

The Spanish debate on the future of the European Union.

Theme

After successfully completing both the 'listening' and 'study' phases of its work, in January 2003 the European Convention will finally embark on the crucial 'decision' phase. The Christmas break thus provides an excellent opportunity to examine the development of Spanish attitudes towards the Convention's work thus far.

Summary

The Spanish government was initially somewhat sceptical about the whole Convention exercise when it was launched in February 2002, and seemed reluctant to become fully involved in its activities. With the transition from the 'listening' to the 'study' phase in September 2002, however, it gradually awoke to the fact that the fruit of its deliberations will have to be taken very seriously in the forthcoming Intergovernmental Conference, which will probably now take place in the second half of 2003.

Analysis

Before setting out to explore the current Spanish debate on the future of the European Union, a number of introductory remarks are in order. The first is that Spaniards have traditionally been highly supportive of the European project, an attitude which is no doubt related to the widely-held view that Spain has greatly benefited from membership since accession in 1986. As a result, membership has been uncontroversial, which may partly explain why there is remarkably little interest in EU matters amongst the population at large. Furthermore, according to successive Eurobarometers, Spaniards admit to being amongst the most ill-informed Europeans when it comes to EU matters. It is therefore not entirely surprising that the first *Barometer of the Real Instituto Elcano*, conducted in November 2002, revealed that 89% of those polled were unable to identify the goals and tasks of the European Convention, with a mere 1% mentioning the establishment of a new Constitution and a further 6% pointing to the EU's enlargement. With regard to the latter, a remarkable 80% failed to identify a single candidate country correctly, while only 8% of those polled were capable of mentioning one, Poland being the most popular choice. Given that the prospect of EU enlargement was largely responsible for the decision to convene the Convention in the first place, lack of knowledge of (and interest in) the former may partly explain Spaniards' ignorance about the latter. Finally, it should be noted that concern about the EU's alleged 'democratic deficit' has never figured prominently in Spanish political debate, nor has there ever been much discussion of the need to improve the functioning of its institutions, which have always enjoyed high levels of support and esteem.

The Spanish prime minister and leader of the centre-right *Partido Popular*, José María Aznar, was elected to office in 2000 with an absolute majority in Parliament and is expected to stand down at the next general election, currently scheduled for spring 2004. This is of relevance to the Spanish debate on the future of the EU in that the IGC which will open in the second half of 2003 will be Aznar's last opportunity to make his mark in Europe before leaving office. This being the case, some observers have been surprised by the prime minister's reluctance to show his cards, an attitude which has been attributed to his lack of sympathy for the Convention method and his staunchly intergovernmentalist instincts. While there is an element of truth in this, Aznar's reluctance to engage in substantial debate about the future European architecture probably has more to do with the fact that he is fundamentally satisfied with the existing

status quo, and is therefore concerned that, from a Spanish perspective, all change will inevitably be for the worse. After all, Spain has felt very comfortable in an EU of 12-15 member states, and there are reasons to fear it will be less at home after the next enlargement.

As far as the Convention method itself is concerned, Spanish reticence is not unrelated to the fact that over the years Madrid has learnt to play the intergovernmental bargaining game extremely well, as witnessed at the Edinburgh (1992), Ioannina (1994), Berlin (1999) and Nice (2000) European Councils. Understandably, perhaps, during the early months of the Convention's life the Aznar government behaved as though it were reluctant to take the exercise seriously, feeling at once both alarmed by the unexpectedly open-ended nature of the process but also safe in the knowledge that member states would be able to have the last word in the crucial IGC. The meagre resources allocated to the government-appointed *Consejo para el Debate sobre el Futuro de la Unión Europea*, a body consisting of ten prominent citizens which has been able to do little more than distribute a questionnaire and set up a web site is perhaps an expression of this initial lack of interest.

In the autumn of 2002, however, the government gradually woke up to the fact that the Convention was fast turning into a body capable of producing a draft Constitutional Treaty acceptable to a substantial majority of its members and decided to exercise its influence fully before it was too late. The fact that unlike any other European prime minister Aznar can rely on two influential supporters (his foreign minister Ana Palacio and the MEP Iñigo Méndez de Vigo) to voice and defend his government's views in the Convention's Praesidium's is of no little importance in this regard. Significantly, by early December Spanish officials were privately voicing the view that, in a sense, the IGC was already under way.

Although the Aznar government is still keeping its cards close to its chest, it is possible to identify where it stands on most issues raised by the Convention. As stated in the 2002 Spanish Presidency programme, its overall attitude is that "abstract theoretical debates taken up with the definition of artificial archetypes must be avoided, and the need to meet citizens' concerns must constantly be borne in mind". The prime minister has made no secret of the fact that in his opinion the EU is, and should remain, a Union of nation states, and is highly critical of so-called federalists who shudder at the thought of increasing its budget beyond the current paltry 1.27% of the GDP of the EU-15. The Madrid government is deeply suspicious of the apparently federalist rhetoric espoused by some member states (particularly net contributors), which barely conceals attempts to re-nationalise certain policies, most notably those aimed at addressing regional disparities. This explains why it was so quick to speak out against a rigid catalogue of competences as soon as the Convention was convened. For domestic political reasons, and in particular the difficult situation in the Basque country, Aznar is also very wary of attempts to constitutionalise the role of the regions in the formulation of EU policy.

Although the EU's future institutional architecture has not yet been formally discussed by the Convention, the Spanish government has already made some of its preferences known. During the first semester of 2002, Aznar was highly critical of the current rotating presidency, joining Chirac and Blair in advocating the election of a 'President of the Union' from the ranks of former heads of state and government, who would hold office for a minimum of two years. The President, who could perhaps chair the General Affairs Council, would be assisted by a presidential team representing five member states, who would become the 'backbone' of the Council. This proposal is fully in keeping with both Spain's tendency to see itself as the fifth (if not fourth) largest

player in the EU, and its traditional lack of concern for the wishes and fears of smaller member states.

This is not to say, however, that the Aznar government is in the business of undermining the Commission. Spain has traditionally seen itself as a staunch supporter of this institution, partly because it has generally been an advocate of generous cohesion and regional policies. Madrid governments have historically been somewhat less enthusiastic about the European Parliament, and, unusually for a Spanish politician, Aznar has expressed concern about the undermining of national parliaments, leading him to advocate a Charter of National Parliaments and a Code of Conduct that would guarantee their full participation in the European political process. To date, Giscard d'Estaing's proposed Congress of Peoples has received no official support from the government. The Spanish Socialist Party (PSOE), however, is in favour of a second 'Chamber of the States', which would perform the current legislative functions of the Council and provide representation for the country's 17 autonomous communities.

Contrary to what some of the above might suggest, the Spanish government is by no means averse to an extension of co-decision and qualified majority voting. This is particularly true of Justice and Home Affairs, a field in which its representative in the Convention, foreign minister Ana Palacio, is particularly well versed. Spain would like to see JHA fully communitarised and grouped under a single title (on the 'European Area of Freedom, Security and Justice') in the future constitutional treaty. Furthermore, it would like Eurojust to develop into a fully-fledged European Public Prosecutor's Office, and also favours a stronger Europol and the development of an integrated system of external border management, as a first step towards the creation of a European Border Police. Significantly, Madrid believes that the final report of the Convention working group on Freedom, Security and Justice is insufficiently bold in a number of areas.

Spain has also traditionally been a champion of the Common Foreign and Security Policy, including the European Security and Defence Policy. In this area the government would like to see a fully-fledged EU foreign minister accountable to the President of the European Council, who would chair the External Action Council and take over the competences currently shared by Javier Solana and Chris Patten. Spanish officials are sceptical as to the viability of a double-hatted figure, particularly if he is expected to act as vice-president of the Commission and chair the External Action Council simultaneously. For well-known domestic reasons, namely the persistence of the Basque terrorist organisation ETA, in the area of ESDP Madrid has championed the solidarity clause which could be invoked in case of terrorist threats from non-state entities. Spain is also in favour of applying the enhanced cooperation mechanism introduced by the Nice Treaty to security and defence matters, amending provisions so that the decision to establish enhanced cooperation may be adopted by qualified majority, as well as by reducing the number of states required to do so.

In most of the areas outlined above there is broad agreement between the government and the PSOE, the major Spanish opposition party, a consensus which is less in evidence when it comes to issues of economic governance. By and large, the Aznar government is happy with the way the European Central Bank has handled monetary policy, and although it agrees that coordination of national economic policies could be strengthened, it would prefer this to remain an essentially intergovernmental affair. (Nevertheless, it is also in favour of allowing the Commission to issue a warning directly to a member state which incurs in excessive government deficit, leaving the Council to decide on the specific measures taken to uphold the stability and growth pact). In contrast, the PSOE believes that monetary union cannot succeed in the long-

term unless the EU moves beyond the current broad economic policy guidelines and towards the definition of a truly common European economic policy. The socialist party, whose spokesman in the economic governance working group was a prominent former finance minister, Josep Borrell, is also in favour of a greater degree of tax harmonization, something the Aznar government strongly objects to.

Finally, if there is one goal that all Spanish parties wholeheartedly share with regard to the Convention, it is that of incorporating a legally binding Charter of Fundamental Rights to the future constitutional treaty, even if no new competences would thereby be conferred on the EU. This would be seen by some as a fitting tribute to the efforts of former prime minister Felipe González, who was largely responsible for introducing the notion of European citizenship in the Maastricht Treaty.

Conclusions

After a somewhat hesitant start, the Spanish government has become increasingly involved in the Convention's work, particularly in connection with the Area of Freedom, Security and Justice, about which it feels most strongly. Nevertheless, it will no doubt become even more outspoken during the 'decision' phase due to start in January, particularly when the debate on the EU's future institutional architecture finally gets underway. It is also likely that, with local and regional elections due in May 2003, an increasingly polarised domestic climate will lead to a certain politicisation of the issues discussed in the Convention. While this is perhaps regrettable, it may at least help to increase public awareness of the matters under debate.

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