discourse was one factor in that combination.¹⁷⁴

Where Delors's leadership within the Commission was concerned, research, including our own above, has shown that Delors practised an idiosyncratic presidency, characterised by the concentration of power in the person of the President, particularly in respect of the Commission's external profile, prestige and identity.¹⁷⁵ He exercised his authority in order to establish what has been referred to as a 'légitimité de l'efficacité' (a legitimacy of efficiency),¹⁷⁶ and others have referred

¹⁷³ 'Perhaps the best test of a politician's greatness is his ability to create new roles for an established office, or even, to create a new office.' R. Rose, *People in Politics. Observations Across the Atlantic* (London, Faber & Faber, 1970), pp. 114-5.

¹⁷⁴ See H. M. Roelofs, 'The Prophetic President: Charisma in the American Political Tradition', *Polity*, vol. XXV, no. 1, Fall 1992, pp. 1-20.

¹⁷⁵ One interviewee referred to Delors's leadership as a 'présidentialisme accéléré' along the lines of the presidentialism of the Fifth Republic. Another called his style 'elyséen', the reference being to the Elysée palace, official residence of the French President.

¹⁷⁶ Interviewee.

to Delors's intense and zealous pace of work, and the high demands he placed on his collaborators in this respect.¹⁷⁷ The conclusive impact of Delors on the Commission presidency and the Commission was to have demonstrated how the post could be interpreted and enacted as powerful, political and prestigious. Delors's style of leadership as Commission President, moreover, and significantly, bore many of the hallmarks of national political leadership: he presented a personalised and powerful profile, possessing of a vision and the understanding of how to get things done. This was a style that enabled him to shape the course of European integration. For a time, partly through his political discourse, Delors was able to redefine his role and its responsibilities, and behave more like a national political leader than as the head of an international administration. Such a development was particularly significant in respect of the relationship Delors developed between the Commission and the European Council; a relationship which focused on his own presence, performance, intellectual and discursive skills at the European Council meetings. Given that the European Council was itself a significant actor in the integrative steps of the 1980s, then Delors's ability to secure European Council commitment and support for Commission initiatives, and to encourage the European Council to formally bring such initiatives about (by providing the Commission with a mandate to act, as in 1985 and 1993), then Delors's interaction with the European Council must be seen as one crucial dimension of his leadership skills.¹⁷⁸

Questions concerning the internal organisation of the Commission after Delors's departure, and also the disagreement over Delors's successor in June 1994, support

¹⁷⁷Ross, 'Inside the Delors Cabinet', pp.503-4: 'Delors, who himself worked all the time at a frightening pace, demanded that everyone around him – and his Cabinet most of all – should do the same. Delors, who judged his colleagues not only on the number of hours they were present, but on the quality of their "product", had very high standards.' Ross also used the term 'militantisme' to refer to the zeal of Delors's *cabinet*: 'The Cabinet was premised on tapping deeper sources of cohesion than any "teamwork" managerial technique would elicit. Ultimately it was tied together by what specialists on France, particularly on the French Left, would call *militantisme*. In French political life *militants* were imbued with a particular political style in which agreement on principles and strategy existed *prior* to any administrative action.'

¹⁷⁸See Cameron, 'The 1992 Initiative', pp.63-4, for a discussion of the European Council as 'political executive' and as provider of the 'policy leadership' in the early 1980s necessary for the development of the internal market.'

our hypothesis that in enacting the logic of the Community system, which tends to call forth a European form of leadership, Delors's Commission presidency called into question the Community logic itself. Where the internal impact of Delors's presidency was concerned, voices were raised concerning the long-term effects of Delors's decade of leadership: 'The Delors Presidency, including the presidential Cabinet, has been in part a charismatic and voluntaristic effort to make the Commission do more and differently. The routinization of charisma and voluntarism is a perilous process, however. There is always a good deal lost when inspiration and exceptional effort are replaced by rules and routine, however well conceived such new arrangements may be. As the Delors decade ends, what is of most concern is the margin for such loss inscribed in the very institutional structures of the Commission. (...) The combination of a weak new President and an unreformed Commission administration worn out by constant "exceptional mobilization" over the recent past (...) could contribute to another period of difficulty for the Commission.'¹⁷⁹

The notion of the 'routinization of charisma' to which Ross refers is one used by Weber to denote the process which occurs within institutions with the passing of a charismatic leader.¹⁸⁰ It assumes that the charismatic leader tends to bypass institutional rules, procedures and conventions, and that these are re-established after the leader's departure, although modified as a result of the impact of the charismatic leader, until the next crisis and charismatic leader. The concept suggests a cyclical process of charisma and routine within politics, society, and organisations, and is of relevance when describing the historical development of the Commission and its

¹⁷⁹George Ross, 'Inside the Delors Cabinet', p.523.

¹⁸⁰See M. Weber, *The Theory of Social and Economic Organization* (New York, Free Press, 1964), pp. 363-4: 'In its pure form charismatic authority has a character specifically foreign to everyday routine structures. The social relationships directly involved are strictly personal, based on the validity and practice of charismatic personal qualities. If this is not to remain a purely transitory phenomenon, but to take on the character of a permanent relationship forming a stable community of disciples or a band of followers or a party organization or any sort of political or hierocratic organization, it is necessary for the character of charismatic authority to become radically changed. Indeed, in its pure form charismatic authority may be said to exist only in the process of originating. It cannot remain stable, but becomes either traditionalized or rationalized, or a combination of both.'; H. Drake and J. Gaffney, 'Introduction: The Language of Leadership in Contemporary France' in H. Drake and J. Gaffney (eds.), *The Language of Leadership in Contemporary France* (Aldershot, Dartmouth, 1996), p.13.

presidency, particularly that of Delors. First, over time, Delors had to 'routinise' his own behaviour to reflect new circumstances that imposed reform in the Commission beyond that which his presidential style alone could effect.¹⁸¹ Second, the Commission itself was deemed unlikely to be able to 'sustain the achievements of a dynamic president'.¹⁸² Third, the case of the appointment of Delors's successor illustrated a further dimension of the routinisation of charismatic leadership, in the specific context of the Commission Presidency.

The difficulty encountered by the member states in appointing Delors's successor at the Corfu European Council in June 1994 centred on precisely the sort of issues we have raised here in relation to the Commission's legitimacy, and to the legitimacy of the Commission President to claim a form of leadership of the European polity. The terms in which discussions over the succession were held highlighted the differences between member states over the proper role of the Commission and the extent of its authority; and the extent to which its President should be enabled to represent Europe. First Jean-Luc Dehaene's, then Jacques Santer's 'candidacy' for the post, were in several respects portrayed in terms of how they represented the antithesis of Delors's leadership style. Furthermore, Santer's approach to the presidency was subsequently encapsulated in the phrase: 'agir moins pour agir mieux' (do less but better), and his early priority was to the internal organisation of the Commission, much as the routinisation of charisma concept would predict.¹⁸³

The foregoing analysis demonstrates that Weber's analysis of authority provides us with a terminology and approach to the study of leadership and its legitimation in the European Union, particularly when we focus on the decade of Delors's presidency, and on interpretations and analyses of this period. Our case studies illustrated how

¹⁸¹Fitzmaurice, 'The European Commission', pp.184-5; Dinan, *Ever Closer Union?*, pp. 205-6; D. Coombes, in *Politics and Bureaucracy in the European Community. A Portrait of the Commission of the EEC* (London, George Allen & Unwin, 1974), pp. 259-260: '(...) even where the leader remains, his very success must lead to a routinization of his "charisma" so that after the exciting innovative stage when the policy is being championed and adopted there comes the more mundane and mechanical process of defending the policy and implementing it.'

¹⁸²Dinan, *Ever Closer Union?*, p.206.

¹⁸³One very senior Commission official compared Delors's leadership style as that of a 'shooting star'; Santer's as a 'rugby scrum' – all moving forward together under central coordination...

the conventions and norms of legitimacy in the EU evolved over time between 1985 and 1995; the extent to which Delors's presidency contributed to these developments; and his response to them. It is to these questions of authority, legitimacy and leadership, to the contribution that our two case studies have made to their analysis, and to the relevance of our Weberian terminology, that we now turn in our fifth and final chapter.

Chapter Five

CONCLUSIONS

The Legitimation of authority in the European Union

(...) the European Community is, and always has been from its earliest days, a body which has sought political ends through largely economic means. The political ends have obviously not been narrow party-political ends; they have been no less than the regeneration of Europe and the restoration of Europe's position and influence in the world which we so wantonly threw away in two European civil wars.¹

Political leadership in theory

From the foregoing analysis we can understand political leadership as being the process whereby a political leader brings to bear a personal set of political 'skills' on the 'rules' of leadership for purposeful and consequential action in the polity. By skills we mean the combination, unique to each leader, of personal qualities, abilities and characteristics including personality, knowledge, expertise; and, most significantly, a leader's ability to establish a relationship with a constituency or constituencies which compose his or her leadership environment, for example through the use of discourse. By the 'rules' of leadership, we mean the rules and conventions informing and defining the leader's office and mandate and, more widely, the influence upon these of the political, economic and social environment.

We have demonstrated that the scholarship on political leadership has sought to identify the relative significance of the skills and rules of political leadership, and to classify their relationship and interaction. Approaches to this question cluster into two categories. The first contains those who take leadership skills to be the most defining set of factors; these are approaches which look first and foremost to the

¹R. Jenkins, 'Thatcher: A Satisfactory Alternative to Delors?', *European Affairs*, no. 1, Spring 1990, p.57.

individual leader for explanations of the phenomenon of **leadership**. Within this cluster there exist differences over the precise and relative significance of factors such as a leader's **personality**, and its many component sub-factors, or his or her **morality**. Such approaches tend to adopt nomothetic, intensely empirical (often quantitative) and inductive methods of enquiry, seeking as they do to 'exploit history to advance the cause of science'.²

The second category of leadership studies is formed of those who emphasise the rules of leadership; the leadership post itself (and particularly its confines) and, beyond the post, the wider set of factors and features determining a leader's environment, including conjunctural factors, but primarily the social, economic and political traditions and expectations, and various manifestations of 'culture', which compose a leader's environment. Such approaches pursue historical, idiographic, deductive and theoretically-driven analyses of universal political, social and economic forces, in their focus upon what is permanent in politics and society, and on the structures which confine and contain – and, in democratic society, deliberately so – political activity and action.

Such approaches seek to 'apply science to explicate history'³, and have been the most powerful in explaining contemporary democratic (and particularly West European) politics. This is because the essence of democracy is its structures, processes, procedures, safeguards, checks and balances for the permanent and predictable representation of individuals, groups and interests in society (or rather, the majority of them). In democratic societies, therefore, by definition, leadership by individuals must be confined by the structures of and for leadership; by the rules of leadership, in our terms.

Our analysis has demonstrated, however, that the individual leader's role cannot be discounted in democratic politics; that it effects significant and lasting change, and is perceived to do so. Our case studies showed that this was true of Delors's presidency

²D. K. Simonton, *Why Presidents succeed. A Political Psychology of Leadership* (New Haven, Yale University Press, 1987), pp.6-7.

³Simonton, *Why Presidents succeed*.

of the Commission, in that Delors restyled the rules of the presidency, and contributed to altered perceptions of the President's role and that of the Commission, processes which raised questions of legitimacy and democracy in the EU context. There are numerous other widely acknowledged historical examples of individual leaders personally responsible (although not uniquely so) for, by way of example, substituting one form of democracy for another (de Gaulle, in 1958); one foreign policy for another (German chancellors such as Konrad Adenauer; Willy Brandt; Helmut Schmidt); or for replacing the democratic structures which brought them to power with anti-democratic institutions and procedures (Adolf Hitler being the most striking example). Examples such as these tend to disprove those schools of thought which consider leadership to be **either** individual, **or** institutional; it is evidently, as we have demonstrated, the product of the interaction between individuals and institutions; between a leader's skills and leadership's rules.

At another level of consideration, moreover, modern politics makes inevitable the **focus** upon the individual leader through developments such as the growth in significance and frequency of summitry; the intensity of media and public interest in the immediate, the sound-bite, the personal, the said and the projected, and the short-term. These developments, moreover, do not simply form the context of individual leadership, but in turn act upon it and its rules, and thus become formative and not just contextual factors. Modern politics in these crucial respects heightens expectations of the political individual's potential to lead and, as intangible and hard to measure as such phenomena might be, affect the political process, with consequential and recognisable effects. We referred to such developments in Chapter One when we noted that the 'public space' dimension of EU politics compounded the complexities of Delors's claim to an authoritative political leadership role in European integration.

Scholarship on democratic leadership is therefore, in part at least, the attempt to establish what makes leadership by individuals **legitimate** in the structures of democratic politics. We have demonstrated in our thesis that the democratic

legitimation of political leaders and political authority more generally is, conceptually and empirically, a complex and continually evolving phenomenon. We have shown that there are subjective as well as objective, informal as well as formal, dimensions to democratic leadership legitimacy. Objectively and formally, a leader is democratically legitimate if he/she is elected according to agreed rules and procedures (which, we said, are defining of the polity). Subjectively and informally, a leader's legitimacy is defined by other, less tangible factors, such as a leader's claims to legitimacy on the grounds of leadership performance, personal qualities and strengths (what we have called leadership skills), and the ideas that the leader claims to incarnate; and the manner in which these qualities and skills are mediated to constituencies, in part through leadership discourse, and found acceptable – or not – by them.⁴

When we say that leadership is the relationship between leadership skills and leadership rules, what we mean therefore is that what comprehensively defines one leader's democratic legitimacy is his or her interpretation of the rules, the claims to authority he/she makes in doing so, and the consequences thereof. In national West European politics, it is relatively easy to predict leadership legitimacy because of the stability of political behaviour and expectations in most West European nation states: 'An institution or system or polity will, in most (but not all) cases have to enjoy formal legitimacy in order to enjoy social legitimacy. This is most likely the case in Western democratic traditions.'⁵ In the European Union, by contrast, we demonstrated in our earlier chapters that the questions and difficulties we have raised here concerning the legitimation of democratic political leadership are more acute, and conceptually significant. In essence, this is because: 'The starting-point for the

⁴Weiler has expressed this formal/informal distinction as formal (or legal) vs. social (or empirical) legitimacy. **Formal** legitimacy derives from a polity's democratic structures, and popular consent to these, whereas **social** legitimacy 'connotes a broad societal acceptance (empirically determined) of the system. (...) [Social] legitimacy is achieved when the government process displays a commitment to, and actively guarantees values that are part of, the general political culture – such as justice and freedom..' J. H. H. Weiler, 'After Maastricht: Community Legitimacy in Post-1992 Europe' in W. J. Adams, *Singular Europe – Economy and Polity of the European Community after 1992* (Ann Arbor, University of Michigan Press, 1992), pp. 19-20.

⁵J. H. H. Weiler, 'After Maastricht', p. 20.

exercise of political authority is the existence of a state',⁶ whereas the EU's statehood has always been, and remains, the object of controversy and doubt. The case of the EU, in this respect, seems to support Weiler's contention that 'a system that enjoys formal legitimacy will not necessarily enjoy social legitimacy'.⁷ We mean by this that whereas the EU has **formal** legitimacy in the sense of its structures and processes being legal, and its having been established and ratified by democratic due process, it is lacking, or at least deficient, in **social** legitimacy, which we take here to equate to the bases of what we have earlier called 'traditional' type authority, and to which we return below.

Political leadership in practice: the case of the European Union

We said that the establishment of the Community system in the 1950s prioritised the structures and rationality of new, **European**, political institutions over the provisions for the less predictable forms of authority as exercised by individuals. Provisions for consensus and compromise precluded solutions involving the imposition of individualised influence over critical and consequential decisions. This situation, we saw, was strongly influenced by a current of political philosophy which underlined the role of institutions in taming men; the ability of independent (in the sense of non-partisan and **European**) experts to secure international peace through pragmatic and knowledgeable responses to human needs for welfare and security; the competence of an emerging breed of 'technocrats' to order and organise international elite relations; all of which prioritised the management of things over the organisation of people.⁸

We noted both the irony of these founding principles, in that individuals such as Monnet and Schuman were themselves – as individuals – responsible for creating a Community system built on such anti/non-individualist structures and principles; and their utopianism, since we also saw how, empirically, individualised leadership **did**

⁶R. Rose, 'Dynamics of Democratic Regimes' in J. E.S. Hayward and E. C. Page (eds.), *Governing the New Europe* (Cambridge, Polity Press, 1995), p.68.

⁷J. H. H. Weiler, 'After Maastricht', p. 20.

⁸See M. Shackleton, 'The Internal Legitimacy Crisis of the European Union', Europa Institute Occasional Paper no.1 (Edinburgh University, May 1994), p.7.

assert itself in ways which were highly significant, however paradoxically, for the integration process (such as de Gaulle's intervention of 1965, and the subsequent Luxembourg compromise). Such leadership was most decisive when it came from member state governments, usually exercised by the national Head of State or government. Since the structures and rules of the Community system precluded such forms of leadership, however, it was exercised informally, in the sense of taking place **outside** the formal Community structures, although in many cases such informal arrangements subsequently became formalised through treaty reform: the summits of the late 1960s/early 1970s, for example, became institutionalised as the European Council, which by the 1990s had become a highly influential institution of the European Union.

We also note here in passing that such developments have often been interpreted as the growing substitution of **intergovernmentalism** for **supranationalism**, and have usually been depicted as such in the literature and commentary on European integration. It is our view that such terminology, because it is so imprecise regarding the relationship between authority and claims to legitimacy, has tended to obscure rather than enlighten analysis, and we have avoided such terms throughout our thesis as far as possible. The Community's history has been marked and characterised by the influence that national individual leaders have exercised over the structures of the Community system, and this to the extent of permanently modifying these structures. Such individual manifestations of leadership were legitimised, using the criteria we defined above, in **national** terms. De Gaulle made his interventions in the Community system on the grounds of his legitimacy as **French** leader; according therefore to French expectations and traditions of political leadership activity. De Gaulle's European partners could not decisively dismiss his leadership as illegitimate on **European** grounds, since no such grounds had been established. In these terms, the Maastricht Treaty on European Union is not to be seen as the development of intergovernmentalism over supranationalism, but as the marshalling and organising of

the extra-Treaty arrangements which had accumulated by the 1990s. The effectiveness of the Maastricht solution, in this respect, has not yet been determined.

Our thesis has focused on the case of the personalised leadership of Jacques Delors as Commission President between 1985 and 1995, and on the legitimacy of that leadership. We saw how President Delors asserted his authority and remained at the forefront of European integration from the mid-1980s; how his leadership of the Commission and his impact on the integration process made of him the first 'European' statesperson that the Community system had ever known. We saw that the legitimacy of his leadership was contested within the Community, both by elites and at a more populist level, with two major consequences. First, President Delors significantly altered his leadership style and discourse towards the end of his presidency, although it is questionable whether such alterations had any significant impact upon the reputation he had by then established. Second, the structures of the Community system were themselves modified so that the college of Commissioners, and especially the President, became more answerable to the European Parliament. Interestingly for our thesis, such a modification made a Delors-style leadership **more** not less likely, since at one level the modification focused attention on the Commission President (in theory *primus inter pares*) thereby raising his **potential** significance as individual leader; and at another, deeper, level the modification, logically speaking, strengthened the link between the 'European' electorate (the EP's constituency) and a potential 'European' leader (the Commission President, henceforth 'blessed' by the approval of the EP, itself directly representative of its electorate), thereby **raising** not lowering the status of the Commission President and his potential for individualised leadership. (In the terminology of intergovernmentalism and supranationalism, this development is depicted as a development of the EU's supranational provisions). If we follow the logic of this institutional development, we can see that its ultimate effect could be to establish grounds on which a successor of Delors could be deemed legitimate or illegitimate on **European** (not national) grounds.

It is this question of the nature of the Commission President's link with the 'European electorate' that lies at the heart of this thesis, and our hypothesis was that it was Delors's enactment of this link (however tenuous; and however intentional or unintentional his comportment), through the mobilisation of his set of leadership skills, which explains the manner in which his leadership legitimacy evolved over the space of ten years. Our study of the production of the Commission's 1985 White Paper demonstrated: first, the range of Delors's personal leadership skills; second, how Delors brought these skills to bear on the rules of his post, the Commission presidency, of the Commission and of the Community system more broadly. We concluded that Delors' enactment of these rules did not, in 1985, appear to threaten the established order of the integration process, since the **effects** of the enactment were limited to the economic, 'low' sphere of politics. By 1993, when the integration process had become far more 'politicised' than in 1985, and this for reasons both concerning Delors and independent of him, the margins of Delors's claims for legitimacy to act consequentially were contested, in part because his potential to claim leadership legitimacy had grown. Delors consequently enacted the rules of his presidency and of the Commission in a very different manner to 1985.

In other terms, our hypothesis stated that Delors's presidency of the Commission, and his exercise of authority within the Community more broadly and beyond the Community, had the effect of significantly influencing both the integration process and, just as significantly, the stability of that process, as was made possible, if not inevitable, by the Community's 'original design'.⁹ This was a design in which the Commission was established as the central Community institution of a system of 'mixed powers',¹⁰ rather than the separation of powers typical of West European nation-state democratic politics, as we discuss in greater detail below. The founding

⁹An expression used by P. Ludlow, 'The European Commission' in Keohane, R. O. and Hoffmann, S. (eds.), *The New European Community. Decisionmaking and Institutional Change* (Boulder, Westview, 1991), p. 86.

¹⁰The idea of 'mixed powers' is developed in A. Shonfield, *Modern Capitalism. The Changing Balance of Public and Private Power* (Oxford, Oxford University Press, 1965); we return to it below in greater detail.

texts of the Community imply that the Commission was to be indirectly representative of an anticipated European-wide and potentially trans-party consensus at popular and elite levels in favour of more and more European integration and, ultimately, European union. In this context, the history of the Commission can be construed as one of its construction of and claims to legitimacy in a context where the implications and logic of the founding treaties – that the Commission should emerge as a new site and focus of European leadership and loyalty – were continually challenged, implicitly and explicitly, by the Community’s member states, also integral parts of the Community system.¹¹

Intentionally or otherwise, Delors’s style of presidency revealed the logic of the Community’s institutional distribution of power and authority, by bringing the Commission, in its bureaucratic and political roles, to the centre stage of the Community and the integration process. Delors’s presidency thereby raised questions of the nature of individual political leadership (the inevitability of the individual exercise of authority), and the place of such leadership in the Community system, as well as questions concerning the Community system itself, and in particular the absence or existence of a European political space (expressed variously as a ‘federation of Europe’ (the Schuman declaration), ‘supranationalism’ and so on), within which a leadership of the type styled by Delors would be legitimated in European terms. Delors’s Commission presidency, moreover, by enacting (inadvertently or otherwise) the Community’s arrangements and potential for new levels of popular political representation, challenged the dominant discourse and

¹¹Lindberg and Scheingold expressed the Commission’s claims to legitimacy as follows: ‘The leadership skills of the Commission (...) involved primarily (but not exclusively) what we would call “task-oriented” leadership, for example, supplying organizational skills, making proposals for action, and facilitating intergovernmental bargaining so as to bring about package deals. The Commission may be able to do these things effectively because it has, first, a special perspective and legitimacy as the only actor that can claim to speak from a truly “European” or Community point of view; second, a virtual monopoly of policy initiative granted by treaty; and finally, a mastery of technical expertise with regard to Europe-wide questions.’ L. Lindberg and S. A. Scheingold, *Europe’s Would-Be Polity. Patterns of Change in The European Community* (Englewood Cliffs, N. J., Prentice-Hall, 1970), p. 129. See too W. Wallace and J. Smith, ‘Democracy or Technocracy? European Integration and the Problem of Popular Consent’, *West European Politics*, vol. 18, no. 3, July 1995, pp. 137-157; D. Rometsch and W. Wessels, ‘The Commission and the Council of Ministers’, in G. Edwards and D. Spence (eds.), *The European Commission* (Harlow, Longman, 1994).

assumptions of member states in which political representation is a purely national matter. Focusing specifically on two ‘moments’ of the Commission’s activity under Delors’ leadership provided us with contrasting illustrations of the Commission’s place in the Community’s system of ‘mixed powers’, and the role of the Commission President in influencing that place, and so allowed us to offer, at the theoretical and conceptual level, a contribution to the understanding of political leadership – how individuals can turn authority into power and influence using a combination of political skills – and of the politics of democratic legitimacy in the European Union.

The Legitimation of authority in the European Union: conceptual and methodological issues

Weber’s ideal-types of authority

Our point of departure for testing our hypothesis was to devise a method of understanding how, first, President Delors exercised authority within the Commission and within the wider Community system to the extent that he did (identifying, describing and analysing his leadership ‘skills’); and, second, why his exercising of authority led to his establishing a reputation as a ‘European leader’ and, most importantly, why this reputation – the legitimacy of his authority – became a controversial matter (identifying the ‘rules’ of his leadership, in their specific and wider sense). We wanted, in other terms, to offer an understanding both of Delors’ individual skills, as we have called them, which enabled him to style a form of Commission presidency hitherto unknown, although implicit (and so which would enable us to draw general conclusions about the nature of individualised political leadership); and of the wider picture – the integration process and its system of institutions – which would explain the consequences of Delors’s leadership. In yet other terms, and as we introduced above, what we sought to define was the relationship between individuals and institutions in politics, as exemplified by the

case of Delors, and the extent to which this relationship is determined by (and can be predicted by) the nature of the wider cultural framework of politics. In the case of the EU, this wider framework is composed of the interplay of the forces for and against more European integration, forces driven and determined by factors such as national identity; the role (and fate) of the West European nation state, and the relative strength of forces (elite, civilian or otherwise) for a European-level of organisation of politics and society. As we saw above, studying the relationship between individuals and institutions in politics begs the question of the most appropriate conceptual and methodological approach.

Here we looked to Max Weber's 'theory of modern politics'¹² and, specifically, to Weber's typology of the legitimation of authority. This typology was a means for Weber to study the link which he observed in his empirical work between stages of societal development on the one hand, and the types of structures for political authority that these stages tended to bring forth, on the other. However crude Weber's sociology of 'ideal type' authority (the traditional, charismatic and rational-legal 'legitimations'), our contention in this thesis has been that it carries meaning and significance for the study of modern democratic politics, including those of the EU. Weber himself demonstrated how the ideal-types could be applied to the study of democratic politics, although in so doing he revealed the contradictions inherent in his definitions of the ideal types; for example, whereas in his sociological writing Weber implied that charismatic authority was a form of personalised leadership restricted to pre-democratic or democratising societies, his later works suggested recognition of the need for charismatic authority in massified, modern democratic politics. In fact, his political writings after the First World War revealed his predilection for the personalised forms of authority within democracy implied by his notion of charisma, and scholars have argued that, in this respect, Weber's conceptualisation of modern politics was problematical for, if not antithetical to,

¹²D. Beetham, *Max Weber and the Theory of Modern Politics* (London, George Allen & Unwin, 1974).

democracy. We cannot, in this thesis, enter the debate concerning the appropriateness of Weber's theory to democratic theory generally, other than to stress its usefulness in characterising the ambivalent democratic structures and processes (ambivalent in as much as claims to legitimacy and authority made within them are unclear and contested) of the Community system. Our thesis does, however, raise significant questions for future research in the domain of democratic theory, and we can make brief reference to its implications here.

It is our understanding that the question Weber posed, by means of his typology of authority, was the following: how in any society, is the relationship between rulers and the rules established? Between authority and the individuals who can enact that authority? Between authority and its legitimation? In relation to democratic societies, the question becomes more complex: how, in a society characterised by its massification, by the multiplication of the tasks involved in ordering society, and the delegation and specialisation of the tasks of government (defined in the broadest sense of 'getting things done') which ensues, can rules be devised for the rational and legal accomplishment of these tasks and, simultaneously, the space be created and organised in order to retain and organise the rules; to change them if necessary; to inflect them, improve, and interpret them? Part of Weber's answer was that the **interpretation** and the **execution** of rules require different types of individuals, the former being the job of the politician; the latter the realm of the bureaucrat.

Much of Weber's sociology focuses on the nature of bureaucracy in democratic society, and the dangers it poses to that democracy if allowed to encroach into the realm of the politician; that is to say, if allowed to interpret or set, as well as execute, the rules. Unlike some of his contemporaries, Weber did not consider bureaucracy as a common good or as an institution to be revered in its own right, however efficient it might be. On the contrary, his work developed the means by which bureaucracy could and should be controlled in a democratic society. In this context, we have to recognise and address the confusion implicit in Weber's use (and the subsequent application by scholars) of the terms 'rational' and 'legal' in relation to bureaucracy.

This is two-fold. First, as we saw in Chapter Two, ‘rationality’ was a concept which Weber applied not just to bureaucracy but to other institutions and organisations, public and private, of modern capitalism. It referred to a *modus operandi*; a system of rules and practices governing the recruitment, training, and working methods of members of the organisation. It was characterised by the need to perform series and sets of repetitive and discrete actions in the production of a given product or service. Bureaucracy was a pure form of rational organisation. ‘Legality’, the second defining characteristic of bureaucracy, was restricted to bureaucracy in its public manifestation, that is to say, in the service of the state, charged with executing political decisions and instructions. Legality referred to the bureaucracy’s official status in a constitutional system of powers. As part of Weber’s three-fold typology of authority, ‘rational-legal’ authority referred specifically to the characteristics of these public, state bureaucracies. This – the precise domain of reference of the ideal-type ‘rational-legal’ – is the first area of confusion with which we are concerned.

The second concerns the relationship between the terminology of the rules of bureaucracy (i.e. rational-legal rules) and the ‘rules’ of democratic politics such as the procedures for electing politicians, which is the broad sense in which we have been using the term throughout our analysis. Weber’s description of rational-legal authority does not in fact help us to make this distinction. Weber’s chief preoccupation was with the relationship between bureaucracy and what he called ‘politics’ (a ‘strong and slow boring of hard boards’¹³); with the way in which political control could be established and maintained over the bureaucracy. He reduced the dilemma of modern politics to this question of **political** control over the **rational-legal**. However, in his discussion of ‘charismatic’ authority, Weber provides us with an indication of the solution to this confusion.

Weber’s definition of ‘charisma’; of ‘charismatic’ authority, and of the ‘charismatic’ individual, are not static in the body of his work. Specifically, his definition and

¹³Max Weber, ‘Politics as a Vocation’, in H. H. Gerth and C. Wright Mills, *From Max Weber. Essays in Sociology* (London, Routledge & Kegan Paul, 1948, 1993), p. 128.

application of these terms evolved, and in the last of his political writings are rather different from his sociological/academic writings. Even within his political writings, which are of the greatest interest to us, Weber's definition of charisma and, most importantly, the manner in which he applies the term, shift over time. We noted above that in democratic politics, Weber considered the politician and the bureaucrat to have specific and distinct roles. Weber related the politician to the concept of 'charisma' variously in his political writings, as the leader of the modern mass political party, and the plebiscited national leader. In more abstract terms, and ultimately, he portrayed the politician as an impassioned individual with a taste for politics and living for politics; a non-partisan individual swept to power by a coalition of class and economic interests in a plebiscite, on the basis of his personality and skills; that is to say, for the very reasons which Weber's pre-democratic charismatic leader came to power – because of beliefs about his **personal** qualities and capacities – rather than because of his **democratic** credentials in the sense of his representing a majority of partisan views, as provided for by modern democratic structures.

This discussion of Weber's application of his own concept of charisma demonstrates that the **essential** question for Weber was not in fact simply that of how to control the bureaucracy; but of how to ensure and organise the organisation of politics by the few who were, on the basis of the qualities they possessed (and were ascribed¹⁴), eligible (in the broad sense) to exercise power; worthy and trustworthy of it. In this respect, Weber's theory of charismatic authority applied to modern democratic politics echoes the tenets of Carlyle's beliefs about 'great men' and their superiority over the masses, and so can be, and has been, judged as anti-democratic (in the sense that it implies a plebiscitary politics designed for elites).

We have discussed Weber's notion of charisma in the context of his three-fold typology of authority because it highlights and emphasises the dilemma, in politics generally, and specifically in democratic politics, of organising the relationship

¹⁴See J. Gaffney, *The French Left and the Fifth Republic. The Discourses of Communism and Socialism in Contemporary France* (London, Macmillan, 1989), p. 19.

between, on the one hand, individuals and their claims to legitimacy on the basis of individual, personal qualities and, on the other hand, the structures and institutions established to routinise, order and confine the activity of these individuals. It is in this broad sense that we use the term 'rules'. Moreover, we use the terms 'rationality' and 'legality', in keeping with Weber, to represent types of organisation and their founding principles. When we say that the EU was founded, in the 1950s, on a view of politics which prioritised the rationality of institutions over the irrationality of men; or that this view stressed the 'legality' of the means by which treaty texts establish, define and prescribe the activity of these institutions, we are using these terms in their Weberian sense and not in the broader sense associated with popular usage.

Because, therefore, Weber's notion of charisma sprang from a commitment to the 'law of the small number' rather than to democratic principles *per se*; and because the terminology of Weber's discussion of authority, in its English translation especially, presents its own problems, we recognise the necessity of caution in applying Weberian types to the study of politics; in this case of the EU. However, we retain the Weberian framework because it provides us with a means of restating and examining theoretically: first, the relationship between individuals and institutions (between leaders and the rules of leadership); and, second, the notion of a link between the development of socio-political institutions and culture on the one hand, and the politics they bring forth on the other. Although this second notion is problematic too (and Weber himself partly negates it by applying 'charisma' to pre-democratic **and** democratic society), it serves the purpose of raising important and meaningful questions about the directional relationship between social and political developments. Weber's work, for example, emphasises the link between the demands of unifying a nation and of expressing the character of the nation through its foreign policy, and the type of leadership that the nation (Germany) required. Whatever Weber's conclusions, it is our view that it is a valid political science enquiry to contrast the **goals** of a polity (as expressed and articulated by its politicians) with the **institutional expression of and organisation** of the means to achieve those goals. It

is in respect of this line of enquiry that the Weberian framework serves the scholar of European integration.

The use of Weberian typologies and the legitimation of authority in the European Union: a vacuum of 'traditional' authority?

Our hypothesis, as discussed above, was that in prioritising the rationality of institutions, and in inventing new arrangements for political representation (the system of 'mixed powers') and, specifically, in outlining a framework for **European** politics for **Europeans**, the EU's 'original design' created a new situation and potential for the legitimation of authority, that is to say, for the relationship between rulers and rules in a new politics of governance. We applied our hypothesis to a study of the European Commission and, specifically, to the Commission presidency of Jacques Delors between 1985 and 1995. Our research questions were, first, what were the conclusions we could infer from Delors's leadership of the European Commission? Using Weber's definition of charisma as synonymous for our concept of skills – since 'charisma' focuses attention on the crucial area of a leader's **relations** with his or her constituencies and the rules informing these relations – we enquired whether charisma, in this sense, was a resource for the contemporary leader, what it consisted of, and what constituted Delors's enactment of it. Second, we studied the evolution of Delors's presidency from the wider perspective of its impact on the integration process, and the perceptions and portrayals of it, in order to infer general propositions about the politics of legitimacy in the EU, specifically the provisions for the distribution and allocation of authority between the national and **European** levels (the term we preferred to 'supranational') and between individuals and institutions, and the principles guiding these arrangements and their interpretation.

We saw in Chapter Three that the Commission was designed to be one of the quintessential providers of the sort of technocratic expertise and rationality that characterised post-Second World war political reconstruction in several West

European countries, and particularly in France. Its authority was derived indirectly from the democratic legitimacy of the elected national leaders who appointed the members of the college of Commissioners, and directly from the provision and expectation that individuals combining political and technical expertise would be these appointees. (In its provisions for a College of Commissioners in which the President would be *primus inter pares*, the founding texts of the Commission further demonstrate the idealistic notions of politics by compromise and consensus.) The provisions of the Treaty of Rome for the Commission to enjoy the monopoly of initiative in the EC legislative process, and the Commission's treaty-defined duty to act in the 'general interest of the Communities' were expressions of the faith placed by the founding texts and their authors in the ability of appointed officials to orient the integration process. Furthermore, the link created between the Commission and the European Parliament (which could censure and dismiss the Commission) – the European Parliament being the institution designed directly to represent the European 'peoples' referred to in the Treaty of Rome's preamble ('ever closer union among the peoples of Europe') – was a further expression of the new approach to democratic politics in the continental European space.

The approach was complex but can be understood using Schonfield's concept of 'the mixture of powers', according to which democratic representation can be functional as well as institutional; in the European context, this translates into the idea that **Europeans** might feel equally if not more so represented by **European technocrat-politicians** as by national, directly representative politicians faced with political problems whose solutions lie outside the national level. Because the Commission derived authority from the national governments which appointed them, **and** the directly elected (to be) Parliament; **and** from its functional competence and expertise, it was indeed the embodiment of a new, though not exclusive, set of relationships between the subjects and objects of politics, and the rules governing the relationships. The implication was that **European** problems would be addressed on a **European**

scale by a new elite of **European** ‘professional administrator[s] cum political operator[s]’:

(...) The European Commissioner is in fact the most prominent manifestation of an increasingly common hybrid type in Western society, the professional administrator cum political operator. He often has a particular field of expertise in which he has achieved some eminence, but he is not content merely to tender expert advice. He is a lobbyist, an intriguer – in short, a fixer who is also a technician. (...) The currently fashionable work used to tag this kind of person is “technocrat”. His relevance to the general problem of the political institutions of modern capitalism is that he is normally called in to deal with the type of problem whose solution cannot be precisely defined in advance, and where the area of administrative discretion is therefore recognized as being very large. In practice such a person combines a large part of the law-making function with the executive function. He is the embodiment of a principle which is the opposite of the classical separation of powers. Indeed in the European Commission the *mixture of powers* is carried a stage further, for the Commission is also endowed with limited judicial functions in relation to certain matters.’¹⁵

When seen from this perspective, the history of the Commission has been characterised by its attempts to fulfil the various dimensions of the role created for it by the treaties and, specifically, to balance its bureaucratic (in the pure rational-legal Weberian sense) against its political responsibilities. The Commission, historically (as we saw in Chapter Three), has attempted to fulfil the letter and the spirit of the founding treaties by overlaying its bureaucratic rules with political meaning and direction. Its President has often, but not always, been central to the formulation and articulation of such attempts. In Weberian terms, the President has drawn on charismatic forms of authority, as defined above.

What we conclude from our review of the Commission’s historical development is that there are faint provisions in the Commission for a charismatic-style leadership of the EU. The Commission President is not **automatically** disqualified from providing such leadership simply because he is not directly elected; we have already discussed how representative politics was redefined in setting up the EU: the Commission

¹⁵Shonfield, *Modern Capitalism*, pp. 407-8. The notion of ‘mixed powers’ is expressed in different terms elsewhere; see for example: P. Ludlow in Keohane and Hoffmann, *The New European Community*, pp. 87-8: ‘Far from separating the powers of the executive and legislative branches or distinguishing federal and state authorities, the Community system as defined in the Treaties and sanctioned by practice depends for its effectiveness on their intermingling.’

President, according to the letter and spirit of the treaties, could logically be seen as the representative of the pro-European elite in the national capitals, and of the pro-European people who vote in European Parliamentary elections, by virtue of the sum of his various forms of authority.¹⁶ Anti-integrationists would, again logically, clearly contest the President's authority on the grounds that political representation is a **national** phenomenon, bounded and defined by spatial/territorial notions of national sovereignty (and that European Parliamentary elections are just as arguably a vote of sanction as of approval). It is this duality of the Commission and the Commission President's authority – appealing or repelling, depending on one's view of democracy in general and of **European**-level democracy in particular – that provides the key to understanding Delors's Commission presidency and the evolving politics of his legitimacy. Shonfield's analysis, undertaken in the 1960s, remains relevant in this respect: 'The contention is not that parliament can be dispensed with; only that given a willingness to articulate on the part of officials, the public debate can be richly supplemented in other ways. (...) The common assembly of parliament has come to be seen as only one of several places where elected and appointed persons argue about policy. What is striking is that probably the most radical and complicated set of reforms of our time, those undertaken by the European Economic Community, have been achieved substantially by a group of appointed officials at one remove from the

¹⁶Here too, Schonfield's analysis is relevant. Schonfield, *Modern Capitalism*, p.409: 'The high official can only do his task efficiently in this [technocratic] style if he is fortified by direct contact with public opinion. He must not only speak but also allow himself to be questioned. Although the official is not personally elected, he fulfils in a democracy a representative function. He ought never to be permitted to forget it. Again, the European Commission, partly through the accident that it faced the problem of operating as an executive without effective parliamentary institutions, while being even more dependent than the ordinary national executive on active democratic consent, has some lessons to offer. With a large part of the European élite mobilized in support of the general enterprise of integration, it has found it possible to bring the universities, the press, and the other organs of publicity into a series of debates on controversial issues of European Community policy *before* executive decisions are made. The debates are consciously employed to provide a substitute, often at a more expert level, for a full parliamentary forum. Immense trouble has also gone into the effort to keep the Commission exposed to the currents of opinion in the governments and the important interest groups of the member states. The Commission takes pride in its capacity for frank and extensive argument; notoriously its favourite word in describing almost any of its activities is "dialogue". Journalism in its widest sense, oral as well as written, including highbrow or technical journalism at the level of *haute vulgarisation*, is treated as a professional duty by the officials of the Community. (...) Author's emphasis. Here we recall the Commission's continued emphasis on the *vulgarisation* of information on integration (its role as publisher); on *réflexion* and *futorologie*; and *la prospective*, aspects emphasised by Delors by means of, for example, the *Cellule de prospective*.

conventional democratic process. The moral of this achievement is not that the representative process is dead, but that it may well assume additional and more subtle forms than the conventional parliamentary encounter. (...) The work of the European Commission offers another kind of example of the contemporary political method at work.¹⁷

Delors's Commission presidency is both interesting and significant, conceptually, because for the first time a Commission President activated the provisions of the 'original design' of the EU; of the experimental democracy of the federalist-functional type as described in our thesis, and summarised above. Delors, through both the exercise of his own political skills and his interpretation of the rules of his post, and the institutional environment in which he found himself, enacted – or was deemed to have enacted – a charismatic form of leadership in a further Weberian sense: as the individual in power because of his personal qualities and 'qualifications' (we saw he was chosen by Kohl and Mitterrand, for example, for a number of reasons pertaining to his political past and experience and his renowned expertise) and exercising leadership in order to transcend the conflicts and divisions amongst the masses; in the EU case, these conflicts being inter-national.

By claiming authority within the Commission and within the Community's elite on the basis of his 'charismatic' qualities – what we could call 'functional charisma' – Delors facilitated the furthering of integration. Because he seemed to be revealing – through activating and enacting – another mode of politics, he became both acclaimed and criticised for his potential to unite Europeans (to realise the Treaty of Rome's 'ever closer union of peoples of Europe') through the project of integration. Delors's presidency of the Commission crystallised and polarised the debate (which cut across national and partisan lines) about integration, its goals and institutionalisation. He appeared to have enacted a mode of politics which overlooked, if not overrode, the sacredness of national sovereignty, precisely as the federalists had hoped. Delors

¹⁷Shonfield, *Modern Capitalism*, p. 410.

attracted the label federalist **not** because he ever belonged to the federal movement's organisations (he did not) but – and the term was mainly one of abuse – because he seemed to offer an alternative to inter-national, inter-governmental politics.

In Chapter Four we examined how Delors activated the Community system as we have suggested above. In 1985, Delors personally examined the rules defining his post and the role of the Commission, with the question: had they been fully exploited? They had not been, and in order to fulfil the Commission's duty (as he saw it) to complete the single European market, he guided the Commission through the production of the White Paper, and the Community through the drafting of the SEA, thereby re-activating the rationality of the Community system, that is to say, in this context, of the Commission's role. The charismatic qualities he brought to bear were, first, a discourse of rationality and pragmatic solutions. This was a resource used in his relations with his constituencies, which were composed of national governments and leaders (his appointers); the European Parliament (his keepers); and European business (his supporters and promoters). This discourse portrayed a Commission President apparently acting within the bounds of the Community's habitual practice of politics, that is to say, based on national legitimacies and inter-governmental bargains. Delors seemed to be activating the Commission as a modern executive, leaving control in the hands of the national political masters. The single market initiative was not only tolerated, but welcomed by these masters. Delors's leadership was charismatic in the sense, second, of his using his personal interventions to concentrate authority within the Commission; third, of securing the personal following and in some cases loyalty, if not zeal, of a number of constituencies, such as certain members of his *cabinet*; and fourth, in so far as the '1992' project united many different partisan, economic and social interests which cut across partisan and national lines, in fulfilling a charismatic function in the later Weberian sense of the term.

Our study of 1985 therefore revealed Delors re-activating the Commission's role in integration; optimising his authority and the circumstances; starting to style the role

of Commission President by bringing his personal capacities to bear on it (he was no longer the *primus inter pares* other than in formal voting terms); and getting the federalist-functional rules of integration to work without challenging national sovereignties (or by colluding or coinciding with them in the frequent case, for example, of France and Germany). As a result, the national leaders subsequently renewed Delors as President, and the EP saluted him: European integration appeared to be back on course, offering a reassuring sense of purpose in its promise of fulfilling economic pragmatic needs. Our study of 1985 indicated, therefore, how Delors charismatically optimised the Commission's rational-legal authority, and exploited the ripening intergovernmental consensus for more integration by presenting the single market, in the White Paper, as 'an ideologically neutral program around which the entire European polity could coalesce in order to achieve the goals of European integration. In this respect [the White Paper] was tapping into an interesting feature of the pre-1992 Community – the relative absence of ideological discourse and debate on the Left-Right spectrum. The chill on Left-Right ideological debate derived from the governance structure of the Community.'¹⁸

Our study of 1993 revealed a very different set of factors and effects, partly created, we have seen, by the momentum gathered by the 1992 programme itself. We saw how Delors's discourse was by 1993 far less marked by the rationality and pragmatism of 1985, and was characterised instead by an emotional and personal call for Europe's survival. Within the Commission his presidential grip had been relaxed. He was still tough and confident with the member state governments (the method of the *coup de poing dans l'estomac*), but his message was different. We explained Delors's altered discourse in terms of the evolution of the wider confines of his presidency: the integration process itself. We saw how, by 1993, the intensely **political** character of integration had revealed itself to political elites and to peoples alike (many of whom seemed to have had been strangely unprepared for the

¹⁸Weiler, 'After Maastricht', p. 33.

eventuality), with the effect of revealing **political** European union as a serious item on the European political agenda. In response to this context member states reacted divergently, but those applying the brakes to the integration process had in common a discourse of national sovereignty and how to keep it national; those urging further integration used a discourse of the sharing or pooling of national sovereignty, implying that national sovereignty did not have to be national after all. The acceleration of integration, as promoted by Delors, seemed to bear out the intuition of the federalist-functionalist founding fathers, and the logic of their design: that European functionalism could bring about European federalism; what Weiler has called the 'unitarian' (as opposed to communitarian) ethos of integration.¹⁹

However, as Weiler also noted, 'the life of the Community (like some other things) is not logic, but experience',²⁰ and the question of sovereignty and the legitimacy to act politically, filtered and amplified through twelve national prisms, suggested an EU of member states in which many elites (governing and in opposition) were perplexed and unprepared for the turn taken by the integration process. In this setting, President Delors had become emblematic of the new order, and therefore problematic for many of the national elites and peoples. The 1993 White Paper and its presentation by Delors illustrated the later stages of these developments, and of Delors's understanding of them. First Delors adopted a discourse of limited responsibility as a means of securing government approval for another of his projects. Second, and more significantly, Delors began to lay claim to traditional-type authority (the appeal to European values and principles; a discourse of atavistic appeals) as a valedictory warning message to Europeans of the dangers of halting integration (by now he was a convinced integrationist). Delors' 1993 discourse can be seen as the script of the first accidental European statesperson, pointing to the potential crisis, for Europe, if

¹⁹'The unity vision of the promised land sees, then, as its "ideal type" a European polity that finally and decisively replaces its hitherto warring member states in a political union of federal governance. The community vision [which we see as nearly synonymous with 'functionalism'] sees as its "ideal type" a political union in which Community and member state continue their uneasy coexistence, although with an ever-increasing embrace.' J. H. H. Weiler, 'After Maastricht', p. 38.

²⁰Weiler, 'After Maastricht', p. 39.

Europe's member states failed to unite and to build grounds for European authority on the 'traditional' grounds of perceptions of collective memory, values and goals.

In summary, therefore, and finally, our thesis has raised and demonstrated the following points.

- **1.** At a first level of analysis, and using the case of Delors's Commission presidency, our study of political leadership – which we defined as the relationship between individual leaders and the rules of democratic politics which bind them – led us to conclude that Weber's 'charisma' was a helpful working concept which could be applied, with caution, to the study of contemporary political leadership. It was helpful (although not faultless) because of its emphasis on the leader's interaction and relationships with followers and other leadership constituencies. We interpreted charisma as a set of personal skills (which were dynamic, not static) that an individual leader brought to bear on his/her leadership, and which centred on his/her relations with the various constituencies encompassed within his/her leadership domain. We saw how in the case of Delors, his most effective skills were:
 - a) his emphasis on the role of public discourse, and his use of discourse as a vehicle for his leadership goals and messages, and in winning support from what he saw as the various components of political and 'civil society'.
 - b) his ability to gain the loyalty of close colleagues and to institute amongst these colleagues an activism and zeal that, taken with his own exemplary comportment, generated a productive and dynamic working environment.
 - c) Delors's personal, inner system of political vision, mission, goals and ambition, which motivated his leadership and lent it direction, and which gathered speed and momentum during his presidency.
- Delors brought this combination of skills to bear on the Commission presidency with the effect of turning the presidency, for the first time, into a leadership role virtually indistinguishable in style from those of the Prime Ministers (and President: France) of the EU's member states. It was in these respects that we

said that Delors was the first European statesman. We also took this expression, however, to refer to the broader phenomenon whereby Delors, from the post of Commission President, and in part because of the way he had transformed the post, activated the Community's experimental provisions for the distribution and allocation of authority. This is our second, and more wide-reaching level of analysis.

- 2. Robert Schuman's declaration of a future 'federation of Europe', and the Treaty of Rome's promise of an 'ever closer union between the peoples of Europe', suggested a new departure in political practice: a method of politics based on continental post-war democratic models for the rationality of planning, the primacy of low politics, and the development of technocracy; on what we have defined as 'rational-legal' forms of authority; and a method which had momentous and irreversible implications for West European politics (and we questioned, in passing, whether these implications were intentional or not). Delors's Commission presidency was instrumental in enacting the logic of the Community method by activating the Commission's potential to provide a non-partisan and European (also called 'supranational') orientation of the integration process in the 'general interest of the Communities'. Delors's leadership thereby inevitably called into question the sustainability of a system designed around the legitimacy of rational-legal, technocratic authority. We noted that paradoxically, it was because Delors was the first Commission President to act charismatically in the broader sense of Weber's term, that is to say, in offering a form of personalised European leadership intended to transcend partisan and national differences and conflicts, and this on the basis of a set of personal political convictions and beliefs, that his presidency highlighted the Community's problematic democratic credentials. Much as Weber's definition of the transcendental, plebiscitary, charismatic leader betrayed its elitist assumptions, and its underestimation of partisan and other divisions within 'the masses', so Delors's leadership, while **logical** given the Community's design, represented

(and was represented as) both an overestimation of the extent to which the ‘peoples of Europe’ (and their leaders) felt inclined to enter into ‘ever closer union’ (and consequently to grant Delors legitimacy on traditional-type grounds), and an underestimation of the limitations of the legitimacy of functional ‘representation’, and the model of a ‘mixture’ of powers. These are conclusions which also have resonance in the national political context, but which in that respect take us beyond the scope of this study.

Jacques Delors liked to say that he was always 10 or 15 years ahead of his time. Insofar as his Commission presidency revealed and exacerbated the effects of a Europe not yet ready to legitimate European leadership on ‘traditional’ type grounds; not yet having developed a sense of ‘the eternal yesterday’ or, we might add, the ‘eternal tomorrow’, Delors was certainly out of step with his times. The relationship between Delors’s leadership and the state of integration, however, is not to be seen simply as a question of timing, but in terms of the ambiguities and spaces in the structures of the EU, put there by the founding treaties, which allow for, and in certain circumstances encourage, leaders such as Delors to make the type of claims to authority which we have been describing; which explain the variety of reactions to such claims; and which point to the ongoing need to challenge assumptions relating to the political and constitutional principles underlying the EU: ‘Today’s Community is impelled forward by the dysfunctioning of its original architecture. (...) In this movement forward are embedded serious ideological choices on which European citizens and residents differ. A choice that simply happens – no choice at all – may sow the seeds of deep legitimacy problems in the future.’²¹ Our study offers a

²¹Weiler, ‘After Maastricht’, pp. 40-1. D. Coombes, in *Politics and Bureaucracy in the European Community. A Portrait of the Commission of the EEC* (London, George Allen & Unwin, 1974), pp. 335-6 made a similar point twenty-five years earlier; namely, that the Community system implies a set of ideological and political assumptions: ‘(...) we would expect a “politized bureaucracy” to be extremely unpopular with those still adhering to a socialist/free enterprise cleavage, or indeed with anyone who rejected the so-called “consensus politics” of modern western democracies. In fact, the Commission’s role as a kind of political leadership became less and less effective as the apparent consensus regarding long-term European political unity began to collapse in the face of the hostile policies of General de Gaulle. (...) This reduces the particular bureaucratic phenomenon we have been

conceptual framework for understanding Delors's Commission presidency in this broader but fundamental context of the politics of legitimacy in the European Union.

studying to a consequential feature of "consensus politics", depending for its effectiveness on the widespread acceptance of a ruling ideology. Such a body can be of value only if one regards politics as an essentially technical, functional business of reconciling different social and economic demands.'

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¹ These interviews were all conducted between 1993 and 1995. Where no dates are given for the title/function of the interviewee, the title/function given relates to the post held at the time of interview. The interviewees are listed in alphabetical order.

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APPENDIX I

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