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Constitutional Change in the European Union: the Small-State/Large-State Issue from Ireland’s Perspective

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To date, the European Union has successfully managed to expand its membership to include both large and small states without undermining the balance between them or causing undue tension. It is significant that the Union developed governance structures that could accommodate Germany, on the one hand, and its tiny neighbour Luxembourg, on the other. The process of integration effectively took the sting out of ethnic nationalism, tamed large-state power and curbed the aggressive pursuit of national interest. This made the Union attractive to small states. In reality European integration provided a mechanism for managing ‘smallness’ in the presence of larger and more powerful neighbours.

It was a strategy embraced, at an early stage, by the Benelux states and thereafter by the small peripheral states. For Ireland, Portugal and Greece membership of the European Union was thus bound up with their projects of national modernisation, while for Sweden, Finland and Austria it was a response to changes in their economies and the collapse of communism. Norway and Switzerland are the only small West European states that have managed to remain outside the continental model of integration. Even so, the importance of the European market for both these countries ensures that they apply European law within their jurisdictions without having any influence over the Union’s legislative process. Both Norway and Switzerland could be classified as ‘outsider-insiders’.

The purpose of this paper is to analyse the growing tension in the Union between large and small states about the governance structures of the Union. It also seeks to assess the approach adopted by the Irish government to the large-state/small-state issue at the Intergovernmental Conference (IGC). The 1995 EFTA enlargement and the prospect of further enlargements inevitably heightened the salience of the small-state/large-state balance in the Union. It was a central issue on the political agenda of the IGC that opened in Turin in March 1996 and ended in June 1997 at the

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European Council in Amsterdam. The small states face a trade-off between their actual representation in the policy process and the need for the system to function effectively. The dilemma between efficiency and equality is one that faces small states in all international organisations. An international organisation built only on the principle of equal status inevitably has a weak capacity to act and may lack adequate democratic underpinnings. The small-state/large-state tension has arisen because membership of the Union has become the goal of many additional small states and micro-states in Europe. The pool of candidate countries consists in large measure of small states, with the exception of Poland and Turkey. Only five of the existing fifteen member states have populations of over 15 million, or 5% of the Union population. Eight out of ten of the countries of East Central Europe have populations with ten million or less, and five of them have five million or less. The Union of Fifteen consists of four large states: Germany, France, the UK and Italy (populations of 57–81 million); one medium large state: Spain (39 million); six medium small states: Belgium, Greece, the Netherlands, Portugal, Austria and Sweden (8–15 million); three small states: Denmark, Ireland and Finland (3.5–5 million); and one micro-state: Luxembourg (410,000).

DOES THE CATEGORY ‘SMALL STATE’ MATTER IN EU POLITICS?

Although the various treaties formally recognise the equality of the member states in the EU, power relations are as prevalent in this system as in any other. Large-state power is expressed not just in terms of voting power in the Council but also in political, economic and diplomatic influence. Large states can call on far more extensive and specialised administrative and technical resources in the policy process than small states. Moreover their diplomatic presence is far stronger throughout the world. The German chancellor, regardless of who holds the post, is the most powerful politician at European Council meetings. However, one advantage that small states have in EU negotiations is the fact that they tend to have fewer vital interests. In addition, their interests can be more easily aggregated. Luxembourg, for example, can concentrate all its diplomatic energy and negotiating capital in protecting its traditional industries, liberal banking laws and presence in EU institutions.

Size is not a good predictor of approaches to European integration. Some small states, notably the Benelux, have embraced a federalist view of the European project with zeal. Others, such as Denmark and Sweden, have been far more reticent. However, size has little bearing on national approaches to substantive issues of EU policy, which are formed by economic considerations, the attitude of domestic interests, national management of the issue in question and the proposed nature of the change. Nor are ‘small states’ likely to band together against the ‘large states’ in substantive policy discussions. Their interests diverge just as much as those of the larger states. Significantly the coalition pattern in the Council of Ministers has always consisted of a mix of large and small states on particular policy issues. Small states do, however, have a combined interest in maintaining the institutional balance, the ‘rules of the game’ and their level of representation in the system. They also have a shared interest in ensuring that small states have an adequate presence in the Union’s governance structures and that the Union is not run by a club of the larger states.
Furthermore small states tend to face similar security and economic dilemmas in a world dominated by larger powers. What kind of continental order is best suited to protect the ‘voice’ and interests of small states? How benign is the EU system for small states? When viewed from the perspective of the past, the modified state system that has evolved from European integration appears far more benign for small states than balance-of-power systems dominated by great powers or empires. Traditionally, in international politics, small states have tended to favour multilateral frameworks of cooperation rather than bilateral relations with larger states, on the assumption that larger states have predominant bargaining power. The Dutch government argued in 1990 during the preparations for the Maastricht Treaty negotiations:

The interests of small countries are best served by international co-operation based on legal structures with open decision-making processes. Large countries, on the other hand, also pursue structured negotiations but endeavour to protect their interests mainly by exploiting their position of power.¹

The European Union represents the most densely institutionalised set of relations between states and societies in the world. In the Union, the member states are drawn into a spider’s web of cooperation and integration across the range of public policies. EU public policy-making is non-hierarchical, heavily bargained, and fragmented in different institutional settings. The growing intensity of the Union’s policy process takes national actors out of their member state containers and provides them with new strategic opportunities. The system operates, not on the basis of transcending the national, but of embedding the national in the European. By institutionalising and internationalising power, state power is softened in the Union. Katzenstein refers to the Union as a ‘multilateral, institutionally mediated system that softens sovereign power’.² The softening of power is clearly in the interests of small states, who lack many of the attributes of hard power.

The European Union’s institutional system is a complex blend of intergovernmental and supranational features. When the institutional system was designed for the Coal and Steel Community and the EEC, the Benelux states insisted on a level of representation that gave them equal representation (though not equal voting power) in the Council of Ministers, equal membership of the Court of Justice, one commissioner, and disproportionate representation in the Assembly and the Economic and Social Committee. The larger states accepted, from the outset, the principle that the small states would have disproportionate representation in the Community’s institutions, although this was accompanied by more extensive representation for the larger states in terms of commissioners, MEPs and votes in the legislative system. The balance between formal equality in the Council and the Court, coupled with additional voting power for the larger states, is found in many federal systems, which must balance territorial representation with population size. In all federal systems small territorial units tend to be over-represented in federal institutions. Voting power in the Council of Ministers was distributed largely on the basis of population, the smaller states getting a disproportionately higher weight. Despite four successive enlargements,

¹The Netherlands, Government White Paper on the 1990 Intergovernmental Conference (June 1990), 3.
the representational balance between small and large states in the Community has not been altered. This does not mean that there have not been changes to the representation of individual member states; for example, Belgium relinquished its parity of seats in the European Parliament with the Netherlands in 1976, as part of the agreement on direct elections, and parity between France and Germany in the Parliament was broken following German unification.

It could be argued that small states must be compensated for their size and weakness in the institutional system, since formal representation is more important to them than to larger countries. The evolution, from a Union of six, to nine, to twelve, to fifteen has diluted the influence and presence of every small state in the system, as it is harder to have one’s voice heard in a larger Union with more diverse interests. Small states find it generally, although not always, more difficult to hold out against an emerging consensus in the Council. Dr Garret FitzGerald, former Irish taoiseach, aptly summed up the case when he argued:

As a small country we must ensure that we do not create problems for our partners save in the case of issues that are of vital importance to us. Only when our case is so strong—so overwhelmingly strong—that in logic others should objectively accept it, should we press our interests in a way that can create problems for other people. We must avoid pinpricking our partners and thus losing the good-will that we need on certain relatively few crucial occasions.3

THE SMALL-STATE/LARGE-STATE ISSUE

Although the Union’s governance structures suit small states because of the density of institutions and the Community’s legal system, small states have had to be constantly vigilant of attempts by the larger states to establish institutional mechanisms that endow the larger states with a privileged position in the system. France, in particular, attempted to institutionalise the power imbalance in the Community by promoting the idea of a Directoire of the larger states that would form an inner core in the Community. When advanced by President de Gaulle and later by President d’Estaing, the small states managed to contain the threat implied by this model. The notion of joint, large-state presidencies between Germany, France, Spain and Italy, launched in 1994, was another, more recent, version of the Directoire idea.

There are three dimensions to the contemporary small-state/large-state issue in the Union. First, an enlarged Union of 20 to 25 states faces critical issues of institutional capacity. The addition of a large number of new members renders the management of the Union more difficult and raises the cost of finding agreement. Each successive enlargement brings with it additional representatives, working languages and policy problems that have to be accommodated in the policy process. Each new member adds another voice to Council negotiations and further complicates the bargaining process. The addition of the EFTA states meant that the customary tour de table at the beginning of a Council meeting could take up to three hours before substantial discussions could begin on the Commission proposal. The frequency of the presidency for each member state was automatically reduced from once every six years to once every eight. Second, following the 1995 enlargement, the larger states

began to analyse in considerable detail the institutional balance and the level of representation accorded to the smaller states. They became fearful of the voting and blocking power of the smaller states and were less accepting of the level of representation accorded to the small states. Third, Malta and Cyprus pose particular problems because they are micro-states.

It is proposed to analyse representation in each EU institution in turn and to assess the proposals for reform on the IGC agenda. Particular attention is paid to the attitude of the Irish government to the proposals. The outcome of the Amsterdam Summit is assessed in the context of relations between large and small states.

THE COUNCIL AND QUALIFIED MAJORITY VOTING

Since the mid-1980s qualified majority voting (QMV) has become a more significant rule in the decision-making process, although there is still a strong preference for consensus in the Council. Areas falling under QMV have increased considerably and the ‘veto’ has lost some of its political power in the Council; in 1994, 64 out of a total of 261 decisions were contested in the Council.\(^4\) The weighting of votes in QMV emerged as a political issue at the end of the EFTA enlargement negotiations. In the Community of twelve, a qualified majority represented 54 votes (71%) out of 76 votes, with a blocking majority of 23 votes. It required two large and one small state (excluding Luxembourg with two votes) to block a proposal, or four middle-sized states (Belgium, Greece, Portugal, the Netherlands in addition to either Ireland or Denmark). It had been assumed that the EFTA enlargement would involve a mechanical adjustment to the QMV with the blocking minority rising to 27 votes out of a total of 90. This adjustment implied that it would require two large and two small states, or two large and a medium-sized state, to form a blocking minority. The UK and Spain opposed the mechanical adjustment of votes by supporting the retention of the blocking minority of 23 votes. Both states based their arguments on the need to protect the position of large states in QMV. The conflict was resolved at an informal Council in June 1994 under the Greek presidency. The ministers agreed that a qualified majority would be 64 votes out of a total of 90 and that the blocking minority would increase to 27 votes. To placate the UK, it was decided that, if a vote fell between 23 and 26 votes, no decision would be taken for a ‘reasonable’ period, during which time the Commission and the Council Presidency would try to reach consensus among the member states. Any member state could raise the issue as to whether the delay was ‘reasonable’ and then the Council would be free to take a majority decision. The ‘reasonable’ period did not amount to an indefinite period or a return to the ‘veto’. The conflict on weighted voting at the end of the EFTA enlargement negotiations was a harbinger of the emerging small-state/large-state issue in the Union.

The larger states signalled at an early stage in the IGC negotiations that they were concerned about the growing leverage of small states in the system. The Reflection Group report, which prepared the agenda for the 1996 IGC, drew attention to the fact that ‘several members point to a gradual deterioration in popular representation in the weighting of qualified-majority voting as a result of the under-representation of the people of the more populous States and the growing number of less populous

States in the Union’. Table 1 illustrates the relationship between population and voting power. Even before German unification, Germany with 60 million citizens was only eleven times more powerful in terms of voting power than Luxembourg with a population of 410,000, as the power per citizen was inversely related to country size. Germany, France, the UK and Italy have 40 votes in QMV; the relative weight of their votes was reduced from 57% in the Union of Twelve to 46% in the Union of Fifteen. The large states could justifiably argue that this amounts to a serious under-representation of their 252 million citizens, as opposed to the 115 million citizens in the other eleven states. In August 1993, Karl Lammers, foreign affairs spokesman for the German CDU, advanced the notion of a ‘double majority’ system whereby decisions would require a majority of member states and a majority of their populations. The objective of this proposal was to ensure that the massed weight of countries representing less than half the population of the Union could not ‘minoritise’ a small number of countries representing the majority of the population. An alternative proposal was to re-weight voting power in favour of the larger states in the system of QMV. German negotiators tended to favour the double majority system, whereas the French preferred to maintain parity with Germany in a re-weighted system. The smaller states, including Ireland, have argued that it is unrealistic to consider that the smaller states would band together in the Council to outvote the larger states given the coalition patterns of the past. The former Irish foreign minister, Mr Dick Spring, has argued:

Votes in the Council never break down in terms of large states versus small states. The breakdown is determined by the issue under consideration. The suggestion that at some point in the distant future governments representing a minority of the population might outvote Governments representing a majority of the population depends on the very unlikely assumption that all of the smaller states both from the existing members and the new members would vote identically. However well founded this argument is in empirical fact, it was assumed right up to the end of the IGC that the small states were going to have to make concessions to the larger states on voting. A re-weighting of votes in QMV would give them more representation in the Council than a system of ‘double majorities’. The ten small states have 45% of the pool of votes in QMV at present with only 20% of the population. A double majority system would greatly favour the five larger states, which together constitute 79% of the population of the Union.

The Dutch presidency failed to get the agreement of the member states to a decision on Council voting at Amsterdam. Although they had tabled a number of proposals on voting rules, the member states opted to put off a decision until the next enlargement. The Treaty of Amsterdam contains a protocol on EU institutions, which specifies that, by the first enlargement, ‘the weighting of votes in the Council has been modified, whether by a reweighting of votes or by dual majority, in a manner acceptable to all member states’. Despite all of the negotiating time devoted to the question of QMV, the Member States opted not to face up to this issue at this stage.

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Table 1: Member state representation in EU institutions 1997

<table>
<thead>
<tr>
<th>Country</th>
<th>Population</th>
<th>Council Votes</th>
<th>Seats in EP</th>
<th>Commissioners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>81,661</td>
<td>10</td>
<td>99</td>
<td>2</td>
</tr>
<tr>
<td>UK</td>
<td>58,606</td>
<td>10</td>
<td>87</td>
<td>2</td>
</tr>
<tr>
<td>France</td>
<td>58,198</td>
<td>10</td>
<td>87</td>
<td>2</td>
</tr>
<tr>
<td>Italy</td>
<td>57,301</td>
<td>10</td>
<td>87</td>
<td>2</td>
</tr>
<tr>
<td>Spain</td>
<td>39,210</td>
<td>8</td>
<td>64</td>
<td>2</td>
</tr>
<tr>
<td>Netherlands</td>
<td>15,459</td>
<td>5</td>
<td>31</td>
<td>1</td>
</tr>
<tr>
<td>Greece</td>
<td>10,454</td>
<td>5</td>
<td>25</td>
<td>1</td>
</tr>
<tr>
<td>Belgium</td>
<td>10,137</td>
<td>5</td>
<td>25</td>
<td>1</td>
</tr>
<tr>
<td>Portugal</td>
<td>9,917</td>
<td>5</td>
<td>25</td>
<td>1</td>
</tr>
<tr>
<td>Sweden</td>
<td>8,827</td>
<td>4</td>
<td>22</td>
<td>1</td>
</tr>
<tr>
<td>Austria</td>
<td>8,047</td>
<td>4</td>
<td>21</td>
<td>1</td>
</tr>
<tr>
<td>Denmark</td>
<td>5,228</td>
<td>3</td>
<td>16</td>
<td>1</td>
</tr>
<tr>
<td>Finland</td>
<td>5,108</td>
<td>3</td>
<td>16</td>
<td>1</td>
</tr>
<tr>
<td>Ireland</td>
<td>3,598</td>
<td>3</td>
<td>15</td>
<td>1</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>410</td>
<td>2</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>372,099</td>
<td>87/62 qualified majority</td>
<td>626/314</td>
<td>20</td>
</tr>
</tbody>
</table>


THE COMMISSION

The European Commission is one of the most novel and important features of the Union’s institutional landscape. It has the sole right of initiative in the Community’s legislative system. The Council may accept a Commission proposal on the basis of qualified majority voting but can only amend a Commission proposal by unanimity. Article 155 established that its members must be independent ‘beyond doubt’ and member states must undertake not to influence commissioners in the conduct of their duties. The Commission is thus responsible for developing policy proposals that are in the general interest of the Union as a whole and its citizens. The Commission has a political responsibility to strive for an overview of the interests of all of the member states. Temple Lang argued that the independence of the Commission and its right of initiative complements and is necessary to qualified majority voting. He concluded that ‘Small states need an independent Commission most, if they are not to feel coerced by qualified majority voting: the larger states can take care of themselves’.8 The protection of small states is an important role exercised by the Commission, although it is not immune from national pressures and not all commissioners and their officials have lived up to the norm of independence.

A well established feature of Ireland’s policy on EU institutions is support for the role of the Commission. Irish politicians and policy-makers regard the Commission as the key protector of the interests of small states in the Union. Experience since

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membership has supported this policy preference. The former taoiseach, Mr John Bruton, endorsed the role of the Commission very forcefully in an address in 1995:

The Commission's monopoly of the initiation of draft legislation and veto on subsequent amendment of that legislation by anything other than an unanimous vote of the Council ensure that the interests of all are safeguarded. That an autonomous institution devoted to the wider European interest has decisive control of the legislative agenda is very important. Were the Commission's powers in this regard diluted, the likelihood of the large states dominating the European agenda would be greatly increased. Such a development would inevitably lead to a significant diminution of the ability of small member states to protect their legitimate interests.9

Maintaining an Irish commissioner emerged as a central objective of Ireland's negotiating position at the IGC. The principle of one commissioner per state was affirmed again and again as non-negotiable from an Irish perspective. Without a full commissioner, Ireland would have no influence at the highest political level in this organisation. The larger member states, particularly France and Germany, advanced the argument that the Commission should be reduced to ten members, with small states forming a pool to propose a commissioner. The reasoning behind this proposal was that there are not enough 'plum' portfolios to go round and that the Commission is becoming more unwieldy as it increases in size. There is the additional argument that member state interests are represented in Council and that they should not need a representative in the Commission. The argument on portfolios can be refuted as the policy remit of the EU has been expanding. Without representation, confidence in the Commission could well decline in the small states. The Commission relies on the presence of member state nationals to alert it to the potential impact of its proposals on the individual states. A possible compromise would be to make the second large-state commissioner a 'deputy commissioner', somewhat akin to a junior minister at national level. If the larger member states sacrificed their second Commissioner, up to five additional member states could join the Union without increasing the size of the College of Commissioners. Considerable negotiating effort was devoted to the size of the Commission at the IGC. The protocol on the institutions referred to above, stated that 'the Commission shall compose of one national of each of the Member States' at the date of the next enlargement provided that agreement has been reached on the question of voting.10 The institutional trade-off between the large and small states revolved around representation in the Commission and voting power.

THE EUROPEAN PARLIAMENT

Following the implementation of the Single Europe Act (SEA), the European Parliament assumed a far more important place in the Union's institutional balance. Cooperation and co-decision altered the relationship between the Commission, Council and the European Parliament. The legislative process is now triangular in nature. The European Parliament has far greater formal and informal power in the decision-making process and has acquired room for manoeuvre in the system, which

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9 John Bruton, 'Robert Schuman Lecture', delivered at University College, Cork, 6 April 1995.
10 Treaty of Amsterdam, loc. cit.
it has not traditionally held. The Commission–Council dialogue no longer describes policy making in the Union. Consequently, all states must pay far more attention to the deliberations of the European Parliament on particular policy issues and to its role in the Union governance structures.

The level of national representation in the Parliament has been the subject of contentious debate in the past. German unification and the EFTA enlargement necessitated adjustment to the size of the Parliament. Since the June 1994 direct elections, Germany has been represented by 99 members in contrast to 87 MEPs for the UK, Italy and France. The EFTA enlargement increased the size of the Parliament to 624, which is already a very large assembly even without an eastern enlargement. Future expansion would lead to a Parliament of 1000 MEPs if the present level of representation is continued. The effectiveness of a Parliament of this size must be questioned. As the powers of the Legislature grow, increasing attention will be paid to the relationship between seats and the size of the national electorate (see Table 2).

The European Parliament has examined this problem in the de Gucht report, which sought to reconcile the principles of ‘one man one vote’ with the need to protect the smaller member states. De Gucht proposed that there should be, for each member state,

- up to one million inhabitants, a minimum of six seats;
- 1 to 25 million inhabitants, one seat per 500,000 inhabitants;
- 25 to 60 million inhabitants, one seat per million inhabitants;
- over 60 million inhabitants, one seat per two million inhabitants.\(^{11}\)

The de Gucht system combined over-representation of the smaller state populations but took population size seriously. A system akin to the de Gucht proposals will have to be agreed in the future, as the Treaty of Amsterdam decided to cap the future size of the European Parliament at 700.\(^{12}\)

THE PRESIDENCY

The office of president of the Council assumed an increasingly important role in the life of the Union following the first enlargement. Equality of the member states is manifest in the rotation of the presidency between all member states regardless of size; no distinction is made between large- and small-state presidencies. The presidency is a very powerful instrument, which brings the politicians and civil servants of the smaller member states into the heart of Union politics and allows them to contribute to the development of the Union in a positive manner. The capacity of the small states to manage the presidency has been increasingly questioned. It was argued that small states lack the administrative resources and diplomatic reach to run the presidency properly. There have been proposals to have year-long presidencies of the larger states or regional sub-groups of small states, such as the Benelux, the Scandinavian group and so on, which would jointly exercise the presidency between large state presidencies. There is no evidence that small states have in the past performed the duties of the presidency less well than larger states. Following Ireland’s successful presidency in the latter half of 1996, Irish officials were more committed than ever to the maintenance of small-state presidencies. The government


\(^{12}\)Treaty of Amsterdam, Amended Article 137, Treaty European Community.
was particularly unenthusiastic about the idea of team presidencies, fearful that any such presidency would inevitably be dominated by its largest members. Notwithstanding considerable discussion of the composition of the presidency at the IGC, no major changes were made in the Treaty of Amsterdam.

THE TREATY OF AMSTERDAM ASSESSED

The balance between large and small states in the Union’s institutions was a major issue on the ICG agenda, because future enlargements will include so many more small states. The larger states in the Union assessed the level of representation accorded to small states more carefully than at any time in the past. Two considerations appeared to dominate their approach. First, they were concerned that the addition of a large number of small states would reduce the effectiveness and efficiency of the Union’s institutions. Second, they were uneasy about the relationship between the representation of large and small states in the Union’s institutions. At its most extreme, the large states feared that a group of small states would be in a position to block decisions that they favour and that a minority of Europe’s populations would be able to impose its will on the majority. In the past, the larger states have always accepted that small states should have a disproportionate representation in the Union’s institutions. This is a normal principle of federal systems and one that the small states, including Ireland, set out to protect during the 1996/97 IGC. Small states rejected, from the outset, any attempt to introduce strict proportionality to the Union’s institutions.

The approach of Irish negotiators at the IGC was to protect, as far as possible, those elements of the institutional system that are central to the Union’s institutional balances, notably, balances within institutions and between institutions; balances between larger and smaller member states; and balances between the interest of individual member states and the common interests advanced by the institutions. The right to nominate a commissioner formed the core of its negotiating strategy on institutions. The presence of a commissioner in the College of Commissioners was regarded as critical to a small member state. This view is well founded. The Commission plays a pivotal role in the initiation of policy and in its implementation. Without representation in the College of Commissioners, a small state may be faced with a policy agenda and legislative proposals that do not take due cognisance of its situation.

On the other proposed institutional changes, the Irish position was less clear-cut and articulated less forcefully. Irish officials argued that QMV did not need to be adapted but would have been willing to trade this for continued representation in the Commission. The large states have insisted on compensation for the loss of their second Commissioner following the next enlargement. A re-weighting of votes would protect the voice of the small states more effectively than a system of double majorities because of the very significant imbalance between the populations of the five larger states and the remaining ten. The government did not articulate a policy on capping the size of the European Parliament but clearly agreed to this at Amsterdam.

The Treaty of Amsterdam singularly failed to tackle the difficult institutional questions associated with enlargement. The member states did enough to begin enlargement negotiations but postponed the difficult issues. The outcome of the Treaty has not alleviated the tension between large and small states that was apparent during the IGC. An editorial in the Financial Times entitled ‘Europe becalmed’ argued that it was

the small states, long the loudest advocates of a quasi-federal Europe, who have played the biggest part in blocking any development in that direction. They were unwilling either to renounce their right to national representation in a body (the Commission) whose very raison d’être is to represent the union as a whole, or to accept a redistribution of voting weights that would make the council more representative of people as opposed to states.\(^\text{14}\)

Another assessment of the Treaty argued that ‘the federalist case no longer appeals to the small member states’ and that the small states had been unwilling to surrender their representation in the existing system at Amsterdam.\(^\text{15}\) Small states will have to surrender some of their existing advantages in time for the next enlargement. A re-weighting of votes in QMV, to represent adequately the population of the larger states or the introduction of a system of double majorities, is necessary when the larger states forgo a second commissioner. The prospect of many more small states in the next enlargements poses an acute dilemma for the existing small states in the Union. They have a vital interest in ensuring that the system is capable of delivering effective governance and in locking the larger European states into the system. This will necessitate changes in the voting system that will inevitably reduce their weight. If the small states fight to retain their existing level of representation and decision power they risk fundamentally weakening the model of European integration that has provided them with a relatively benign system of collective governance. Enlargement without institutional consolidation will undermine the Union’s system of collective governance in the long term. By putting off the difficult decisions, the European Council ensured that there would have to be another IGC to follow this one. However, this is not to say that small states should necessarily retain the level of representation they have at present. Large states have a legitimate right to ensure that population as a criterion is not ignored. Representation must be balanced with the principle of the equality of the member states. Confronted with the concerns of the larger states, the small states are faced with a trade-off between retaining the level of representation and voting power they have at present, or having a Union that functions effectively and binds the larger states. Europe’s small states have an overwhelming interest in the preservation of the Union as a problem solving arena and a source of order for the continent. Any return to balance of power politics, a fragmented Europe or national closure is not in their interests.

\(^{14}\) Financial Times, 19 June 1997, p. 27.

\(^{15}\) Ibid., 25 June 1997, p. 28.