

How does the Europe of the Future look like from the German point of view?*

Thank you very much for this invitation to Conservative Central Office. It's a great honour for me and a challenge too, to be allowed to make some remarks on the Europe of the future as a Conservative, as a Bavarian, as a German Federalist in the centre of European realism.

I do hope not to irritate you too much by using too often this "awful f-word" federalism. Please forgive me, forgive an awful Continental, speaking in terms of his constitution. And please forgive me also if you miss any subtle humour.

We are meeting here at a decisive moment for the future of European integration. Never before in its history has the European Community been faced with a similar crisis.

The crisis does not only consist of disputes about financial questions, the second Delors-package, or in the disagreement on how to solve the trade conflict with the United States. Similar problems – let me call them "technical problems" – have arisen since the very beginning of the EC.

The present crisis has a more serious impact. It finds its direct expression in the disputes concerning the ratification of the Maastricht-Treaty in Denmark and Great Britain. Yet even more than that, it affects the basic "rules of understanding", the general consent to the process of European integration.

Only a few days ago, the former Prime Minister Margaret *Thatcher* evoked the concept of reshaping the EC into some kind of European free trade area, functioning on an inter-governmental basis.

Mrs. *Thatcher* voiced an opinion that many people share. Not only in Great Britain. The referenda in Denmark and France on the Maastricht-Treaty as well as in Switzerland on the Treaty on the European Economic Area also clearly indicate the growing reservations concerning "Europe" in these countries.

Also in Germany, despite the nearly unanimous vote for the ratification in the Bundestag, people are looking at the Maastricht-Treaty with mixed feelings: On the one hand, the EC has become another ward for political stability and economic wealth. On the other hand, more and more people – in Germany as well as in other European countries – begin to worry about what they call overregulation and centralistic attitudes within the EC.

They begin to fear that the ongoing process of European integration might endanger the cultural diversity in our nations. They fear the loss of regional as well as national identity due to the unification of Europe. And they do not know, when and where European integration will come to an end – come to a good end!

These growing reservations and anxieties among the population of many countries clearly indicate that people cherish European integration only as long as they are sure that their cultural integrity remains untouched. A lot of people begin to react sensitively to any premature installation of centralistic structures in Brussels. They fear a centralized European "Superstate", which reduces everything to the same level, including their own national and regional identity.

* Statement in London, December 10, 1992.

It is against this background that the Edinburgh summit will take place.

Quite a number of problems are on the agenda. They are all highly important. But I do believe that the majority of the population will measure the outcome of the summit above all in accordance with the answers to the above-mentioned concerns. The solution to the problem of keeping one's own national and regional identity even within a united Europe is crucial for the acceptance of the Maastricht-Treaty by the population.

This is the real challenge of Edinburgh. So there has to be found a way to reconcile European integration with the preservation of cultural values and public-oriented policies. We have to make sure that by the unification of Europe, national and regional identity will not be lost.

To solve the conflict, Bavaria, together with other regions, has developed the concept of a "Europe of the Regions". Meanwhile, the German Federal Government has taken up that concept to a large extent. So, please allow me to make some remarks on it.

The basic assumption of the concept of a Europe of the regions is that the Europe of the future will only be a Europe with a future, if it is structured according to the principles of "subsidiarity" and "federalism". These principles are the main elements of a Europe of the regions.

I know that in Great Britain – or, more specifically, here in London – the term "federalism" in the European context is often understood in a different way as in Germany or other countries.

European federalism, according to the British point of view, is restricted to the level of the EC and the level of the member states. The regions are not meant to play a substantial role in European policymaking.

Our approach in Bavaria is different: We believe that European integration requires to create a balance, some element of stability. As we have seen, this necessary element of stability within the process of change is nothing less than the protection of cultural diversity and national as well as regional identity.

This task, however, is the protection of cultural values and the preservation of historical traditions, the original and typical domain of the regions. So, according to our view, the regions, Länder or autonomous authorities should be incorporated into European policymaking.

The concept of a Europe of the regions implies that the EC, the member states and the regions create a harmonious triad. They do not work against each other; they are partners in European policymaking. Local authorities are part of this triad.

Chancellor Helmut *Kohl* recently emphasized the important contribution of the regions to European policymaking. In fact, our liberal democracies are based on the commitment and personal responsibilities of our citizens. Their participation in the political process demands that decisions are basically made at a level which is as close as possible to them.

From this approach, we need as many "small units" as possible, able to implement all those tasks which, by their nature, are not restricted to the "higher levels". It must be part of the status of the "Länder" and regions that all tasks are transferred to them which they are best able and prepared to execute.

All in all, creating a Europe of the regions is a question of establishing a sensible balance – where the local authorities and the regions, the national state and the European Community take their responsibilities seriously and serve the needs of the citizens as best they can.

Talking about federalism and regions in England is quite difficult because of the quite different meanings of these terms here and for instance in Germany. So let me make one point very clear: We do not need any political models in Europe, and we do not want to export our federal system to anywhere.

That incorporation of the regional level in European policymaking has to be affected in accordance with the historical and constitutional tradition of every country. So, the concept of Europe of the regions has to be applied with all due flexibility and caution.

According to its threefold structure, the Europe of the regions has to become effective at all the three levels: the EC, the member states and the regions themselves.

At the EC level, the installation of the regional component contains two aspects: The institutional incorporation of the regions in the EC-decision-making process and the observance of the principle of subsidiarity.

In Germany, we are glad about the creation of the Committee of the Regions as laid down in the Maastricht-Treaty.

The Committee of the Regions will bring local expert knowledge and more openness into the EC decision-making process. This will help us to appreciate special regional concerns and will be an important contribution for the preservation of cultural diversity in Europe.

Now the prerequisites have to be created so that, when the Maastricht-Treaty will come into force, the Committee of the Regions will be able to fulfil its tasks effectively. To that end, the administrative structures of the Committee of the Regions have to be as independent as possible from those of the Economic and Social Council.

Despite these efforts to incorporate the regional level into the EC-decision-making-process, the principle of federalism, the organizing principle of the Europe of the future, will remain a vague theoretical formula as long as it is not supported by the principle of subsidiarity as the principle of action.

The principle of subsidiarity is not an invention of our days. As you perhaps know, this principle has its foundation in Catholic social teaching. But I am very glad that there is a sort of contest who has done more for implementing this principle in the Maastricht-Treaty: The British Prime Minister or the Bavarian Ministerpräsident.

The scrupulous observance of the principle of subsidiarity is the key point for preserving cultural integrity and public-oriented policies in the EC.

As we all know, the Edinburgh summit will deal with the practical implementation and application of that principle. It is probable that the summit will elaborate on the general features of it. This will serve as a basis for an interinstitutional agreement on the practical implementation of the principle of subsidiarity.

I am sure we all are familiar with the different views of the impact of the principle of subsidiarity. Before Maastricht, some subsidiarity tests had been put forward.

Now, Art. 3 b of the EC-Treaty clearly follows the line of the "necessity test". This results from the term "therefore". The second prerogative – the objectives of the proposed actions can be achieved better by the Community – only becomes relevant if the first prerogative – the objectives of the proposed actions cannot be achieved by the member states – is fulfilled.

The EC may only take up tasks which have a "European aspect" and must maintain its regulations within the framework of necessity and viability.

But it is important to note that regulations of the Community are not justified merely because a problem is a supra-national one, or that a pan-European activity makes a "European Value added" feasible.

The decisive question is: Are the member states, are the regions not able to handle a task in an adequate manner? Consequently, the Community may undertake new tasks only in so far as the execution thereof is vital on a European level and full effectiveness can only be guaranteed at that level. Finally, the measures of the EU must not transcend the objective of each measure.

Let me make one point very clear: By all these efforts concerning subsidiarity we do not intend to weaken the Community. On the contrary! We want to create a stable Community with a firm basis. To that end, we need the EC law to be widely accepted and free from unnecessary over-regulations. I am sure that as soon as it is assured that the principle of subsidiarity is respected, the Community will regain lost confidence among the population.

It is not our ambition to reshape the EC into some inter-governmental free-trade area by invoking subsidiarity. This would be an abuse of the new Article 3 b of the EC-Treaty. The question of retransfer of competences instead of limiting the application – is reserved exclusively to future governmental conferences.

As mentioned before, the concept of a Europe of the regions also includes a domestic element. Of course, this domestic element has to be adapted to the specific conditions of every member state.

From the German point of view, I have to say that due to the fact that EC-law increasingly affects the status and the competences of the Länder, the Länder have to participate in European policymaking of the Federal Government. Otherwise, the Länder would risk losing their competences, losing integral parts of their legal status without gaining any equivalent.

In Germany, we are actually on the threshold of putting the participation of the Länder in European policymaking on an entirely new basis. Together with the ratification of the Maastricht-Treaty, a new Article will be introduced into the "Grundgesetz" dealing exclusively with European matters.

The central elements of this new Article 23 of our constitution will be: The aim of a united Europe is confirmed. It is also stated that the future European Union has to be structured according to the principles of federalism and subsidiarity.

Any transfer of competences to the European Union requires a two-third majority within the Bundestag, the federal parliament, and the Bundesrat, the chamber of the Länder.

The participation of the Bundesrat in European policymaking of the federal government is guaranteed. Whenever spheres of exclusive competences of the Länder are concerned, the Länder will have the "last word". In that case, Germany will be represented within the Council by an authorized minister of one of the Länder.

I want to emphasize that these efforts and developments have nothing in common with any form of separatism. It would be a serious error to confuse that concept of a Europe of the regions with separatist tendencies, which represent one of the greatest dangers for peace in Europe today.

Our concern in Bavaria is certainly not separation from Germany or isolation from European integration. Let me quote the Bavarian Prime Minister Dr. Max *Streibl*:

"We want to shape Bavaria's responsibility to Germany in national solidarity".

So far, we have considered two elements of the concept of a Europe of the regions: The participation of the regions in the EC-decision making process in Brussels and the participation of the regions in European policymaking in the capital of their country.

Now, there is another aspect of the Europe of the regions: the work at home, in the regions themselves.

The regions have to become aware that they are the most important transmitters of European thinking, of European concerns to their citizens. On the other hand, they are also the most important transmitters of regional aspects and local concerns to the EC. This double function will increasingly characterize the work of the regions.

The growth of interregional cooperations will be one of the consequences of this new task. Regional cooperation besides national frontiers will be a key element of the Europe of the regions.

This will help to preserve our cultural identity, the most precious treasure we have, which has been the source of all the noble creative inspirations. I believe that our concept of a Europe of the regions is a good chance to reconcile European integration with the need to preserve cultural diversity.

This will give a firm basis to European integration. And it will help to drive away the clouds of doubt which are currently obscuring the European sky.

Nowadays, it is more important than ever before that the process of European integration will not result in deadlock. The consequences would be disastrous. Recent developments in many European countries, and unfortunately in Germany too, show that the old evils of nationalism and intolerance are not yet overcome completely. Never again must Europe be allowed to fall back into the days of nationalism!

So, I hope for strong support for our position, of our concept of a Europe of the regions, based on the principles of federalism and subsidiarity, during the Edinburgh summit. I hope that in Edinburgh we will take a great step towards our vision of Europe to come. It is a Europe with self-responsible, self-confident citizens, a parliament with the requisite competences and vital regions that are permitted to participate in the structure of the European house.

The last EC summit under the presidency of the United Kingdom should affect the proper meaning of subsidiarity and federalism and the consequences for the EC. Today, it is high time to find a common EC term for it.

This will contribute to more openness within the EC decision-making process and thereby help to regain confidence in the idea of Europe.

Coming from Edinburgh this afternoon, from a seminar on cultural diversity in Europe, let me conclude as a German federalist in the headquarter of European realism:

Europe will only have a future as a united Europe. But the citizens in Europe, men and women, young and old, rich and poor, British and Continentals, must come to their own conclusion that Europe, the united Europe is worthwhile to engage for – with our heads and our hearts.