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Has Spain managed to become one of the large Member States of the Union? Undoubtedly, Spain's position in the European Union or, in other words, Spanish representation in the EU institutions, has been the subject of the most intense battles fought by its government during recent years. However, not only has the government of the Conservative Party (PP), under the leadership of José María Aznar since 1996, used its negotiating advantages to obtain a better representation in the institutions, but also the government of the Socialist Party (PSOE) worked to maintain Spain's relative weight vis-à-vis the other Member States as it had been settled at the moment of its accession in 1986.

What is Spain's weight within the European institutions? How should Spain act, given the traditional cleavage between small and big States? Along the almost twenty years it has been a member of the European Union, Spain tried to be considered by its peers as one of the large States, together with France, Germany, Italy and the United Kingdom. 'To become a large State' means to have the capacity to influence the decision-making process of the Union, but at the same time, to have greater capacity to veto any decision that goes against the national interest.

Faced with the prospect of the Eastern enlargement, with twelve potential Member States already at the gates of the European Union, Spain felt that its status of large State in the EU institutions was in danger. In fact, despite not having the same number of votes in the Council of Ministers (Spain had 8 votes, while the other big Member States had 10), its two commissioners had granted Spain this role since 1986. The 1995 enlargement and the potential of Northern countries to dominate the Union seemed to threaten Spain's influence. This is why the Spanish government demanded to maintain the blocking minority threshold in 23 votes, the so-called Ioannina Compromise. For the first time, Spain used a discourse based on the defence of the national interests, which ended up distancing Spain from the Franco-German axis, while at the same time it helped to get closer the United Kingdom's position<sup>1</sup>.

Traditionally, the ultimate demand of Spain in the revision of the relative weights of Member States had been the rebalancing of population and votes in the Council of Ministers. In the review of the Treaty of Maastricht, during the 1996 Intergovernmental Conference (IGC), Spain expressed the need for a real institutional reform. However, the lack of agreement among the Member States prevented them from giving a definitive solution to this question then and forced them to put that debate on ice until the following treaty reform, foreseen for 2000. Finally, the Spanish government succeeded in adding a Declaration to the Protocol of the Treaty of Amsterdam<sup>2</sup> which put emphasis on the special case of Spain and the need to maintain its current weight in the European institutions.

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<sup>1</sup> Powell, Charles (2002), 'Spanish membership of the European Union revisited', *Working Paper of the Real Instituto Elcano*, 17 June 2002.

<sup>2</sup> See Declaration nº 50 of the Treaty of Amsterdam, signed on 2 October 1997, where it was agreed that until the entry into force of the first enlargement the decision of the Council of 29 March 1994 ('the Ioannina Compromise') was extended and, by that date, a solution for the special case of Spain was to be found.

The Nice IGC and its consequent agreement on the new EU weight distribution among Member States were considered by Aznar as one of the main successes of its government. This agreement, based on giving a commissioner to each Member State, a different weighting of votes in the Council and a new distribution of seats in the European Parliament (EP), fulfilled Spanish expectations. Through complex arithmetic rules, Spain managed to maintain its role of 'small State among the large States' thanks to the votes obtained for the Council (Spain would have 27, while the "big four" would have 29). Furthermore, those votes gave Spain the same veto power as that of the large Member States. Nevertheless, the reconsideration of the negotiation method as well as the decision to open a debate on the future of Europe with the aim of drawing up a Constitutional Treaty dampened Spain's conquests at Nice.

Within the works of the European Convention regarding institutional reform, Spain worked to preserve the agreement reached during the 2000 Intergovernmental Conference that concluded the Treaty of Nice. According to Ana Palacio, the Convention had to abide by the Treaty of Nice and had to subject itself to the strict mandate of the Laeken Declaration<sup>3</sup>. In other words, it could not modify any of the agreements, such as the voting system of the Council, accorded in Nice.

In this sense, the proposal of the European Convention, defended especially by France and Germany in the IGC, establishes a system of "double majority", that is, the majority is only achieved with the votes of the majority of Member States if, and only if, such votes represent at the same time at least 60% of the Union's population. This controversial issue prevented the IGC, inaugurated on October 4, 2003, from reaching a final agreement on the new Constitutional Treaty. Nowadays, the process remains paralyzed and is now in the hands of the Irish Presidency, who has to deal with all the misunderstandings before any agreement is possible. The threat posed by Spain and Poland to block the Constitution as well as the reduced mediation capacity of the preceding Italian Presidency ended up being the main obstacles to reach an agreement during the Brussels European Council (12-13 December 2003).

This succession of events suggests the need for some clarifying points on the role of Spain in the consecutive institutional reforms. It is worth noting that these institutional reforms affect the capacity of every State to influence the decision-making process within the Union's institutions. First, it is true that Spain's defence of its role as a big State in the EU institutions has been a constant feature of its European policy. Nevertheless, this attitude has only been adopted when the calendar has required an institutional reform and a new distribution of power among the Member States. It is only in those moments that the Spanish government, regardless of which party presides it, has negotiated to obtain, maintain or consolidate its status of large Member State.

Second, the Spanish government, whether held by the PSOE or the PP, used the national interest as an argument to defend Spain's role as a big State in the Union. However, one may draw a distinction between the socialist governments and the conservative ones. Although the Spanish socialist government used the national interest with force regarding the distribution of power --the best example would be the introduction of the Ioannina Compromise before the imminent enlargement to Fifteen<sup>4</sup>--, the same government had been more reticent to prioritise the Spanish national interest over the European one in the negotiation of specific Community policies. However, the government of the PP has defended the Spanish position based on the national interest more regularly. As the statements of the Minister of Foreign Affairs, Ana Palacio, illustrate, "the Convention proposals attempt directly against Spain's interests, interests which are not temporary and which the Spanish Government has maintained for a long time"<sup>5</sup>.

Therefore, the will to keep Spain on equal footing with the large Member States and the use of the national interest in the institutional bargaining have been, with nuances, constant features of

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<sup>3</sup> Conference of Ana Palacio for the presentation of the 'Anuario Internacional CIDOB 2002', Barcelona, 18 September 2003. See: "Palacio rechaza el sistema de voto propuesto para el Consejo de la UE", in *El País*, 19 September 2003.

<sup>4</sup> Barbé, Esther (1999), *La política europea de España*, Barcelona: Ariel.

<sup>5</sup> Ana Palacio, *Diario de sesiones de las Cortes Generales (Comisión Mixta para la Unión Europea)*, 7 October 2003, nº 151, p. 3706. Available from: <http://www.congreso.es>

Spain's European policy. However, there are other elements that clarify the differences between the socialist and conservative governments.

The defence of Spain's position regarding its relative weight in the EU has experienced an interesting evolution. Whereas for the PSOE, the representation in the European Commission was a symbol of being a large State, the PP has preferred to give priority to its weight in the Council, sacrificing at the same time the number of Spanish Members of the European Parliament. Spain's Treaty of Accession, negotiated in its last phases by the Socialist Party, granted the role of large State to Spain through its two representatives in the European Commission. However, as a consequence of the enlargement, the reform of the Commission has been a necessity. In Nice, it was agreed that the Commission would include only one national of each Member State. Later, within the IGC-2003/04, it was agreed that there would have to be a rotation of the representation of the Member States in the Commission, which made Spain demand other payments in the rest of the institutions. Particularly, in the 2000-IGC the Spanish government fought in order to get a greater weight in the Council of Ministers, at the expense of losing representatives in the European Parliament (Nice establishes that Spain will reduce its European representatives from 64 to 50). While the People's Party's definition of the European Union is a "Union of National States"<sup>6</sup>, the Socialist Party, during its term in office, "characteristically intoned a federalist discourse, including proposals favourable to Spanish interests. This could be described as wrapping the national interest in a federalist discourse"<sup>7</sup>. This differentiation in the way of understanding European integration also explains the different priorities of both governments in the EU institutions.

On the other hand, Spain has defended in all EU negotiations on power distribution among Member States the importance of the population criterion. That is, the demographic criterion had to be the rule for the weight assigned to each Member State in the Council. However, before the proposal of the European Convention on the double majority system -population and Member State votes-, Spain gave up the defence of this criterion requiring the preservation of the weighting voting arrangement of Nice. At present, the prospect of the Spanish government seems to be the following one: the European Parliament is the institution that represents the citizens and the European Council is the one where the Member States are represented, with a weight according to their size in the international scene and not strictly according to their population. Therefore, the demographic weight must not be the only criterion in the definition of the qualified majority. The defence of the demographic criterion, used previously by the PSOE as well as by the PP in their demands during the 1996-IGC was pushed into the background, because it was not useful anymore for the defence of the national interest.

In short, the balance of relative weights in the European institutions has been one of Spain's priorities in the successive treaty reforms. Its attempt to be considered as one of the large States in the EU has led Spain to put the national interest above the European one. However, up until December 2003, the Spanish national interest had not hindered the European construction. Today, Spain and Poland are held responsible for the current paralysis. Will Spain finally become the *enfant terrible*<sup>8</sup> that the founder Member States had feared during the first years of its accession?

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<sup>6</sup> José María Aznar, Speech on the Future of Europe, Saint Anthony's College, Oxford University, 20 May 2002. Available from: <http://www.la-moncloa.es>

<sup>7</sup> Closa, Carlos (2001), 'The domestic basis of Spanish European Policy and the 2002 Presidency', *Groupement d'Études et de Recherches Notre Europe*, Research and Policy Paper n° 16, December.

<sup>8</sup> Regelsberger, Elfriede (1989), 'Spain and the European Political Cooperation – No *Enfant Terrible*', *International Spectator*, vol. XXIV, n° 2, April-June, pp. 118-124.

### Basic Bibliography

- BARBÉ, Esther (1999), *La política europea de España*, Barcelona: Ariel.
- CLOSA, Carlos (1995) 'La cambiante posición de España en la Unión Europea', *Política y Sociedad*, nº 20, pp. 111-124.
- CLOSA, Carlos (2001), 'The domestic basis of Spanish European Policy and the 2002 Presidency', *Groupement d'Études et de Recherches Notre Europe*, Research and Policy Paper nº 16, December.
- POWELL, Charles (2002), 'Spanish membership of the European Union revisited', *Working Paper of the Real Instituto Elcano*, 17 June 2002.
- TORREBLANCA, José Ignacio (2003), 'Votar y vetar en la Unión: una interpretación de la posición española en la CIG 2003', *Análisis del Real Instituto Elcano*, 16 October 2003.