

# Introduction: “Learning to Build Europe”



By **Dr Edward Best\***, EIPA 1988-present

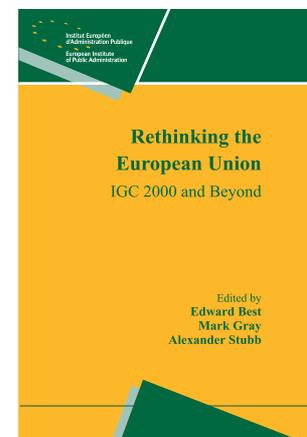
“Those who are engaged in the work of the European Community know how much they need to understand each other’s perspectives and their way of doing business. Through the activities of the European Institute of Public Administration, senior civil servants are able to share their experience and increase their understanding of both the national and Community setting for their work. In this way we can achieve a more effective European Community to the benefit of all its citizens.”

**T**hus wrote Margaret Thatcher 20 years ago in EIPA’s 1987 Programme of Activities, published in 1986 when she was chairing the European Council. It is an assessment worth recalling today. It rightly highlights the importance of mutual understanding and learning in European integration. It also demonstrates that EIPA’s mission to support that process does not rest on any ideological basis. Our commitment is simply to help make Europe work – and that requires a sustained effort on the part of public administrations at all levels of European government.

For its 25<sup>th</sup> anniversary, EIPA has adopted a motto – “Learning to build Europe”. This is intended in the first place to capture two aspects of the core mission of the Institute. EIPA directly provides training courses which can assist the process of learning about how to manage European policy processes. And EIPA aims to be a European centre of learning about the management of integration, in the sense of knowledge and experience, thus providing an added value to the work of organisations at national and regional level.

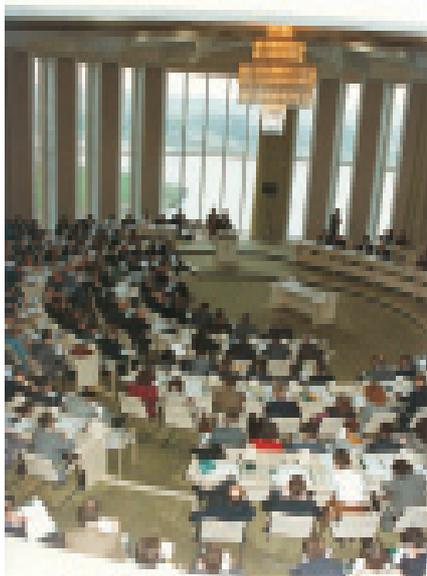
Yet the phrase also reflects a belief that integration is itself a process of learning, at all levels. The notion of the “construction of Europe” has often seemed to imply that the integration process is, or at least should “properly” be, a matter of following an original architectural blueprint laid down by the founding fathers of the Community. While laying down basic principles and procedures, however, the original agreement was primarily a commitment to ongoing negotiation. And, to the extent that the creation of some sort of European “polity” was accepted, it was clear from the beginning that there was incomplete agreement between Member States as to what the resulting edifice should look like. This diversity in preferences has constantly increased with the successive enlargements. The constitutional structure of the Union has thus emerged in “bits and pieces”. Parts have been altered and elements added in package deals between the particular interests and pressures of the historical moment, or as a gradual adaptation of arrangements to changing demands. The system, so to speak, learns in order to survive.

EIPA has always tried to contribute to thinking about the big choices and challenges at this level. It has, in addition to publications, organised numerous top-level colloquia, beginning with the “Erenstein” conferences held between





Jacques Delors  
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Jacques Delors Colloquium on subsidiarity, organised by EIPA and held at the Provincial Government House in Maastricht on 21-22 March 1991.  
From left to right: Lord Mackenzie-Stuart, Chair of the Colloquium, former President of the European Court of Justice; Jacques Santer, Prime Minister of Luxembourg and President of the European Council; Jacques Delors, President of the European Commission; and Norbert Schmelzer, Chairman of the Board of Governors of EIPA.

1982 and 1989. In 1991, EIPA held a Colloquium at which Jacques Delors, then President of the European Commission, made one of his major statements about the principle of *subsidiarity* which would later be formally introduced by the Maastricht Treaty. In 1999, the Institute organised a conference on *institutional reform* in association with the European Commission and the Finnish Presidency, in the run-up to the 2000 Intergovernmental Conference. Between 1998 and 2002 EIPA organised five annual conferences on *enlargement* with the participation of speakers including the Commissioner responsible for enlargement Günter Verheugen as well as lead negotiators from the acceding countries. And in 2004, EIPA hosted a Forum on the *constitutional treaty*, introduced by the Vice-President of the European Convention, Giuliano Amato.

Yet the main role of the Institute, when it comes to integration, has been to contribute to learning about the formulation and the implementation of European policies. It concerns how to make things work on the ground – as indeed called for by Schuman in May 1950:

“Europe will not be made all at once, or according to a single plan. It will be built through concrete achievements which first create a de facto solidarity.”

What matters to most people is not the political nature of the Union. If one asks them, indeed, then Europeans seem manifestly to disagree about the “*finalité politique*” of the Union. What matters is that policy choices which affect peoples’ lives are made in ways which are felt to be legitimate, and that practical arrangements for implementing those policies are seen to be understandable, effective and fair.

It is at this level that integration is felt on a day-to-day basis. It is here that public administrations play a key role, and this is the kind of European construction work to which EIPA has tried to make a contribution. EIPA can perhaps help to build *consensus* regarding policy options. It can certainly help to build *confidence* and *capacities*. Happily, the kind of confidence-building measures involved are not those of arms limitations and military exercises. Indeed, the Community has had the historical privilege of achieving a “security community” in what was essentially a “security vacuum” (and it remains to be seen how Europe will live up to its new challenges and responsibilities since the end of the Cold War). Yet confidence between the public administrations of the Community/Union Member States is essential for the operation of the internal market which is the basis of the integration process. In a customs union, each country assumes the important responsibility of managing the external customs border on behalf of the whole Union. In a common market which foresees mutual recognition of products and of national certification bodies, the need for confidence increases further. In an area without internal frontiers – as agreed in the Single European Act in 1986 – each country with an external border effectively becomes the frontier of the Union. Mutual confidence in each others’ administrative capacity is a matter of essential common concern, and this concern only increases with each enlargement.

European policies are formulated through permanent negotiation. The Member States and other actors involved thus participate in a constant process of learning, about the interests of others, about the acceptable limits of agreement, or about the broader consequences of different policy options. It is not easy to learn how to evaluate jointly possible new approaches in the face of changed circumstances – and it may be even harder to learn to undo some of the less successful results from the past.

Even more learning has been demanded when it comes to thinking about how to make European policies work on the ground. There has been a tendency in the European integration process to fix ambitious objectives and then sort out how to manage things. One could even say that this was part of the very essence of the original Community approach: commitments would be made (if they were made at all) on the basis of political will and vision, precisely with the idea of forcing change. Yet this “top-down” approach, while proving rather successful in pressing ahead with formal integration commitments, tended to go ahead often of both administrative capacities and public understanding.

The period between 1985 and 1992 – sometimes referred to as the “second relaunch” of European integration – marked the high point in this process, culminating in the negotiation of the Treaty on European Union in Maastricht at the end of 1991. The legislative framework for the single European market was now largely in place, together with a considerable legislative acquis in important areas such as the environment. The challenge now was to ensure good implementation of the law – while also addressing broader concerns of economic competitiveness and social coherence – all in the perspective of successive enlargements bringing in countries which had not in recent decades enjoyed the same circumstances for economic and administrative development.

The contributions which have been invited to this special issue of EIPASCOPE do not reflect the whole range of activities carried out by the Institute so much as this theme of “implementing Europe”. How has EIPA offered new services to help the public administrations of Europe to meet the challenges of making it all work?

### **Implementation of European law**

The first section recalls some of the ways in which EIPA has tried to help ensure a good implementation of European law. From the beginning, EIPA and members of its Faculty contributed to thinking about the requirements for completion of the internal market. Jacques Pelkmans was a member of the steering committee of the research carried out in the mid-1980s for the Commission on the “Cost of Non-Europe” (the Cecchini Report) which analysed the content and consequences of the measures to be adopted. Yet the problems of implementation had begun to be addressed by EIPA already in 1983. Jacques Ziller thus looks back to the pioneering study which EIPA produced in 1988 on the challenges of implementation – *Making European Policies Work*, by Heinrich Siedentopf and Jacques Ziller – as well as reflecting on the continuing relevance of comparative studies of implementation in the context of the recent initiatives on Better Regulation. In order to offer support in managing the legal dimensions of implementation, EIPA in 1992 created an antenna in Luxembourg, the European Centre for Judges and Lawyers, whose mission is discussed by Peter Goldschmidt and Véronique Chappelart.

Since the “1992” programme was completed, EIPA has become increasingly involved in activities aimed at capacity building, especially in the perspective of enlargements. The challenges involved are reviewed by Phedon Nicolaidis in his contribution. A series of studies were carried out in the late 1990s on capacity building in the perspective of enlargement. On a practical level, EIPA was entrusted by the Commission with the management of the Karolus programme, which provided for exchanges of national officials and the systematic comparative study of the obstacles which were seen to exist for the achievement of integration in particular sectors. EIPA has offered several series of regular open seminars on key European policies, such as the eleven annual Colloquia on Schengen, or the continuing open activities on state aid or public procurement. These aim to update officials on developments in the field, and also to provide a regular forum for an exchange of experiences about the practical challenges of implementation of these policies in each Member State. Specific projects have been carried out in acceding countries in order to help strengthen their ability to manage the acquis.

### **Participation in policy processes**

In the same period, EIPA developed a series of activities to address the challenges which were posed for national administrations in terms of their effective participation in European policy processes. These processes, it came to be realised, were not just business as usual. They require specific preparation at the level both of the national system and of the individuals who are called on to participate directly in European fora.

At the level of the system, work has focused on national policy coordination. A first comparative study was undertaken already in the 1980s with the project

on “Action or Reaction” led by Les Metcalfe. A second study on “National Administrative Procedures for the Preparation and Implementation of Community Decisions” was published in 1995, followed by a detailed work by Adriaan Schout on coordination in the Dutch Government. Seminars are regularly offered which both compare national arrangements and consider practical measures for improving coordination.

At the level of individuals, it was increasingly felt in the Member States that national officials needed to understand the particular norms and practices involved in European negotiations in the Council framework; the special challenges involved in management of the Council Presidency; or the peculiarities of “comitology” – that is, the committees composed of representatives of the Member States which assist the European Commission in the elaboration of implementing measures at European level. *Alain Guggenbühl*, who has led EIPA’s programme on negotiations in recent years, thus looks back at how the Institute has developed its activities in this field since the 1980s, and highlights some of the special characteristics of the European process. *Guenther Schaefer* then recalls how he initiated a new seminar on “committees and comitology” in the 1990s. Open seminars are now regularly held which bring together officials from across the Union (and often from across levels of government) on these topics, as well as on European information and documentation and on European decision making.



*Mr Günter Verheugen, Commissioner for Enlargement, speaking at the Fifth European Conference “Enlargement of the EU: Last Lap or Last Chance?” held in Maastricht, 4-5 March 2002.*

### **Comparative public administration and public management**

“Implementing Europe” effectively also requires broader forms of administrative cooperation and of public-management capacity development to which EIPA has likewise tried to respond over the years.

Integration demands new forms of administrative cooperation between public administrations and new forms of interaction between the national and European levels of administration, as well as mutual understanding and learning between public administrations more generally. *Christoph Demmke* and *Danielle Bossaert* review these demands and look back at how EIPA’s role has evolved in the context of the European Public Administration Network (EPAN), providing comparative studies on particular dimensions of public management and other inputs for this evolving European network.

*Robert Polet* discusses EIPA’s role in the development of the Common Assessment Framework (CAF), as a simple tool to help public administrations across the EU to understand and employ Total Quality Management (TQM) techniques.

### **Looking beyond the Member States**

The final section considers EIPA’s role with regard to external relations. *Jacques Pelkmans* and *Rita Beuter* look at the development of EIPA’s services in the light of the evolution of EU trade policy, stressing the enormous difference between the defensive trade policy responses of the early 1980s and EU trade policy in 2006, in which industrial tariff protection is largely gone. *Simon Duke* and *Sophie Vanhoonacker* focus on the evolving challenges of foreign policy. They highlight the changing nature of the agenda – from European Political Cooperation when EIPA was founded to a Common Foreign and Security Policy including crisis-management operations involving military capabilities – and reflect on the questions for effectiveness in EU external action.

Both contributions also draw attention to the role directly played by EIPA in the conduct of external cooperation. EIPA has been called upon by the European Commission to share experience and knowledge about the management of regional integration with other parts of the world. These programmes began with the Association of South-East Nations (ASEAN), were then developed in Central America and eventually all of Latin America. More recently, as *Eduardo Sánchez Monjo* describes in his piece, EIPA has played an important role, through its Antenna in Barcelona, in the MEDA programmes of cooperation between the EU and its partners around the Mediterranean.

## Looking to the future

What will be the challenges posed by integration for the public administrations of Europe in the coming years? There is no shortage of big issues to deal with: enlargement, demographic trends, the continuing challenges of economic competitiveness and the "European social model", and crises in neighbouring areas, to name but a few.

The implementation challenge which is the theme of this issue will remain considerable, especially in the context of enlargements of the Union. Priority seems likely to continue to be given also to the process of rethinking and reviewing European legislation known as "Better Regulation" and "Better Lawmaking". In addition to simplification of laws, this will involve a continuing effort to learn about the potential – and the limits – of non-legislative approaches to cooperation and "alternative methods of regulation".

New demands will also arise with regard to the way in which the EU manages its external relations. The constitutional treaty foresaw the creation of a European external action service as one means to address the needs for greater coherence and effectiveness in the EU's external relations. Whatever happens next in the formal "constitutional" debate, the pressures for change and innovation in this respect are probably irresistible.

The "constitutional" debate is being picked up again. The big questions may prove to be even more difficult this time round if they are not handled with care, since the debate about the kind of European edifice we want to build is now openly associated with debate about defining who is part of "we". Whatever the form and the ambition of the process this time round, public administrations can and must play an active role in broadening political and public consensus as to the nature and needs of the Union. In addition to supporting sustained and targeted educational campaigns, this means continuing to strengthen the participation of stakeholders in the formulation as well as the implementation of European policies – learning by doing, so to speak. The key challenge in the next years may in fact still be the pursuit of that "de facto solidarity" of which Schuman spoke – learning to build citizens into the construction of Europe. ::

## Note

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Colloquium "Rethinking Europe for the New Millennium: A New Institutional Framework for an Enlarged Union", organised by EIPA in association with the European Commission and the Finnish Presidency, held in the "Statenzaal" of the Provincial Government House in Maastricht on 5-6 November 1999.

Left to right: Paavo Lipponen, Finnish Prime Minister; Henning Christophersen, Chairman of EIPA's Board of Governors; Michel Barnier, Member of the European Commission; Carlo Trojan, Secretary-General of the European Commission and Vice-Chairman of EIPA's Board of Governors; Isabel Corte-Real, Director-General of EIPA.



Paavo Lipponen, Finnish Prime Minister.



Photograph taken on the occasion of the signing of the agreement setting up EIPA's Antenna in Barcelona, the "European Centre for the Regions (ECR)", on 25 January 1996. Far right Jordi Pujol, President of the Generalitat of Catalonia.