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The social construction of European solidarity: Germany and France in the EU policy towards the states of Africa, the Caribbean, and the Pacific (ACP) and Central and Eastern European Countries (CEEC)

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This article compares the foreign policies of France and Germany in the 1990s towards the European Union (EU)'s special relationships with the countries of Africa, the Caribbean and the Pacific (ACP) on the one hand and the Central and Eastern European countries (CEEC) on the other. Whereas France advocated support for ACP interests, Germany supported those of the CEEC. We argue that French and German prioritisations cannot sufficiently be explained by rationalist, interest-based approaches (i.e. neorealism, economic liberalism and institutionalism) and offer a constructivist supplement to fill in the gaps. This approach is based on the concept of solidarity. First, we develop our theoretical concept and identify three principles of solidarity action (i.e. ties, need and effort). We then apply our concept of solidarity to show how French and German policies towards the Cotonou Agreement, concluded in 2000 with the ACP, and the EU's Eastern enlargement process were shaped by different social constructions of solidarity, resulting in strong preferential support for either the ACP (France) or the CEEC (Germany).

Introduction

> La priorité allemande c'est l'Europe du Centre et de l'Est, celle de la France reste au Sud. (Rupnik 1998: 215)[1]

In this article, we compare France's and Germany's policies towards the European Union's (EU) external relations with the countries of Africa, the Caribbean and the Pacific (ACP), as well as the Central and Eastern European

Countries (CEEC) during the 1990s. Although the EU's relations with both regional groups differ considerably in their related conditions and in their intended goals — the group of 78 ACP countries is associated with the EU, while the CEEC[2] at that time were candidates for EU membership — there are several reasons why comparing the positions of the two most important EU member states on ACP and CEEC relations is meaningful.

First, development and enlargement are two of the major policy areas of the EU's external relations, and they are closely related (Smith 2008: 33–38). Thus, many of the EU's policy tools for Eastern enlargement policy — such as cooperation agreements, financial instruments, political dialogue and conditionality — were inspired by the agreements with the ACP countries and adapted to the situation in Central and Eastern Europe (Börzel and Risse 2009). Second, the significance of the EU's relations with the East and the South changed after the collapse of communism in Central and Eastern Europe (Holland 2005: 256; Bretherton and Vogler 2006: 137). While the ACP states were unquestionably at the top of the 'pyramid of privileges' during the 1980s (Grilli 1993: 150), the EU started to shift its priorities from the ACP countries to the CEEC in the 1990s. According to many observers, the two regions competed for the same scarce resources and political attention, since the negotiation of the Cotonou Agreement (Council of the European Union 2000) coincided with the Eastern enlargement process (Elgström 2005: 186; Bretherton and Vogler 2006: 125).[3] Third, France and Germany prioritised their policies towards the ACP and CEEC quite differently. Whereas France wanted to sustain the special EU–ACP partnership in the Cotonou Agreement, Germany advocated the 'normalisation' of these relations. On the other hand, Germany was much more inclined to the CEEC and supported exclusive enlargements, including first and foremost the Visegrád neighbours while excluding Bulgaria and Romania, whereas France called for a laggard and inclusive enlargement with Bulgaria and Romania (Zaborowski 2006; Carbone 2007: 37, 42). As Pilegaard (2003: 15) accurately sums up, 'France had been lobbying intensively to secure larger allocations for ACP, while especially Germany seemed more inclined to redirect financial assistance from South to East, i.e. to the aspiring candidate countries in Central and Eastern Europe'.

Given this perspective on development and enlargement, our article addresses the basic question of why France and Germany prioritised the Eastern enlargement and the EU's development policy with the ACP countries quite differently. How can we explain that France has tried to secure more political and financial support for ACP countries, while the German government was more inclined to support the CEEC? We deal with this question by advancing two linked arguments. First, we argue that solidarity — which refers to a special form of togetherness and mutual obligation — matters in international relations and foreign policy. Second, France and Germany to a large

degree construct their privileged relations towards the ACP or the CEEC by invoking solidarity. The different social constructions of solidarity provide an important key to understanding France's and Germany's position on Eastern enlargement and the EU's development policy with the ACP. We do not argue that material incentives are entirely absent in France's and Germany's policies towards the two regional groups. As Jileva (2004: 12–18) has demonstrated for Eastern enlargement, rationalist assumptions have some advantage in explaining substantive policy issues and outcomes. However, since we are interested in explaining why France and Germany prioritise their policies towards the ACP and CEEC differently, our main claim is that their positions cannot be sufficiently explained without reference to solidarity. Given the different goals (association *vs* future membership) prevalent in the EU's development or enlargement policy, respectively, our analysis is a good case for exploring whether the principles of solidarity brought forward by French and German decision makers really have shaped their positions towards EU relations with the South and the East.

To examine the specific social construction of solidarity, we focus on the arguments actors provide for their actions (Sjursen 2002: 493−95). Hence, the article is primarily based on national parliamentary debates and speeches of a range of French and German members of government on Eastern enlargement, as well as on ACP policy in the 1990s.[4] Since words do not always match deeds, we examine not only the rhetoric of policymakers, but also their actual behaviour in negotiations and allocation of aid by evaluating secondary literature, documents and aid data. The potential 'gap between what policy-makers say and what they actually mean' can be controlled for by 'examining the consistency of the arguments presented' (Sjursen 2002: 495), that is, consistency across policymakers, across audiences and with a particular eye to key decisions on EU enlargement and Cotonou. However, this article does not seek to investigate what might be called the 'true' motives of the actors involved, since it is impossible to reach into the hearts of policymakers and thus to uncover their real beliefs and convictions. The method suggested here is 'explanation through interpretation in the Weberian sense' (Sjursen 2002: 493).

Our argument refers to several strands of the literature. The basis is formed by constructivism. As Houghton (2007) has pointed out, social constructivism provides the most logical approach to the study of foreign policy. Our article draws also on recent research about norms and values in the EU member states' foreign policies (cf. Lucarelli and Manners 2006). We address, finally, the theoretical literature dealing with EU development policy (e.g. Holland 2002; Elgström 2005; Carbone 2007) and Eastern enlargement (Schimmelfennig 2001; Wiener and Diez 2003; Jileva 2004; Schimmelfennig and Sedelmeier 2005; Sedelmeier 2005). Although there is a sizeable body of empirical literature on both policy areas, its theoretical examination in terms of the role

of norms and values in ACP and enlargement policy was long neglected. There are only a few theoretical studies comparing EU member states' Eastern enlargement or development policies, respectively (Holland 2002: 234−44; Schimmelfennig and Sedelmeier 2005: 2−5). Hence, with our article, we aim to offer a constructivist explanation for the French and German positions on Eastern enlargement and ACP development policy. In doing so, we attempt to fill in the theoretical gaps by providing a new analytical concept based on solidarity.

In the first section, we develop our constructivist concept of solidarity, outlining three principles of solidarity action (i.e. ties, need and effort). Before turning to the empirical analysis, we review, in the second section, three alternative rationalist approaches (i.e. neorealism, economic liberalism and institutionalism) and briefly discuss what we see as their crucial shortcomings. The third section presents our empirical cases, that is, France's and Germany's positions on EU–ACP and EU–CEEC relations, respectively. In a final section, we compare the cases and draw general conclusions.

The theoretical framework: solidarity as a neglected factor in international relations and foreign policy

Since the 1990s, social constructivism has turned into a buzzword of international relations (cf. Katzenstein 1996; Wendt 1999; Christiansen *et al.* 2001; Adler 2002) and foreign policy analysis (for an overview see Houghton 2007), and the notion of a 'sociological' or 'constructivist turn' has in this way become widely accepted in the IR community. Although there is a strong focus on the role of norms and values in constructivist literature, the research has thus far paid little attention to the fact that differences in types of norms are significant for understanding and explaining political decisions (Riddervold and Sjursen 2006: 84). In contrast to universal rights-based principles, normative value-based principles such as solidarity have been widely neglected in constructivist foreign policy analysis (Jileva 2004; Coicaud and Wheeler 2008).[5] This neglect has not only been due to the ambiguity of the term solidarity itself (Brunkhorst 2005; Stjernø 2005; Outhwaite 2007: 87). The reason for this neglect is, rather, that solidarity as a moral phenomenon is not directly observable and, most notably, not directly measurable (Durkheim 1965: 64). Therefore, Durkheim added, 'we must substitute for this internal fact which escapes us an external index which symbolizes it and study the former in the light of the latter'. Durkheim chose the law as an observable symbol and assumed that the more the members of a society maintained individual or societal relationships, the more solidarity would exist between them. Another possibility to observe solidarity, which we adopt for the analytical perspectives taken in this article, is to

investigate principles of solidarity action. Drawing on the sociological and anthropological literature about social solidarity and the gift,[6] we define solidarity as a state of relations between individuals, social groups or states that is characterised by a 'special form of togetherness and mutual obligation' (Mau 2007: 130). As regards the latter, Bayertz (1999: 3) emphasises three normative features.

First, 'solidarity is a social construct that is contingent on its social and cultural context rather than a fixed or given value' (Bergman 2007: 80; Schieder 2009: 18−20). Accordingly, the concept of solidarity is related to communities that 'exist when people share a common identity as members of a relatively stable group with a common ethos' (Miller 1999: 26). Unlike comparable, universally binding principles such as justice or equality, solidarity usually only includes 'particular obligations' (Bayertz 1999: 4). This means that people show solidarity first and foremost to members of their own community. Second, the particular obligation typical of the concept of solidarity finds expression in forms of unilateral or mutual assistance that imply stable expectational horizons. This may, on the one hand, assume the character of a material transfer, with a party being allocated concrete resources without being obliged to return other resources of equivalent value. On the other hand, though, assistance and support may also have impacts on the behavioural constraints of actors concerned. Third, it is assumed that both the respective community and the assistance provided are legitimate. Hence, assistance is always provided with the awareness that the legitimate concerns of group members need to be protected. As such, solidarity leads to the subordination of self-interests to collective action and implies a 'will to institutionalise that collective action through the establishment of rights and citizenship' (Stjernø 2005: 2; see also Offe 2007: 119). But only those actors who feel 'special' togetherness or closeness to each other 'will develop institutional arrangements of solidarity' (Mau 2007: 130−31).[7]

Three core assumptions of international solidarity

Extending the concept of solidarity to international relations is difficult. In order to demonstrate its relevance, we first formulate three core assumptions and then go on to develop, based on them, our theoretical argument. While we outline the first two assumptions briefly, we scrutinise the evidence for the third based on our empirical cases.

(1) *Nation states are institutionalised solidarity communities:* Whereas solidarity was originally found in traditional relationships within the family or kinship group, institutional forms of solidarity have long been accepted as legitimate expressions of the common social feeling of togetherness: the

nation state is the most obvious example of modern solidarity (Renan 1882; Anderson 1983). Nation states not only include territorial and administrative components, but also entail the state taking over functions for collective and individual welfare (Mau 2007: 132). Accordingly, the welfare state is not merely a description of a more or less complex system of social services and financial transactions. Rather, the welfare state reflects dominant societal values and principles of solidarity (Marshall 1950; Rothstein 1998).

(2) *Domestic foundations of international solidarity:* Historically, three factors have promoted the widening and deepening of solidarity principles at the national level and, subsequently, beyond national borders (Coicaud and Wheeler 2008). First, democratic values and rights developed in Western welfare states provided the basic process for identification and engagement between people (Coicaud and Wheeler 2008: 4). This led, second, to a sense of obligation and responsibility. Lumsdaine (1993: 63) argues that 'domestic values influence the values states adopted in international politics' and cites evidence that the borders of states no longer mark the 'natural' boundaries of human solidarity (Noël and Thérien 1995). As 'distant suffering' has gradually become evident in Western societies, certain policies, such as development policy, have emerged that involve the 'politics of pity' (Boltanski 1999; Linklater 2007). In other words, the routine response to distant suffering is an expression of the extension and institutionalisation of international solidarity (Karagiannis 2004). Third, the diffusion of democratic values and rights, in recognising 'individuals in their variety as members of one world, provide tools to build a case for the rights of all and, consequently, to fight for improved inclusion' (Coicaud and Wheeler 2008: 4). However, the values and rights that trigger international solidarity are also part of what accounts for its limitations at the international level, as Coicaud and Wheeler (2008) pointed out. Modern democratic solidarity — though wider than traditional solidarity — 'tends to be thinner' (Coicaud and Wheeler 2008: 4; see also Brunkhorst 2005; Olesen 2008). In other words, as solidarity widens, the sense of mutual responsibility and obligation becomes attenuated and contingent. Furthermore, states are not only defenders of values and rights of universality. Rather, they play a selective, and therefore restrictive, role in the projection of international solidarity. As such, international solidarity relations tend 'to give a renewed importance to traditional bonds of proximity', including special ties (Coicaud and Wheeler 2008: 5). As Rorty (1989: 191) rightly pointed out, the sense of solidarity is 'strongest when those with whom solidarity is expressed are thought of as "one of us", where "us" means something smaller and more local than human race'.

(3) *Solidarity structure and legitimacy:* We do not assume that principles of solidarity at the national level have any direct causal impact on national foreign policy, but rather that the social construction of solidarity frames them in particular ways. As there are different expectations involved in foreign policy decision making, solidarity is in competition with other motivating factors such as security or economic wealth. Since manifestations of international solidarity are not binding, acts of solidarity have also to be justified in the political debate (Eriksen 1999; Sjursen and Smith 2004). The appropriateness of solidarity-based action depends on the legitimacy of the respective principles within the political debate.[8] In order to operationalise international solidarity relations, we distinguish between three principles of action (Schieder 2009):

(3.1) The first principle of solidarity action is 'ties'. Accordingly, ties arising from a sense of community have a particular impact on the extent of responsibility for others. Thus, donors feel greater pressure to provide assistance to those countries for which they have feelings of closeness and togetherness. Ties can be indicated by references to historical or colonial relations, to cultural closeness with those that are seen as 'one of us', as well as to feelings such as guilt, gratitude or friendship. (Brysk *et al.* 2002; Riddervold and Sjursen 2006)

(3.2) The second principle of solidarity action is 'need'. Within communities, for example, distribution conflicts will be decided according to the principle of need (Miller 1999: 27; Bergman 2007). Accordingly, interdependence in solidarity depends on how great the recipient's need for support or assistance is. Indicators of this principle are the financial and geographical allocation of assistance to those recipients that are the most impoverished.

(3.3) A third principle of solidarity action is 'effort'. As a social practice of giving and receiving, solidarity is always conditional (Komter 2005). According to this principle, the degree to which assistance and support result in visible success and the transfer of resources actually reduces the gap between donor and recipient is important for the consistency and growth of solidarity. The smaller the recipient's efforts and the less likely the prospects of success, the more difficult it is for donor governments to legitimise solidarity. (Jabri 2007: 727; Oorschot 2007: 8)

The principles of ties, need and effort encompass the solidarity structure of the problem field and define the space of solidarity action. These principles may be weighted differently in national foreign policy debates, resulting in different social constructions of solidarity. Since we assume solidarity to be a key factor for describing and explaining France's and Germany's divergent

positions towards EU–ACP and EU–CEEC relations, we suspect the two countries to weight the three principles of solidarity differently.

Alternative theoretical explanations

Other theoretical perspectives might offer quite different solutions to our empirical puzzle. Before applying our solidarity concept empirically, we present some important alternative theoretical approaches that recur in the literature and demonstrate why they have serious shortcomings in explaining France's and Germany's positions towards the ACP and CEEC.[9]

The *first alternative* to our solidarity concept is neorealism. Neorealists assume that development policy serves primarily 'as an instrument for the donor to pursue national interests, both political and economic' (Carbone 2007: 40; see also Morgenthau 1962; Schraeder *et al.* 1998: 304; Lancaster 2007: 3). Empirical research reveals the weakness of the neorealist explanation regarding France's and Germany's ACP policies. Whereas Germany — until the late 1990s — seemed to lack any special interest towards the ACP group (Molt 2002; Mair 2006), French preferential engagement for EU–ACP relations is often described in terms of power and national interests. But as Schlichte has pointed out, French policy towards the ACP group appears 'rather as a historic lag than as a rationally controlled strategy to serve their own position within the international system and to increase their own interests and powers' (Schlichte 1998: 313; see also Cumming 1995). In a similar manner, Brysk *et al.* (2002: 275) argue that the 'special partnership' formed by France with its former colonies in Sub-Saharan Africa has shaped the perception of material interest, and not vice versa. As the ACP group 'diminished in terms of geopolitical and security importance to the EU after the end of the Cold War' (Bilal and Grynberg 2007: 6), and the Cotonou Agreement (2000) was concluded for an unprecedented 20-year period, French and German ACP policies do not fit in with typically realist perceptions of rationality (Forwood 2001: 438; Holland 2005).

Neorealism also has deficits in explaining France's and Germany's different prioritisations regarding Eastern enlargement. One common interpretation of France's position is that Paris is usually thought to have been against enlargement of the CEEC due to the expectation that the move would tip the political balance in the EU in Germany's favour (Skålnes 2005: 221; see also Grabbe and Hughes 1998; Schimmelfennig 2003). However, there is little empirical evidence to support this neorealist assumption of actors as power maximisers. As Sjursen and Romsloe (2006: 149–50) sum the matter up, 'security or (geo-) political arguments were only to a limited extent used to justify the French position on enlargement'. If we take seriously this 'standard interpretation of French reluctance towards enlargement', we would not expect

France to accept EU enlargement at all (Schimmelfennig 2001: 53). However, neorealism seems capable of explaining Germany's enlargement positions, and its selection of preferred candidates (particularly including the Visegrád countries while rejecting the inclusion of the Baltic states) appears to promote security and political stability in its regional surroundings (e.g. uncertainty over Russia's reaction). But if the decision to provide strong financial support and to advocate rapid enlargement was principally motivated by security or geopolitical issues (Grabbe and Hughes 1998: 5), why did the German government prefer to enter into accession negotiations with those countries that were already stable and democratically advanced (the Visegrád countries) while refusing to consider more support for the less stable ones (i.e. Romania or Bulgaria)? In other words, while security benefits of enlargement are clear from a German point of view, it appears that 'a strictly material interpretation of this policy is oversimplified', because Germany's enlargement policy also contains a 'strong normative dimension' (Zaborowski 2006: 113, 117).

The *second alternative* approach is economic liberalism, which assumes that development policy is primarily motivated by economic self-interest (McKinlay and Little 1979: 236–50; Schraeder *et al*. 1998: 304f.; Alesina and Dollar 2000: 33). Although the standard political economy arguments, *viz*. that national foreign policy behaviour reflects the interest of the dominant domestic sectors, seem plausible (Milner and Keohane 1996), Table 1 shows that the material returns from ACP states to the EU member states have been meagre, declining from 8.5 per cent in 1980 to only 2.8 per cent in 2000. This applies not only to German firms (Mair 2006: 11; see also Martínez-Zaroso *et al*. 2009), but also to the French business sector, which is by far the most important European trading partner for the ACP (Hugon 2007). Brysk *et al*. (2002: 267) argue that 'it is insufficient to point simply to the narrow sectoral interest of French mining concerns to explain the broad patterns of state-to-state relations. It is the government that makes use of domestic groups, not vice versa'. Furthermore, 'since 1990, the "preferred" partners in Africa have become rather marginalized in EU trade relations, while North America and Asia have retained and gained importance, respectively' (Stevens 2000: 223−24; Babarinde and Faber 2004: 29−30). As Grilli (1993: 345) argues, 'if the African continent remains a priority in EC development, it is more for historical and humanitarian reasons than for the protection of European economic interests considered to be vital'.

As far as Eastern enlargement is concerned, economic cost and benefit calculations seem at first capable of explaining German and French positions (Mayhew 1998; Moravcsik and Vachudova 2003). EU members bordering the CEEC, such as Germany, particularly benefit from the opening of Eastern markets and had an interest in their accession, whereas countries situated farther away from the CEEC, such as France, have been among the laggards in

Table 1 EU exports/imports to/from developing regions as percentage shares of extra-EU exports/imports, 1975–2000

Regions	1975		1980		1990		1995		2000	
	Exports	Imports	Exports	Imports	Exports	Imports	Exports	Imports	Exports	Imports
ACP	6.6	8.0	8.5	8.1	4.4	4.3	3.1	3.6	2.8	2.7
Latin America	5.2	5.2	6.7	5.1	3.6	5.5	5.7	5.6	5.8	4.7
Mediterranean	11.8	7.6	12.0	12.1	10.9	9.1	11.3	8.5	11.6	8.6
East Asia NICs/Asean[a]	3.8	4.5	4.2	5.3	9.7	11,0	13.1	14.8	11.4	17.4
France to/from ACP	11.4	9.6	12.1	9.9	7.9	6.8	6.6	6.2	7.7	5.5
All Africa	—	—	7.5	4.6	3.2	4.7	5.8	3.9	5.2	3.6
Germany to/from ACP	3.4	5.7	3.7	6.2	1.8	2.6	1.3	1.8	2.6	2.3
All Africa	—	—	2.6	2.5	2.0	2.3	1.8	1.8	1.4	1.6

[a]Newly Industrializing Countries and China/Association of South East Asian Nations.
Sources: Calculated from: Eurostat 2003, Statistical Yearbook on external and intra-EU trade, 1958–2002.

the enlargement process. However, again, an economic interpretation has several weaknesses. Sjursen and Romsloe (2006) show that the foot-dragging French position on enlargement was only to a limited extent determined by economic interests.[10] According to Sjursen and Romsloe (2006: 161), 'insisting on a slow enlargement process and institutional reforms was detrimental to French economic interest'. Even for Germany, the strongest proponent of Eastern enlargement, trade with the CEEC was nowhere near as important as trade relations with EU partners (Lippert *et al.* 2001: 18ff.). Hence, Germany could not credibly threaten reluctant partners like France with attractive alternatives outside the EU framework (Schimmelfennig 2003: 87–89). Although enlargement undoubtedly facilitates many opportunities for German business, it is also apparent that no other country is exposed to the risks and cost of the policy to the same extent (i.e. its impact on the German labour market and the social security system as well as the fear that German business would relocate in CEEC). Thus, arguing for strong support for enlargement despite its immediate high costs for Germany does not fit in well with a material, utility-based explanation (Jileva 2004: 4; Smith 2004: 180; Schimmelfennig and Sedelmeier 2005: 20−24; Zaborowski 2006 108−13).[11]

A *third alternative* to our solidarity concept is institutionalism. Although scholars have emphasised that the European Commission is important in setting the EU development agenda, EU member states are the driving forces shaping ACP policy (Holland 2002: 234f.; Hoebink and Stokke 2005: 19; Carbone 2007: 39). Institutionalist scholars closer to constructivism stress the role of norms and values as major determinants of the EU–ACP partnership. But they focus exclusively on the outcome of Cotonou, using a negotiation perspective (Elgström 2005), and are less interested in explaining why single member states have played a more or less assertive role in the ACP policy. Neither rational-choice theory nor historical institutionalism has devoted greater attention to the question why EU member states hold different positions on Eastern enlargement (Pollack 2003: 151−53). Many scholars argue that the decision for enlargement is only comprehensible when it is seen to account for pan-European values such as liberal democracy and market economy (Fierke and Wiener 1999; Sjursen 2002; Sedelmeier 2005). Taking up this line of argument, Schimmelfennig (2001) seeks to combine a sociological-institutionalist or constructivist approach with a rational-choice approach to solve the puzzle of enlargement, suggesting that it is the outcome of 'rhetorical entrapment' or 'shaming'. Accordingly, those EU member states supporting enlargement (such as Germany) must be assumed to have strategically applied normative arguments to shame reluctant EU members (such as France) into accepting enlargement. Yet theoretical puzzles remain.

First, as sociological institutionalism assumes that EU member states will have largely 'homogeneous enlargement preferences' (Schimmelfennig and

Sedelmeier 2005: 15), it can hardly explain the degree of variation between the French and German positions on enlargement. Second, norms based on values matter not only 'because it is costly not to comply with them but because they are ends in themselves' and accepted by all, including French policymakers (see Sjursen 2006: 6). Otherwise, the idea of 'entrapment' and 'shaming' would 'not work' (Riddervold and Sjursen 2006: 151). Pointing to norms strategically manipulated by rhetoric neglects the fact that moral duties were particularly important in the EU's enlargement policy and prevailed over material interest. Thus, universal rights-based considerations such as democracy cannot entirely explain the contrarious priorities in French and German policies towards the CEEC. It rather seems that special forms of togetherness and mutual obligation were relevant for the arguments and positions in single EU member states (see Riddervold and Sjursen 2006).

France and Germany in the EU's ACP and Eastern enlargement policy

Before showing the extent to which France's and Germany's divergent positions on EU–ACP and EU–CEEC relations can be explained by applying our three principles of solidarity action, we will briefly illustrate the development of the ACP policy, as well as the process of Eastern enlargement. Moreover, we will introduce the essential dimensions used to investigate both special relations.

EU–ACP partnership and the Cotonou Agreement

For many years, the EU–ACP partnership was considered the 'flagship' of the EU's external policy (Carbone 2007: 30–39). Although it was formalised in the 1970s, the privileged and treaty-based relationship between the EU and the ACP group goes back to 1957, when in particular France insisted on integrating its colonies into the Common Market with preferential trade status (Grilli 1993: 225). This has been enshrined in the two Yaoundé Agreements (1963–1975), followed by the four Lomé Conventions (1975–2000), under which the EU has granted, on a non-reciprocal economic basis, preferential (near-free-market) access for ACP exports, accompanied by financial aid from the European Development Fund (EDF) and political dialogue. The EDF, which consists of national contributions, is the main instrument for providing Community aid to the ACP, a large proportion of which consists of non-repayable grants.

The Cotonou Agreement, signed on 23 June, 2000, with 78 ACP states (including 48 African, 15 Caribbean and 15 Pacific states), builds on the legacy of the Lomé Conventions. As such, Cotonou covers only two-thirds of all developing countries and excludes some *least developed countries* (LDCs) (e.g. Afghanistan, Bangladesh, Yemen, Cambodia, Laos and Myanmar). The

negotiations started with the Green Paper issued by the European Commission in 1996, but were formally launched on 30 September, 1998 and concluded in February 2000. The fundamental principles of the EU–ACP partnership (i.e. respect for sovereignty, equality/dialogue between parties and ownership) were relatively uncontroversial issues. However, the future of the trade regime, which was linked to the differentiation and identity of the ACP group, the national contribution to the EDF, and the idea of inserting political conditions, proved more contentious (Babarinde and Faber 2004; Elgström 2005).

Differentiation and identity of the ACP group: The EU member states disagreed over whether the group identity of the ACP should continue to be retained (Stevens 2000: 225; Arts and Dickson 2004; Holland 2005: 258). Supporters of dissolution argued that the EU–ACP special relationship discriminates against LDCs with no colonial ties to EU countries and that the economic principle of non-reciprocity contravenes agreements of the World Trade Organization (WTO). They noted critically that the EU constantly needed to ask the WTO for new waivers.[12] This line of argument was spurred in part by the Commission's Green Paper proposing the conclusion of so-called Regional Economic Partnership Agreements (EPAs) to support stronger regional integration as 'a key instrument in the integration of ACP countries in the world economy' (Council of the European Union 2000: 20).[13] While the ACP feared the abandonment of their special relationship with the EU in favour of distinct regional agreements (Agence Europe (19 June, 1998): 15), the member states finally broadly embraced this solution as a compromise allowing for both the maintenance of the ACP group identity and compliance with WTO rules (Holland 2005: 264). To compensate supporters of group dissolution, the EU agreed to improve market access for all LDCs that were not yet ready for the establishment of free-trade zones.[14]

Contributions to the EDF: Even though the Agreements of Lomé and Cotonou are trade agreements, financial transfers have always been significant (Table 2). The increase in financial resources to €13.8 billion for the ninth EDF, which ran from 2000 to 2007, plus another €1.7 billion in loans from the European Investment Bank (EIB) was slightly larger than the previous eighth EDF.[15] The financial strength of the EDF and national contributions were heavily debated among the EU members.

Political dialogue and conditionality: With Cotonou, the EU strengthened the political dimension of development cooperation with the ACP states (Article 8). A linkage between aid and human rights was introduced already in Lomé IV (Grilli 1993: 101). In the Mid-Term Review of 1995 (Lomé IVb), the EU defined respect for human rights, democracy and the rule of law as 'essential elements' for the cooperation with the ACP (Crawford 2000: 90–127). A violation of these principles could lead to the suspension of assistance. In addition, the EU wanted to include 'good governance' as a fourth 'essential

Table 2 French and German contributions to EDF, 1957–2000

		EDF 1 Rome Treaty 1957	EDF 4 Lomé I 1975–1980	EDF 7 Lomé IV 1990–1995	EDF 8 Lomé IVb 1995–2000	EDF 9 Cotonou 2000–2007	Share of EC budget 1999–2006
EDF Total (million)		€569.4	€3,053.30	€10,940.0	€12,840.0	€13,801.0	
EIB Budget			€390.0	€1,200.0	€1,658.0	€1,700.0	
Germany	EDF million €	€241.8	€988.2	€2,840.0	€3,000.0	€3,223.6	29.5
	EDF (%)	34.4	25.9	25.9	23.4	23.4	
France	EDF million €	€241.8	€988.2	€2,666.0	€3,120.0	€3,353.4	18.3
	EDF (%)	34.4	25.9	24.3	24.3	24.3	

Source: The ACP-EC Courier, Special Issues, January-February; European Commission, own calculations.

element'. After protracted negotiations, good governance was included only as a 'fundamental element', which limits the risk of sanctions (Zanger 2000). Hence, in cases of violation against 'essential elements' (Art. 9) of the Agreement, the EU may initiate a consultation procedure (Art. 96), and if it fails measures like suspension of aid or imposition of sanctions may be taken. While the ACP protested against the new political conditionality (Elgström 2005: 190), good governance as such was undisputed among the EU members.[16] The latter, rather, debated whether and when harsh sanctions should be imposed.

France and ACP: the 'familial' character of the relationship

The bedrock of the French position was to maintain the identity of the ACP group and thus to continue the special relationship with these countries, not least its former colonies (Forwood 2001: 428; Bretherton and Vogler 2006: 121f.). Africa remains for France 'the partner closest historically, closest geographically and culturally, surest sentimentally and — last but not least — in the medium term, the most useful economically' (Brysk *et al.* 2002: 282). In its position on the Green Paper of the Commission, the government emphasised the 'necessity of preserving the *originalité et integrité de la convention de Lomé'* (Elgström 2005: 192). In the context of beginning Cotonou negotiations in June 1998, Charles Josselin, the French Minister for Cooperation, stated 'the maintenance of a specific convention between the European Union and the ACP states is an essential element of the inalienable solidarity between Europe and Africa' (quoted in Frankfurter Allgemeine Zeitung (FAZ), 8 February, 1999: 15). The French government was not prepared to 'let Lomé die' (Bretherton and Vogler 2006: 122) and considered itself the moral advocate of the ACP, defending their interests vehemently among its EU partners (Josselin 1997a: 21).

The reference to *special ties* between France and the ACP, and especially the former French colonies, were the *leitmotif* in the parliamentary debate on the ratification of the Cotonou Agreement (Debrat *et al.* 2005: 23; Lancaster 2007: 148ff.). '*Plusieurs de nos nouveaux partenaires, qui n'ont ni le même passé, ni les mêmes obligations que la France, s'interrogeaient sur l'intérêt de distinguer les pays ACP des autres pays en développement. La pérennité des liens noués avec les pays ACP a été réaffirmée, et notre pays, dont l'initiative a souvent été déterminante dans la négociation, peut s'en féliciter'* (Brisepierre, Sénat (6 February, 2002): 5).[17] Marie-Jo Zimmermann, member of the National Assembly, stated as among the main goals of France's ACP policy the need to defend against any banalisation of the EU–ACP special relationship, as well as confirmation of its privileged and specific character (Zimmermann, AN (21 February, 2002): 1667f.; Elgström 2005: 191). The dominance of the principle of ties is exhibited again in France's commitment to an adequate funding of the EDF. Since the beginning of EU–ACP relations, France has paid a disproportionately high share (ninth

EDF: 24.3 per cent *vs* 18.3 per cent of the EU budget, 1999–2006; see also
Table 2). In the beginning of the negotiations on the ninth EDF, Paris tried to
lower its contribution and share the costs of its relations with sub-Saharan
Africa (Gabas 2005: 260). Pierre Moscovici, Minister for European Affairs, said:
'*Nous ne représentons pas 24 per cent du budget communautaire, nous ne devons
donc pas représenter 24 per cent du financement du FED*'.[18] Finally, the French
government renounced its original demand for a more even distribution of
payments among the EU members in order to avoid putting the total level of the
Fund's resources at risk.

The *principle of need* was of secondary importance in the French debate. The
French government opposed the enlargement of the ACP group in favour of
LDCs excluded from the privileged partnership.[19] France's insistence on the
exclusivity of aid is an expression of its own priority in giving precedence to the
principle of special ties over the principle of need in foreign aid (Schraeder *et al.*
1998: 317f.; Zanger 2000: 308). This hierarchy is also reflected by the geographical
distribution of French ODA (Table 3), which is, in general, focused on African
countries with historical ties rooted in colonialism and countries considered part
of the French-speaking community (*la francophonie*): 'A non-democratic …
former colony politically friendly to its former colonizer, receives more foreign
aid than another country with a similar level of poverty, a superior policy stance,
but without a past as a colony' (Alesina and Dollar 2000: 33).

As regards the introduction of a political dimension in Cotonou, France was
one of those countries that insisted on more flexibility on the issues of
corruption, and it favoured political dialogue rather than sanctions (Forwood
2001: 429).[20] Minister Josselin emphasised in the French Senate that the
political dimension of the agreement was strengthened by making dialogue the
rule and sanctions the exception. He described the introduction of 'soft' action
as progress depending on the particular infringement situation, because it
would allow for the maintenance of dialogue (Josselin, Sénat (6 February,
2002): 2; Cerisier-ben-Guiga, Sénat (6 February, 2002): 8f.). Once again, this

Table 3 ODA flowing to specified regions and countries, as a percentage of total ODA, 1975–2000

	1975	1980	1990	1992–94	1995–97	1998–2000
France to sub-Sahara Africa	50.3	48.2	55.6	48.7	43.2	37.8
France to LDCs	30.8	30.0	33.0	24.2	23.3	24.3
Germany to sub-Sahara Africa	25.2	27.8	31.1	27.3	26.2	28.4
Germany to LDCs	24.2	30.8	25.8	24.5	23.0	24.5
OECD average to sub-Sahara Africa	24.6	26.7	29.8	26.9	25.7	22.6
OECD average to LDCs	25.1	27.8	25.5	23.0	22.3	20.9

Source: OECD Stat.

attitude underlines the close ties between France and the ACP. Although France accepted the introduction of political conditions based on the *principle of effort*, it resolutely 'made efforts to protect … former colonies from harsh sanctions' (Hazelzet 2005: 16; see also Posthumus 1998: 9).

Germany and ACP: overcoming the colonial heritage

Germany's attitude concerning the privileged EU–ACP partnership has always been sceptical (Engel and Kappel 2002). Already in the 1950s, German Chancellor Konrad Adenauer attempted to persuade the French government to forgo association with its colonies in sub-Saharan Africa by offering payments as compensation (Molt 2002). Germany's traditional rejection of exclusive relations with a colonial background also became apparent in the Cotonou negotiations and received support across all political parties: 'The burdens of the colonial past must no longer be allowed to prevent objective decisions. The European Union has changed … with the Eastern enlargement. Now we need principles that will no longer be led by this colonial thinking from the 1950s' (Laschet, BT (29 April, 1998): 21304; Eid, BT (15 November, 2002): 19839ff.; Deutscher Bundestag 1998).

Special ties are irrelevant in the conception of German ACP policy. Both the government and the Bundestag preferred a 'normalisation' of the EC's post-colonial special relationships, that is, the inclusion of further LDCs (Deutscher Bundestag 1997: 10f.; Forwood 2001: 428; FAZ (9 February, 1999): 7). It was also due to this lack of ties that the German government attempted several times, although only with partial success, to reduce its contributions to the EDF (Table 2). During the negotiations on the ninth EDF, Germany argued against a massive increase (Molt 2002: 76). Instead, it proposed to keep funds at the level of the eighth EDF, arguing that the recipient states lacked sufficient absorption capacity and that the EDF system was not sufficiently flexible (FAZ (9 December, 1999): 17).

According to OECD figures (Table 3), Germany awards a much smaller proportion of ODA to states in sub-Saharan Africa than other donors do. 'Middle income countries' in Latin America and East Asia are regions with a growing share of German ODA, reinforcing the assumption that recipients' need is of low priority (Ashoff 2005: 288). Admittedly, this assumption is somewhat contradicted by the fact that speakers in the Bundestag want to see the ACP group extended to include further LDCs on grounds of fighting world poverty (Laschet, BT (29 April, 1998): 21305; Wieczorek-Zeul, BT (19 May, 2000): 9921ff.; see also Forwood 2001: 428). But since the pursuit of this goal is not reflected in decision makers' behaviour, we may assume that the *principle of need* is not an outstanding consideration when it comes to decisions on the allocation of ACP aid funding.[21]

Whereas recipient need is of low priority in German ACP policy, the principle of *effort* is often applied in the German debate. 'It is of fundamental importance for the successful cooperation with the ACP states that they take over more individual responsibility. Besides the neediness of recipients, future aid allocation should consider recipients' willingness to undertake efforts' (Kolb, BT (29 April, 1998): 21310; Brauksiepe, BT (15 November, 2001): 19836). Armin Laschet's demand is 'to increasingly link benefits to the recipients' willingness for self-help, efforts and reforms' (Laschet, BT (29 April, 1998): 21305; Eid, BT (19 May, 2000): 9940f.). In 1991, Carl-Dieter Spranger, then Minister for Economic Cooperation and Development, identified five political criteria (i.e. respect for human rights, political participation, adherence to the rule of law, market-friendly approaches and the recipient government's commitment to development) on which there is still a high degree of consensus in current German development policy (BMZ 1998: 29). Hence, the German government wanted both stricter political aid conditionality and the option to impose sanctions (Deutscher Bundestag 1997: 5–10; Forwood 2001: 429). Heidemarie Wieczorek-Zeul, former Minister for Economic Cooperation and Development, emphasised that 'we led the negotiations that adopted good governance in the Cotonou Agreement. This makes it clear to every ACP country that the European Union has the means of withholding financial aid in cases of serious corruption within the country itself. I think this is a good thing, because I support the use of appropriate sanctions in such cases…' (Wieczorek-Zeul, BT (19 May, 2000): 9939).

Our analysis of France's and Germany's policies towards the ACP shows that the principle of special ties is clearly dominant in the French debate on the Cotonou Agreement. The close ties between France and its former colonies explain the low-level significance of the principle of effort and the lopsided application of the principle of need, which is used only as a justification for giving aid to the ACP but is not applied to the entire group of LDCs. It is quite the contrary in the German debate on EU–ACP relations, where the principles of effort and need are dominant while the principle of special ties is irrelevant.

Eastern enlargement politics

Immediately after the fall of the Iron Curtain, the EU strongly supported the CEEC's political and economic transformation via various channels such as humanitarian aid, technical assistance, provision of investment capital and macro-financial assistance (Mayhew 1998: 132–58; Smith 2004: 66–82). Already in 1989, the Commission launched the PHARE Programme (Poland Hungary Assistance for the Reconstruction of the Economy), which was extended subsequently to all CEEC. The European Bank for Reconstruction and Development was established in spring 1991 (Smith 2004: 80–82). The EU first

concluded Europe Agreements, which offered trade facilitation and broad-based cooperation in economic and cultural fields, supplemented by 'political dialogue' on general foreign policy issues. The prospect of membership was then given at the European Council in Copenhagen in June 1993 (Mayhew 1998: 23−29). Between 1994 and 1996, all CEEC applied for EU membership. In 1997, the Commission published the 'Agenda 2000', an action programme assessing each accession request (European Commission 1997). The path for EU membership was formally paved when the financial plan for the years 2000–2006 was adopted in 1999. The necessary institutional reforms were adopted at the European Summit in Nice in December 2000.[22] Basically, there were three difficult subjects in the negotiation process: the fundamental decision on enlargement and the selection of candidates, the financial assistance to CEEC, and the conditions set for EU membership.

Decision on accession and selection of candidates: In March 1998, the EU first decided to open accession negotiations only with six CEEC; this decision was withdrawn in December 1999, when, at the Council meeting in Helsinki, the member states agreed to start accession talks with all 12 applicants. Nevertheless, within the EU, members were divided between those who favoured early enlargement and others who, if they could not prevent it, at least hoped to slow it down. There were considerable debates over 'how fast enlargement should proceed and how far eastward it should go' (Grabbe and Hughes 1998: 4f.). Some member states were lobbying for an inclusive enlargement of all CEEC, whereas others argued for an exclusive enlargement, one considering only those showing rapid success with their political and economic transformation (Andriessen 2000: 108−11).

Financing enlargement: The accession of the CEEC meant much more than merely enlarging the EU (Smith 2004: 66−62). Table 4 illustrates the assistance provided to all CEEC from 1990 to 1996. The EU and its member states accounted for 53.7 per cent of assistance, while EU programmes (including PHARE and macro-financial assistance), EIB loans and ECSC account for 16.3 per cent. PHARE[23] is the largest single source of grant financing and had a total funding volume of €15 billion between 1989 and 2001.[24] EU members debated whether to increase the in-payments by the members or to redistribute funds away from existing beneficiaries (Kohler-Koch *et al.* 2004: 309).

Conditions of membership: While Article 237 of the Rome Treaty states that any European country may apply for membership, later treaties and enlargement practices established more precise accession criteria (Bermann and Pistor 2004; Jileva 2004: 13). First, future members must be democratic, governed by the rule of law, and recognise human rights.[25] Second, they must undertake to work 'on the principle of an open market economy' with freedom of competition (Article 3 TEC). Third, they must adopt the *acquis communautaire*. These 'Copenhagen Criteria' sufficed in the early stages to exclude the CEEC from

Table 4 G-24 assistance, 1990–1996 (ECU million)

	Total assistance	Of which grants	Donors' percentage of total aid
France	6.565	2.312	6.7
Germany	17.437	4.115	17.7
Total EU member states	36.733	10.543	37.4
EU programmes/EIB/ECSC	16.012	8.288	16.3
EU Total	52.745	18.831	53.7
EBRD	5.017	—	5.1
USA	11.126	6.422	11.3
IMF/World Bank	19.679	—	20.1
Other countries	9.451	3.280	9.7
Grand total	98.109	28.534	100

Source: European Commission.

membership and provided the reluctant EU members with a ' "pocket veto" over accession' (Grabbe 2002: 251). The EU member states were broadly divided into two groups. Whereas some advocated strict and detailed conditions for membership, others supported more flexible concepts to prepare the CEEC for accession. But due to the efforts the CEEC were willing to undertake for accession, those members that wanted to apply conditions to slow down the process had less and less room to manoeuvre (Smith 2004: 134).

France and CEEC: a laggard and inclusive enlargement

France is generally perceived to have been one of the laggards in the enlargement process (Sjursen and Romsloe 2006). After the collapse of communism in Central and Eastern Europe, with various initiatives such as President François Mitterand's New Year's address calling for the establishment of a 'European confederation', as well as Prime Minister Balladur's later idea of an international conference on stability in Europe, France actually lobbied for a slowdown of the enlargement process (La Serre 2004: 28–33).[26] In 1991, Mitterrand still saw an EU enlargement to the East 'decades and decades' away (Mitterrand 1991). At the core of French arguments prior to the large-scale Eastern enlargement of 2004 was the insistence that the Community needed institutional reforms before Eastern enlargement could take place (Smith 2004: 131; see also Deloche-Gaudez 1998). Moreover, France pushed the other EU member states not to focus exclusively on the East, but also to establish closer bonds with the South, that is, the Mediterranean region (Lippert 2002: 363).

Over the course of time, specific changes can be observed in the use of the *principle of ties,* inasmuch as ties to some countries are highlighted in the

debate. At the Helsinki European Council in 1999, Paris called for inclusive enlargement embracing all countries aspiring to membership, especially Bulgaria and Romania (Majza 2002: 455; La Serre 2004: 508; Smith 2004: 114). President Jacques Chirac emphasised during a visit to Bucharest: '*La position de la France a été claire et elle a été finalement adoptée: Tous les pays candidats doivent être placés sur un pied d'égalité*' (Chirac 1997).[27] Already in 1991, the Minister for European Affairs, Élisabeth Guigou, warned against losing sight of Bulgaria and Romania (Guigou 1991). The special relationship with the two countries is constructed through historical ties and a family metaphor. In the debate on the Europe Agreement with Romania, the Minister-Delegate for Parliamentary Relations, Pascal Clément, described the country as France's 'Latin sister of the Balkans' (Clément, AN (20 April, 1994): 1016).[28] President Chirac later assured the Romanians, '*La France veut être votre avocat, votre amical avocat*' (Chirac 1997).[29]

The CEEC's neediness plays a secondary role in the French debate. The principle of *need* is applied to reject the differentiation between the two groups of candidates established in Luxembourg in 1997 (Assemblée Nationale 1997: 94, 127). In the debate on the Europe Agreement with Romania, Jean-Claude Mignon, a Member of the National Assembly, complained that although the country's population accounted for 24 per cent of the CEEC, it received only 11 per cent of the aid provided (Mignon, AN (20 April, 1994): 1018). The narrow limits of the application of the principle of need are clearly apparent, especially in the negotiations on the Europe Agreements. It was here in particular that France pushed through protection clauses for its own economy and farming sector that constituted obstacles for exporting firms in the CEEC (Guerrieri 1994: 292f.; Lequesne 1994: 68). France also did not accord high priority to Eastern Europe in financial terms, which is demonstrated by its bilateral OA (Table 5). In April 1990, France established its MICECO bilateral assistance programme (*Mission interministérielle pour la coopération avec l'Europe centrale et orientale*).[30] Tulmets (2003a: 123) observes that French aid explicitly privileged 'the countries which are traditionally the most franco-phone' (see also Mesmin, AN (4 July, 1994): 3993).

In the French Eastern enlargement discussion, *efforts* were first of all required of the EU itself. The more real the prospect of accession became, the more emphatically did the French government insist that neither the constitutional architecture nor the 'finalité politique' of the Union was negotiable (Kohler-Koch 2004: 212; see also Deloche-Gaudez 1998: 2; Smith 2004: 131). Already in 1994, Mitterrand articulated concerns related to a possible enlargement prior to completion of institutional reform, and Foreign Minister Alain Juppé stressed France's role as the guardian of the 'idea of Europe' when he said: 'Europe is … an entity in matters of foreign policy and external security, and thus it must be enlarged. However, one has to enlarge by taking precaution

Table 5 Net disbursement of Official Aid (OA) to individual recipients (USD million), 1990–2004

		1990–1991	1992–1993	1994–1995	1996–1997	1998–1999	2000–2001	2002–2003	Total
BG	Germany	12.5	23.5	34.9	47.7	58.8	66.2	139.0	382.6
	France	2.1	9.5	11.5	16.2	69.4	21.2	34.7	164.6
CZ	Germany	11.2	38.4	41.9	56.0	26.4	19.6	34.8	228.3
	France	5.1	18.7	12.6	17.3	28.2	12.2	18.0	112.1
EE	Germany	1.8	16.3	12.8	12.5	9.1	5.3	6.1	63.9
	France	—	1.5	1.1	2.1	2.7	2.2	2.7	12.3
HU	Germany	72.0	51.2	45.1	73.9	46.8	42.9	33.6	365.5
	France	10.3	22.5	20.2	23.2	53.3	12.2	17.1	158.8
LV	Germany	1.4	18.6	20.7	19.6	13.0	10.3	9.6	93.2
	France	—	0.7	1.2	1.6	4.1	2.0	4.9	14.5
LT	Germany	1.7	19.7	76.7	19.7	15.7	10.8	16.7	161.0
	France	—	2.3	4.5	4.3	8.1	2.8	4.7	26.7
PL	Germany	513.5	445.0	2769.0	169.0	127.7	83.7	101.0	4208.9
	France	22.6	310.0	558.9	537.0	285.2	380.0	364.0	2457.7
RO	Germany	177.9	50.6	35.9	53.5	62.7	49.5	76.2	506.3
	France	7.7	23.6	25.3	32.2	120.4	41.5	54.5	305.2
SK	Germany	5.6	17.0	14.0	23.7	13.0	11.8	16.1	101.2
	France	2.3	5.0	4.4	7.3	14.3	6.6	9.0	48.9
SI	Germany	—	—	—	—	—	—	−2.4	−2.4
	France	—	—	—	—	—		1.4	1.4
Total	Germany	797.5	679.8	3051.2	477.3	372.8	299.5	427.9	6.106.0
	France	50	394.1	639.8	641.2	585.6	480.8	510.4	3.301.9

Source: OECD Stat.

that the *acquis communautaire* will not be gradually dispersed' (quoted in Sjursen and Romsloe 2006: 157). In September 1997, France stated in a declaration on the Amsterdam Treaty that further institutional reinforcement of the EU was 'an indispensable pre-requisite for enlargement' (Agence Europe (15 September, 1997): 1). President Chirac declared in 1996: '*Pour pouvoir s'élargir, l'Union doit d'abord s'approfondir. C'est l'intérêt des pays candidats … d'entrer dans une Union forte et efficace, une Europe-puissance qui ne soit pas une simple zone de libre échange*' (Chirac 1996).[31]

But France also demanded efforts on the CEEC side. In 1993, French Prime Minister Edouard Balladur issued his proposal for a pan-European 'stability pact' (also known as 'Balladur plan'), in which he demanded the settlement of minority conflicts in the CEEC as a precondition for membership (Schimmelfennig *et al*. 2005: 33). The EU's — quite contested — conditionality practices were important later on for President Chirac, when he noted that 'the countries have to make certain efforts to fulfil the requisite criteria for economic accession' (Chirac 1997). Alain Lamassoure, Minister for European Affairs, said upon conclusion of the Association Agreements with the Czech Republic, Slovakia and Bulgaria: '*La France a toujours rappelé … que cette adhésion exigerait du temps, des conditions et que nous devions*

nous y préparer dès maintenant en mettant en quelque sorte, la maison européenne en ordre, tant de coté de l'Union européenne elle-même … que de celui des pays candidats' (Lamassoure, AN (4 April, 1994): 3992).[32]

Nevertheless, French reactions to human rights violations in Romania at the beginning of the 1990s again highlighted the importance of the principle of special ties. On the one hand, France's willingness to ratify the Europe Agreement with Romania was generally approved in the debate on it in the National Assembly as a means of putting Romania under obligation to safeguard human rights, and as a 'useful guarantee for the Romanian people' against their government (Minister Clément, AN (20 April, 1994): 1018; also Lequesne 1994: 51; Smith 2004: 63). One the other hand, the representatives in the National Assembly emphasised that need and historical ties reduce the relevance of political and economic efforts on the part of the aspirants. A quote from rapporteur Jean-Claude Mignon demonstrates this in the case of Romania: '*Certains pensent que ce pays n'est pas encore mûr pour être traité par l'Union européenne comme d'autres pays d'Europe centrale et orientale, plus, exemplaires', à leurs yeux …. D'autres, comme moi, pensent au contraire qu'il ne faut pas laisser la Roumanie de coté et qu'une politique discriminatoire à l'égard du peuple roumain francophone et francophile ne peut conduire qu'à exacerber son ressentiment et aggraver son appauvrissement*' (Mignon, AN (20 April, 1994): 1017).[33]

Germany and CEEC: A pioneer and exclusive enlargement

Germany was undoubtedly the keenest supporter of Eastern enlargement and was seen to be the 'natural advocate' of the CEEC (Tewes 1998: 124; Hülsse 2006; Ecker-Ehrhardt 2007). At the same time, German decision makers also preferred an exclusive and rapid enlargement (Lippert *et al.* 2001: 17; Grabbe 2004: 66), and favoured first Poland, the Czech Republic, Hungary and (to a lesser extent) Slovakia before the Baltic states and lastly Bulgaria and Romania, which were considered rather backward countries to which it owed nothing (Lippert 2002: 368f.). Germany's enlargement policy 'was not only driven by political and economical concerns'. Rather, it is 'the normative value-based argument that figured most strongly in Berlin's justification of the policy' (Zaborowski 2006: 117).

References to solidarity with the countries in Eastern Europe are found across all parties in the Bundestag, highlighting particularly the *special ties* between Germany and its preferred protégés in the East. These ties with CEEC have different sources. First, decision makers highlight Germany's unique past, characterised by the guilt of starting two world wars and implying 'historical responsibility' for the future of the CEEC (Lamers, BT (6 November, 1991): 2076; Scharping, BT (30 January, 1997): 13814; Lippert *et al.* 2001: 14f.). Above all,

Chancellor Kohl, by pointing to Germany's culpability, justified Eastern enlargement as an act of reparation for crimes committed during the Second World War: 'My visit to Poland took place fifty years after the start of the Second World War, which brought such infinite suffering on humanity, first and foremost to the people of Poland' (Kohl, BT (16 November, 1989): 13326).

Second, the principle of ties predominant in the debate on enlargement is expressed in Germany's gratitude towards Poland and Hungary as the fore-runners of European unification (Kohl, BT (8 November, 1995): 5764, (30 January, 1997): 13810; Kinkel, BT (30 January, 1995): 13826). Both countries played a key role in the democratisation of Eastern Europe and contributed to the success of German re-unification (Grabbe and Hughes 1998: 5). In the sense of 'pro-social reciprocity, gratitude is an essential motive in the debate on Eastern enlargement', namely the obligation, when receiving assistance, to return the favour (Ecker-Ehrhardt 2007: 235). Third, specific responsibility is described in the sense of moral duty arising from a sense of cultural kinship or friendship with CEEC. Especially the term 'friendship' occurs particu-larly often in the relationship between Germany and Poland and stands for a process of reconciliation (Smith 2004: 190). Chancellor Helmut Kohl stated that 'the process of European integration could not have started without the Franco-German reconciliation, equally, it cannot be completed with-out Germany's rapprochement with Poland' (quoted in Zaborowski 2006: 64; see also Kinkel, BT (22 June, 1995): 3543; Ilmer, BT (6 September, 1991): 3267; Hülsse 2006: 407).

Alongside the principle of ties, the reference to the *principle of effort* was significant in the German debate on Eastern enlargement. Until the mid-1990s, this principle was rarely invoked in connection with the demand that political and economic conditions be set for the CEEC,[34] even though Germany was the largest single donor, as it provided 17.7 per cent of total aid from 1990 to 1996 (Table 4). Explicit references to the maturity of the accession candidates began to accumulate from about the second half of the 1990s, and were linked to the argument that 'solidarity is not a one-way street' (Seiters, BT (8 November, 1995): 5735; Merz, BT (27 September, 1995): 4797; Verheugen, BT (8 November, 1995): 5728). In 1996–1997, the Commission attested the candidate countries' serious shortcomings in implementing the *acquis commu-nautaire* (Grabbe 2004: 52). Thus, Foreign Minister Kinkel advised the CEEC that accession negotiations would start 'as soon as a country meets the stan-dards and criteria that are the same for all' (Kinkel, BT (11 December, 1997): 19112). The 'shift in emphasis from a normative, value-related argumentation to a more universal rights-based and effort-based argumentation' became even more pronounced after the change of government in 1998 (Zaborowski 2006: 118; see also Lippert 2002: 389). Compared to its predecessor, the Red–Green Coalition argued more assertively for what it called a 'fairer' allocation of EU

resources, for lowering Germany's payments to the EU, and for burden sharing for Eastern enlargement.[35] The last demand was also due to the fact that Germany had found its public finances under unprecedented pressure, as it had to bear the financial burden and economic impact of the re-unification since 1990, and that more and more Germans were questioning their country's 'solidarity with poorer parts of the Union' (Grabbe 2004: 43).

From 1996 on, Germany's annual foreign assistance to the CEEC drastically decreased (Table 5), and bilateral assistance was mainly transferred through Transform, one of the most important national assistance programmes in Europe, although this aid decreased from DM 300 million in 1995 to DM 90 million in 2001 (Tulmets 2003b: 72).[36] However, this decrease in bilateral payments was also due to a stronger financial engagement via European channels. Germany was very much engaged in the so-called 'twinning element' of PHARE, introduced in 1998 to assist applicants with concrete projects to adopt their administrations to the *acquis* (Lippert *et al*. 2001: 22). Germany garnered about one-fifth of these projects (221 of 1032 projects), France only 151 (Tulmets 2003a: 85).

The *principle of need* does not play an important role in the German discussions on Eastern enlargement, despite the fact that at the beginning of the 1990s German decision makers quite often referred to the recipients' need, justifying the assistance to the CEEC as humanitarian act to help people in precarious situations (Ecker-Ehrhardt 2007: 227−29). 'We will help wherever we can, both materially and morally' (Menzel, BT (28 February, 1991): 552). But in the course of time, the need argument lost some of its relevance. This was mainly due to the fact that 'Germany concentrated its assistance on the "Visegrád" countries', which rapidly and successfully transformed themselves and thus swiftly joined the 'wealthier' CEEC (IEP/TEPSA 1998: 19; Mayhew 1998: 135).[37]

In sum, the principle of special ties is the determinant factor in the German debate on enlargement, whereas in the French debate it is not dominant, except concerning Bulgaria and Romania. The moral obligation to help on the grounds of Germany's particular history is a recurrent parallel argument. Accordingly, in the German debate the principle of effort is addressed less to the recipients in the East than to the 'old' EU members in the sense of burden sharing. In contrast, the principle of effort has a high significance in the French debate. Whereas the issue of need serves France to strengthen the argumentation based on special ties with Romania and Bulgaria, it is not relevant in the German enlargement debate.

Conclusion

In this article, we have examined the French and German positions towards EU–ACP and EU–CEEC relations during the 1990s. Our main claim is that a

constructivist approach based on the concept of solidarity is able to fill in the gaps that rationalist approaches leave open in attempting to explain French and German positions. Therefore, we developed an analytical concept based on three principles of solidarity action (i.e. ties, need and effort) and demonstrated that French and German decision makers referred to these three principles in constructing their positions towards the ACP and CEEC, but that they did so quite differently.

First, we showed that the principle of ties determines the priority attached to each of the other two principles, and was dominant in the French ACP debate and the German enlargement debate. While France defended the interests of the ACP states among its EU partners, Germany — due to a lack of such ties with Africa — advocated a 'normalisation' of EU–ACP relations. On the other hand, Germany assumed the role of advocate for Eastern Europe in the context of EU enlargement by invoking its ties with that region. France initially resisted, and once it was no longer able to prevent Eastern enlargement altogether, it called for the inclusion of Romania and Bulgaria, to which Paris has close cultural ties. In the French ACP debate, the principle of ties was grounded on close historical and cultural relations to sub-Saharan Africa, whereas in the German debate on Eastern enlargement, ties were instead constructed in terms of guilt, gratitude and friendship.

Second, our analysis showed that the principle of need can be found in the French and German debates. However, we could see that it is applied 'lopsidedly' either to support or reject the principle of ties. Whereas the principle of need plays only a minor role in the French ACP discussion, it serves to strengthen the principle of ties in the debate on Eastern enlargement. France justifies its advocacy of inclusive enlargement with Romania and Bulgaria by referring to the two countries' poverty as compared to the Visegrád group. In the German ACP debate, decision makers claim that need has to be more relevant and thus that assistance should only be provided if recipients are really needy.

Third, the principle of effort is also applied in the political debate. It seems to be linked to the principle of ties. The stronger the ties, the more hesitant donors are to demand efforts on the part of recipients. The French debate on the ACP is remarkably reticent on the issue of conditional aid, whereas France insisted on strict compliance with the '*acquis*' by the CEEC as a precondition before joining the EU. In contrast, Germany held that aid to the ACP should be made conditional on good governance, but its position on enlargement was (at least until the mid-1990s) quite generous in terms of the efforts Germany expected from the CEEC.

What are the broader theoretical and empirical implications of our findings for the study of international relations and foreign policy? Theoretically, our article represents an attempt to insert solidarity into the reading of international relations and foreign policy analysis. It is perhaps not surprising that

the notion of solidarity remains poorly conceptualised in a discipline that has long seen international relations as an anarchical setting where political actors prioritise 'self-help' and material interests over moral norms. Even though the constructivist research programme on norms and values entered the realm of IR, there is still little attention paid to different types of norms. So far, constructivism has mainly been focused on universal rights-based principles, while it has widely neglected normative value-based principles such as solidarity. In our article, we provided not only evidence of how the latter constitutes exclusive and privileged relations and responsibilities between states and as such shape political processes and decisions, we also demonstrated how solidarity as a moral phenomenon becomes manifest for the empirical analysis.

Empirically, our article prepared the ground for the further application of our three principles of solidarity action, for example, to other EU members' national foreign policies or similar areas of the EU's external relations, such as the emerging 'Euro-Mediterranean Union' and the 'Eastern Partnership' of the EU. Future research could fruitfully compare this study with the impact solidarity has in the justification of ESDP operations in single EU member states, as well as with 'special relationships' — a term that is broadly used to describe relations between states and societies characterised by close diplomatic, military, economic or cultural ties. Existing special relations of different member states towards states and regions outside the EU (e.g. 'la Francophonie', 'Commonwealth of Nations', 'Ibero-American Hispanidad') have not only been useful political and economic means for understanding national foreign policy within the EU (see Brysk *et al*. 2002), they also have been a driving force in the development of the EU as an international actor. At the same time, the tendency of member states to develop their own special relationships with third countries or regions hampers the development of a consistent EU foreign policy approach based on the same principles, norms and interests that could be applied to all external partnerships. It could be worthwhile to extend research on the origins and dynamics of different types of international solidarity relations in Europe (i.e. Germany and France, Germany and Poland) and beyond (Germany and Israel, France and Algeria, the USA and West African states) to transcend the misleading dichotomy between 'interest' and 'norms' and shed light upon different aspects of international solidarity relationships.

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Notes

1 'The German priority is Central and Eastern Europe, the South remains the French one'. This and all other translations are the authors'.

2 This group contains Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia.

3 Although there is a different legal basis for assistance to countries in 'transition' (CEEC) and developing countries (ACP), both groups of countries have obtained aid (Smith 2008: 58). Development aid has to be conducted by the official agencies, to serve the promotion of economic development and welfare, and to have a grant element of at least 25 per cent. Including both Official Aid (OA) to transition countries and Official Development Assistance (ODA) 'also accords with the way politicians and decision makers in aid-giving countries tend to regard aid – funding for both of these purpose is typically included in the same budgets and same legislation and usually considered together' (Lancaster 2007: 10).

4 We systematically evaluate national parliamentary debates before and during the ratification of the Cotonou Agreement in 2000 and during the Eastern enlargement process from 1990 until 2004. Breuning (1995: 235; see also Hülsse 2006; Sjursen 2006) observes 'that arguments put forward during parliamentary debates are a more reliable indicator for behaviour than campaign speeches since the former include arguments for or against actions proposed by the government'. Additionally, we analyse speeches by French and German members of government and, in the French case, by the President of the Republic due to his important role in the French foreign and EU policy. We evaluate these sources by applying qualitative content analysis.

5 For international relations, the concept of solidarity has been framed mainly in the context of the English School (Bergman 2007) and in the wider normative discourse about critical theory (Jabri 2007; Weber 2007).

6 As Mary Douglas said in her foreword to Marcel Mauss' *The Gift*, 'the theory of the gift is a theory of human solidarity' (Mauss 1990: x). In a similar vein Hattori (2003: 232–37, see also Karagiannis 2007) conceptualises foreign aid as a social relation of giving. Despite different scientific disciplines, both social solidarity and the gift are clearly related (Komter 2005).

7 On the tension between solidarity as a sentiment and solidarity as an institutionalised practice, see Outhwaite (2007: 81–87). Even in classic sociological texts (i.e. Durkheim, Tönnies, and Weber) the tension within the conception of solidarity is apparent.

8 Besides the weight of solidarity, public opinion is also crucial. In our article, we neglect this fact, because we assume that the distress of the ACP and CEEC is sufficiently known.

9 This list of theoretical approaches is not complete, but we have selected the most relevant approaches alongside constructivism. For an overview of alternative theoretical explanations on Eastern enlargement, see Wiener and Diez (2003); Schimmelfennig and Sedelmeier (2005); on foreign aid, see Ravenhill (1985); Olsen (2005); Schraeder *et al.* (1998).

10 Paradoxically, there are more references to potential economic gains for France than the opposite. A report from the French Senate in 1996 on the economic consequences of enlargement to the CEEC concluded that 'the costs were acceptable to the EU, and that the

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prospects for French agricultural exports in this part of Europe were good' (Sjursen and Romsloe 2006: 150).

11 In the end, however, the costs of Eastern enlargement have proven much lower over the longer term than the 'brakemen' initially expected (Moravcsik and Vachudova 2003: 10).

12 The WTO permits trade preferences in only two cases: First, when trade preferences are reciprocal (for example within the EU), and second, when these preferences are provided in a non-discriminatory manner to developing countries within the 'general system of preferences'.

13 The EU agreed — through the so-called WTO waiver — to provide until December 2007 new trade arrangements with several regions: Southern African Development Community (SADC), Eastern and Southern Africa (ESA), East African Community (EAC), West Africa, Central Africa, the Pacific Group, and the Caribbean states (CARIFORUM). More than eight years after the start of the negotiations of EPAs between the European Commission and the ACP countries, only one EPA (CARIFORUM) was signed. For more details, see http://ec.europa.eu/trade/creating-opportunities/bilateral-relations/regions/africa-caribbean-pacific/index_en.htm (accessed 28 February, 2011).

14 On 28 February, 2001, the EU adopted the 'Everything But Arms' initiative, which offers LDCs tariff- and quota-free access for all products, except arms and ammunition.

15 The ninth Fund held another €9.9 billion in unused resources from former EDFs; thus total resources amounted to over €25 billion.

16 Adamou Salao, the Nigerian Minister in charge of development issues, said: 'None of the ACP countries want to see good governance become an essential element, which if violated would trigger the non-execution clause and potentially lead to sanctions' (The Courier (October-November 1999)).

17 'Many of our new partners, who have neither the same history nor the same obligations as France, questioned the value of distinguishing the ACP countries from other developing countries. The sustainability of linkages with the ACP countries was reaffirmed, and our country, whose initiative has often been crucial in the negotiations, can be proud of this fact'. Quotations and references to statements in the parliaments are identified by the speaker's name, BT for the German Bundestag (http://www.bundestag.de/bic/plenarprotokolle/index.html), Sénat for the French Senate (http://www.senat.fr/seances/seances.html) or AN for the French National Assembly (http://www.assemblee-nationale.fr), date and page reference for the official minutes.

18 'We don't represent 24 per cent of the EU budget, so we don't have to represent 24 per cent of the EDF budget' (Moscovici, 1999).

19 Josselin (1997b).

20 This position corresponds to French bilateral development cooperation practice (Lancaster 2007: 156). Political conditionality became apparent in French aid when President Mitterrand argued, in his famous 'La Baule speech' in 1990, in favour of linking aid to political conditions. However, while in some cases France actively assisted democratic reforms and suspended aid to non-democratic regimes, in other cases Paris did not react to human right abuses and failed to impose sanctions to non-reformers (Cumming 1995: 390, 391).

21 Some inconsistencies in the German argument might be more readily understood in the light of Franco-German friendship in European politics (Ashoff 2005: 290). Haftendorn (2006: 74) explains that for Germany, 'which did not have former colonies to care for, these agreements represented an act of solidarity both with its [EU] partners and with the states of the Third World'.

22 Poland, Hungary, Slovenia, Slovakia, the Czech Republic, Estonia, Latvia, Lithuania, Cyprus and Malta joined the EU in May 2004; Bulgaria and Romania acceded in January 2007.

23 From 1990 to 1993, 47 per cent of PHARE funds were allocated to Poland (ECU 802.8 million), Hungary (ECU 405.8 million) and the former Czechoslovakia (ECU 333.0 million) (Lequesne 1994: 58).

24 Since 2000 PHARE, ISPA (Instrument for Structural Policies for Pre-Accession), and SAPARD (Special Accession Programme for Agriculture and Rural Development) were the EU's main assistance programmes for the CEEC, whereas TACIS (Technical Assistance to the Commonwealth of Independent States) had the same role for the Newly Independent States (NIC). Parallel to these multilateral measures, the EU member states established their own bilateral assistance programmes. Overall pre-accession assistance to CEEC was €3 billion per year (1997) during 2000-2006, half of which was allocated via PHARE. For more details, see http://ec.europa.eu/enlargement/pdf/financial_assistance/phare/phare_ispa_sapard_en.pdf (accessed 20 May, 2009).

25 The issue of minority rights was a special case, since the EU did not have any such standards for itself and had therefore to refer to the Council of Europe's Charter of Human Rights.

26 A third French initiative was that of the EBRD, set up in 1991 in order to support the economic transitions in Eastern Europe. However, apart from the EBRD, the reception of the initiatives was lukewarm and 'they were mainly interpreted as devices aimed at replacing enlargement' (Sjursen and Romsloe 2006: 146).

27 'The position of France was clear and it was finally adopted: All EU Candidate States must be placed on an equal footing'.

28 Mesmin, in a speech on the Europe Agreement with Bulgaria, highlights the country's role as an anchor of stability in the region, because it supported the sanctions against Serbia, even though this meant economic losses. It deserved, Mesmin said, equal treatment with other states in Eastern Europe (Mesmin, AN (4 July, 1994): 3994); see also Trigano, AN (4 July, 1994): 3995).

29 'France wants to be your advocate, your friendly advocate'.

30 In 1993, MICECO was replaced by COCOP (Comité d'Orientation de Coordination et de Projet). For data on the sectoral and geographic allocation of MICECO, see Tulmets (2003a: 149).

31 'To enlarge, the Union must first deepen the integration. It is in the interest of the EU Candidate States … to join a strong and efficient Union, a European power, which is not a simply a free trade area'.

32 'France has always maintained that this accession needs time and the right conditions, and that as of now we must prepare this by somehow putting the European house in some kind of order, both on the side the EU itself … and on that of the candidate countries'.

33 'Some think that this country is not yet mature enough to be treated by the European Union like, in their eyes, other more exemplary countries from Central and Eastern Europe. Others, such as myself, think the opposite, that we should not ignore Romania and that a discriminatory policy towards the Romanian people, both Francophone and Francophile, can only exacerbate their resentment and aggravate their impoverishment'.

34 The guarantee of minority rights to Germans living in CEEC had been repeatedly discussed in parliamentary debates and was passionately demanded by some circles within CDU and CSU. However, both Kohl and Chancellor Gerhard Schröder refrained from linking minority rights to EU enlargement (Ecker-Ehrhardt 2007: 123, 128–31; FAZ 30 May, 1998).

35 Even more important, the new government directly linked demands for budgetary reform to enlargement (FAZ 3 December, 1998) and asked its EU partners to share the burdens of Eastern enlargement. This caused some scepticism in CEEC, as a comment by the Polish Foreign Minister exemplifies: 'Kohl, we knew that [he] was our friend, but the new government, we are not sure' (quoted in Zaborowski 2006: 112).

36 Transform was conceived 'to compensate for the poor participation of the German actors in the EU's PHARE and TACIS programmes' (Tulmets 2003a: 86).

37 National assistance programmes such as Transform are especially focused on Russia (26 per cent), Ukraine (11 per cent), Poland (9 per cent) and the Czech Republic (7 per cent); see Tulmets (2003a: 72).

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