

HOMER

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WELCOME

Dear readers,
this HOMER newsletter publicizes the preliminary considerations of students' research for the third HOMER seminar on narratives of the European Union considering the Lisbon Treaty that came into force in December 2009. The summit of Lisbon and its predecessors paved the way to a new stage for the construction of the EU but it also reveals many of the problems that the EU is currently confronted with. In a joint seminar students from the German Sport University Cologne, the University of Cologne, and the Univer-

sity of Maastricht aim at identifying and analysing master narratives of the European Union. In this newsletter six key topics of European integration are addressed that will be explored in the next weeks by these students in order to explore the offers and the constraints of European narratives. Against this backdrop it is planned to contribute to the evolving European memory culture by scrutinizing past and current interpretations while simultaneously building on these. The final results will be issued in the next HOMER newsletter.

You are invited to subscribe to the newsletter under: iesf@dshs-koeln.de in order to receive the next issues of the newsletter direct. We appreciate forwarding this newsletter also to other colleagues that might be interested.

On behalf of the HOMER team
Jürgen Mittag

Constitution vs. Treaty – The British Perspective

Anna Crumbach / Norma Fleischmann / Jennifer Seidel

The rejected Constitutional Treaty for the European Union and its replacement, the Treaty of Lisbon, have a rather unique relationship compared to the preceding treaties. While the Constitutional Treaty was meant to establish a written constitution and failed to do so due to the negative referendums in France and the Netherlands, the aim of the Treaty of Lisbon was less ambitious. It disposed of the term “Constitution” and came to be known simply as the Reform Treaty.

During their respective ratification processes, the Constitutional Treaty as well as the Lisbon Treaty were framed quite differently – not only across, but also within member states. This is especially true for the United Kingdom, which, unlike other member states, does not have a written national constitution. Its constitutional principles are the sum of laws, statutes and treaties that have

been evolving for centuries. With this unique British feature in mind, it is worth elaborating the UK’s point of view on the failed EU Constitutional Treaty and the Lisbon Treaty. Therefore, our research question is: which (differing) narratives can we identify in the British debate on the Constitutional Treaty and the Lisbon Treaty? This rather broad question includes a number of more detailed questions, for example: How was the Constitutional Treaty framed by political leaders of different parties (government and opposition) as well as the press in relation to the UK’s lack of a written constitution? Was the Lisbon Treaty regarded as a constitution “in sheep’s clothing” or as an entirely new treaty? And, most importantly, do we identify a dominant narrative among the different debates?

In order to research the narratives, we take a look at the different party

positions, i.e. the statements of the political leaders during and after the negotiations of both treaties. Moreover, we also take newspaper articles into consideration. The chronological starting point for our research is the Laeken Declaration in December 2001 and our final point is the ratification of the Lisbon Treaty in December 2009. Our aim is to identify a unique British point of view that might also help to get a deeper understanding of the underlying British EU-skepticism that has been shaping the UK’s relationship with the EU since its accession in 1973. After all, the narratives concerning the Constitutional Treaty as well as the Lisbon Treaty might point to a British path dependency that ultimately lead to the UK’s withdrawal from the European Union, popularly known as Brexit.



The Distribution of Competencies

Frederica Muggironi / Sebastian Rietschel / Fabian Wecker

The distribution of competences between the EU and its predecessors as well as its member states has always been a highly salient issue. Therefore, this project sheds light on the discourse about competences during the negotiations of the Lisbon Treaty. By analyzing newspaper articles, political speeches and cartoons, we reveal the narratives that framed the debate on competences. Since narratives generally develop over time we start the examination in 2001 with the Laeken Declaration and simultaneous claims for a competence catalogue by the German government.

In fact, the German model with its strict and decisive division of key competences between the national and regional level served as a crucial model for the European treaty. In the negotiation process to the Constitutional Treaty, the predecessor of the Lisbon Treaty, the then German For-

eign Minister Joschka Fischer already argued in favor of a competence catalogue on the European level. Thus, the European Union opted for a federal structure similar to the German one, categorizing particular policy fields to the Union, others to the member states and some as mixed competences.

This research project, therefore, examines the following question: To what extent did Germany frame the process of the Lisbon Treaty regarding the categorizing of competences? Eventually, the British contributions to the discourse are taken into account as Britain influenced the process beforehand by demanding several opt-out clauses. The analysis of narratives produced in Britain allows for a comparison with the German case. Even though Germany and Great Britain have a very dissimilar institutional set-up, the quest for a legal provision

that pre-empt the centralization of further competences in Brussels has been apparent in both countries.

There are several sub-questions that we want to address. Is such a competence catalogue, which Germany proposed, useful for the EU or not? Further we want to figure out, if a mixed strategy could be a feasible solution, which fulfilled the expectation of nearly all member states. After the referendum in Britain and their possible leaving, a suitable answer to this challenge is relevant. This shows that the struggle for competences has always been relevant in the past, and particularly during the negotiations of the Constitutional Treaty and the Treaty of Lisbon and will be salient in the future. We are looking forward to present the collected evidence at the concluding meeting on 20 January 2017.



The Lisbon Summit and European Narratives: The Implementation of the Charter of Fundamental Rights in the Lisbon Treaty

Christine Maleske / Corinna Pehn / Laura Schultz

The process of analyzing the European Union can be conducted using multiple methodologies and narratives. This year the 3rd Homer seminar will focus on narratives in relation to the Lisbon treaty and its several sub-categories. When defining narratives, they can be understood as implicit context and an underlying story connected to a topic that can be shared or differ. We, as a group of HOMER participants, will focus our research on statements of Member States and on the topic of the implementation of the Charter of Fundamental Rights (later referred to as the Charter).

The Charter of Fundamental Rights was established within the Lisbon Treaty, as a legally binding primary law within the European Union in 2009. Nevertheless, the charter was proclaimed within the European Union in 2000, at the Nice European Council, and received some amendments and was proclaimed as a non-binding legal agreement in 2007. The purpose of the Charter is to outline the basic rights of the European Union and its citizens. The basic rights are outlined within six subdivisions: dignity, freedoms, equality, solidarity, citizens' rights and justice. After the Eastern enlargement, the implementation

of the Charter of Fundamental Rights became a highly debated topic among the Member States of the European Union. For some Member States the implementation of the Charter became a 'red-line' in the negotiations of the Lisbon Treaty. As a group, the aim of this research is to understand and potentially answer the following question:

- Why do Member States have opposing views towards the Charter?
- Why do Member States seek to limit their commitment to the Charter?
- Why do Member States push for opt-outs when previously they campaigned for the Constitutional Treaty, which contained a similar Charter addressing similar fundamental and

human rights?

In current, academic research, this debate is examined from different approaches, the most common approach addresses the political and legal tensions between National and European competences. In order to investigate the rationale behind the Member States' stance we are using a narrative approach from different domestic perspective.

Beyond discovering characteristics associated with the Charter, an additional aim is to formulate patterns associated with different narratives and further discuss narratives that can be competing in nature. Moreover, though the emphasis will be placed on examining narratives associated with the Charter, it is inferred and expected that more insights will be gained about the Member States' views of the European Union as a political entity.

An example of methodology in examining these narratives include the use of newspapers, academic journals and other government documents, including speeches. The methodology will stress the use of hermeneutics and examining wordings, events associated which paved the enactment of the current Charter of Fundamental Rights and other indicators for characteristics.



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The Lisbon Treaty – A Steering tool for EU’s Democracy?

Katharina Neumann / Moritz Rau / Hanna Tegelmann

The conclusions of the European Council meeting in Laeken in 2001 set out the agenda for enhancing EU’s democratic legitimacy by reforming European institutions and strengthening the role of national parliaments on EU level. This objective derived from the persistence of two competitive narrations with on the one hand the presentation of the European Union as a project of shared values, popular participation and human rights, challenged by on the other hand the so called ‘democratic deficit’ of the EU, which is supposed to divide ‘Brussels and its people’. Against this background our research question is expressed as follows:

How do academics discuss the institutional changes of the Lisbon Treaty in terms of EU’s democratic legitimacy? In the study, we aim to examine the academic discourse dealing with the changes of the Lisbon Treaty and its implications for EU’s democracy. We will analyze a manageable amount

of publications by European academics and focus on the ways how they approach this issue. By doing so, we intend to identify one or more narratives, which serve as predominant interpretations of the impact of the adaptation of the Lisbon Treaty towards EU’s state of democracy. Major issues of concern are perceptions on issues such as the role of national parliaments on EU-level, the role of the European Parliament in European decision making and the European Citizens’ Initiative. In our study, we will mainly focus on policy papers. This will give us the opportunity to analyze immediate responses and perspectives by academics dealing with our research interest.

Our presentation will be divided in four parts. Firstly, we will introduce a general pattern of EU’s relationship with democracy. In this part, we will briefly discuss the conflicting narrative of EU as an ideal of a democratic community, contradicted by the

perception of the democratic deficit. In this respect, we will also emphasize that the narrative of the EU as a democratic project is not given. Secondly, we will shortly refer to key aspects of the Lisbon Treaty regarding democracy. In the main part, we aim to present our findings regarding our research interest. Finally, we will end our presentation with a reasonable approach trying to explain our findings. However, we won’t provide a sufficient explanation for our results, but rather intend to give an idea for a possible conclusion, which at the same time will be used as a starting point for the discussion afterwards.

Outline (draft):

1. European Union and the role of Democracy
2. The Lisbon Treaty and institutional implications
3. Presentation of the findings
4. Possible Explanation and starting point for the discussion



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“Leadership in Europe – Merkel pathing the way to the Lisbon Treaty?”

Ann Kathrin Arntz / Jana Müller / Patrik Zimmermann

When discussing important political events, one often identifies a leading figure whose doing had a great impact – positively or negatively – on the proceedings. Leadership entails to establish a clear vision and to provide information and expertise to realize a vision. Nigel Farage and Boris Johnson are such figures in the Brexit case, Mario Draghi and Wolfgang Schäuble are often associated with the Euro crisis. So, who took the lead on the path towards the Lisbon Treaty, which is taken into closer consideration in this year’s HOMER project? Which Council Presidency picked up the topic of the Constitutional Treaty on their agenda and thereby pathed the way towards Lisbon? Is there only one leading figure or do leaders change as the Council Presidency turns? What is the narrative of leadership in the context of the Lisbon Treaty? These questions have triggered our approach to leadership.

After the rejection of the European Constitutional Treaty by the French and Dutch voters in 2005, the two following years were characterized by the increased efforts of European actors to regain the public support for the European integration process and to strengthen the European identity. But it was not before 2007 that the topic of a reforming treaty was back on the agenda of the Council. Without any doubts, the Berlin Declaration was a turning point on the path towards an agreement of all European Union member states. This declaration was drafted under the German Presidency of the EU Council and agreed

on by all Heads of State or Government in 2007. German Chancellor Angela Merkel took the lead in initiating a second round of treaty negotiations leading to the establishment of the Lisbon Treaty. Based upon this initiative, the narrative of the “Merkel-leadership” was identified, emphasizing that Angela Merkel entails a leadership position on the path towards the Lisbon Treaty, which lasts beyond the German Presidency and even the conclusion of the Lisbon Treaty. Merkel enjoys a leading role in EU affairs until today. The research project deals with the question “to what extent is the narrative of Angela Merkel as a leader on the road to the Lisbon Treaty observed across EU Member States?”.

Conducting a comparative case study of several EU Member States, the research project aims to identify whether Merkel’s leading role is simultaneously perceived as positive or if she is depicted negatively. Or is she not seen as a leader at all beyond Germany?

Great Britain, Austria, Finland and Luxembourg were the previous Council Presidencies before Germany, but none of them initiated a Treaty reform. Is Merkel, as Germany’s head of government seen as the leader in those countries then? Portugal preceded

Germany as Council Presidency. Did they define themselves as the leader of the negotiations due to their position? And in France, where the Constitutional Treaty was rejected, how was Merkel seen?

To identify differences and parallels with regards to the narrative of “Merkel-leadership”, a variation of sources is taken into account. Cartoons, newspaper articles, speeches, government communication and position papers are considered to identify whether there is variation of the narrative “Merkel-leadership” across Europe.



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The Lisbon Treaty: The Common Foreign and Security Policy

Nir Almog / Martina Di Palma / Mareike Rupertus

The establishment of the Common Foreign and Security Policy (CFSP) is one of the most important changes for the European Union (EU) made by the Lisbon Treaty in 2009. The foreign policy of the EU covers the questions of foreign relations in particular issues concerning security and defense. The creation of the CFSP is often connected to providing the EU with an identity providing it with a legal basis to act in an international arena of foreign affairs. The main decision-makers in the CFSP are the European Council and the Council of Ministers. As votes are taken unanimously, EU Member States remain the actors shaping the agenda and implementing EU foreign policy. The implementation process is accompanied by the newly created position of the High Representative for Foreign Affairs and Security Policy (HR/VP). The HR/VP is responsible to create a consistent foreign external action as stated in Article 26 of the Treaty of the European Union (TEU). In addition, the High Representative is simultaneously one of the vice-presidents of the European Commission. In addition, the Lisbon Treaty established the European External Action Service (EEAS) that works in cooperation with the diplomatic service of the Member States.

The creation of the CFSP and in particular the HR/VP is often connected to the shaping of a European identity on an international level. The HR/VP represents the EU externally on matters relating EU security and foreign affairs and thus makes EU foreign policy more consistent and coherent.

Catherine Ashton was the elected the first High Representative in 2009. Her election received different reactions in the media because of for example her claimed lack of knowledge in foreign policy. Therefore, her election may have been a surprise for some Member States. The questions now arise what the connection between the election of the new HR/VP and European identity building is. Subsequently, our work focuses on

and officials as well as government documents between 2005 and 2007 from Germany, the United Kingdom and Italy, our paper seeks to find out how the election was narrated at the national level and how it was perceived as a tool for European identity building. It is crucial to analyze the narrative of the CFSP from a Member State's perspective to understand the role of European identity building in the making of the Lisbon Treaty.



the following question: How did the Member States' expectations of the new representative of foreign policy reflect the ideas of European identity building? The narrative of creation of the CFSP and the HR/VP through the Lisbon Treaty seems to be highly influenced by the EEAS with the aim to shape narratives from 27 different Member States to create a 'European' narrative. European identity shaping is important because it gives the EU a legal basis on an international level and provides it further with a foreign identity. By looking at speeches by national foreign ministers

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