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A Formal Theory of Recursivity in the Field of
European Security**

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**The Fractal Process of European Integration:
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Abstract

This article challenges the role that successive generations of EU scholars have granted to the transnational networks of European federalists in the process of European integration. Whereas a first wave of scholarship has claimed that they played a huge role in the process 1) by convincing states to change their preferences and adopt federalist treaties instead of intergovernmental treaties – a claim that was disputed by regime theorists, who argued that transnational networks played no role at all in the process of integration – and that European integration was in fact not different from classical inter-governmentalism; a second wave of institutionalist scholarship refined that claim by arguing that federalists played a more limited role 2) by changing the subjective probabilities which states assigned to the possibility of acceptance of federalist treaties. Instead, this wave argued that federalists increased the expected utility that states derived from the signing of federalist treaties, 3) by spreading the risk of rejection of these treaties into successive rounds of negotiations. Federalists, we claim, segmented treaties into components with different probabilities of acceptance, and structured the different rounds of negotiations of these components by starting with the less risky ones, promising to continue negotiating more risky ones in future rounds.

The Fractal Process of European Integration:

A Formal Theory of Recursivity in the Field of European Security

For a long time, scholars of the process of European integration regarded as central the work of the founding fathers of the European Union (EU), like the Frenchman Jean Monnet (1888-1979).¹ But a new wave of scholarship on the EU put the hagiography of the “lives and teachings of the European Saints”² out of fashion. The new generation of scholars committed to studying the process of integration with realist lenses, decided that Monnet and other federalist founding fathers played a role that was “futile” and “at best redundant”³ to that played by state representatives sitting in the intergovernmental negotiations of the European treaties.

The purpose of this paper is not to rehabilitate Jean Monnet and claim that he was also a founding father of the Common Security and Defense Policy (CSDP), as if he had foreseen these recent developments. Rather, our goal is to examine critically the negotiating tactics used by Monnet and federalists, and whether their tactics shaped how future treaties in the security field were negotiated later on. Here, we are less concerned with how federalists shaped the content of these treaties than with how they sequenced the process of negotiation.

By doing so, we fill a gap in the literature. When analyzing the evolution of competencies of the EU and the enlargement of its jurisdiction to military activities, many contemporary scholars start with the first Treaty of Rome,⁴ e.g. the Common Market Treaty, and ignore the second Rome Treaty: the European Community of Atomic Energy Treaty (Euratom Treaty).⁵ It seems to us quite paradoxical that contemporary historians of the EU who adhere to what is called the “intergovernmentalist approach”⁶ criticize the role granted by their elders to Jean Monnet’s transnational network of federalists, at the same time as they ignore the specific treaties which Jean Monnet drafted: the European Coal and Steel

Community (ECSC Treaty), signed in April 1951 and which entered into force in July 1952; the European Defense Community Treaty (EDC Treaty), signed in May 1952, whose ratification was rejected in August 1954; and European Political Community Treaty (EPC Treaty), presented in March 1953 before the European Assembly, and abandoned with the rejection of the EDC Treaty.

In this paper, we propose a simple formal model which can explain why and how European states engaged in the negotiation of these early European treaties. We argue that Monnet and federalists played an influence not so much because they proposed a “better” way of solving the problems of West European defense than alternative intergovernmentalist treaties. Rather, they had an influence because they spread the risk of rejection of various components of these treaties in various rounds of negotiations – a process of sequencing that international liberals failed to do. To make theoretical sense of this, we argue that we must introduce time in the models of integration proposed by intergovernmentalist scholars of the EU (also called “regime theorists”) and institutionalist scholars, who still consider treaty negotiations outside of their full temporal sequence.⁷

In a sense, our focus on the temporality and recursivity of the process of integration formalizes the mechanism behind the intuition of functionalists and neofunctionalist scholars of the EU.⁸ But the latter have just pointed out these recursive aspects in the process of European integration,⁹ and they have failed to explain why the EU progressed through an endless succession of treaties rather than through one Big Leap Forward. In contrast, we show the underlying logic of this recursive character, and its fractal nature. Federalists succeeded in convincing states to sign their treaties rather than alternatives by spreading the risk of rejection attached to various components of European security treaties into successive periods of negotiations, a process which they repeated in each new round of negotiation.

The paper is structured as follows. The first part presents the theoretical framework we develop to tackle the role of the risk of rejection in the negotiation process of defense treaties. We argue that Monnet and the founding fathers of Europe sequenced the bargaining process of European treaties in order to maximize the expected utility that states derived from their approach to European security. We claim that the recursive model of treaty negotiation we identify explains why states preferred to sign treaties of federalist inspiration to intergovernmental treaties, against all odds. The second part applies our argument to better understand the early sequence of negotiations of the ECSC, EDC, and EPC Treaties. In the last section, we demonstrate that the negotiation of the CSDP followed a similar pattern.

Theory: Spreading Risk in Treaty Negotiations

“Integration as an Outcome”

Most often, theorists of international relations discuss treaties either as dependent variables explained by the geopolitical balance of power, or as tools of policy coordination.¹⁰ In the field of EU studies, they treat integration as an outcome to be explained.¹¹ For regime theories,¹² change in international law is both externalist and instrumentalist: in each new period, new external factors (outside the realm of law) determine the evolution of international treaties; and treaties are just instruments used by states to maximize their economic and military interests. As Robert Keohane argues, states agree to follow a predictable and orderly course of action not because they are necessarily coerced into doing so, but because they have a higher interest in cooperation than in maintaining the anarchic structure of world society that realists believe to exist.¹³ Or as Jack Goldsmith and Eric Posner write about international treaties in general, “international law is not a check on state self-interest” but merely “a product of state self-interest.”¹⁴

For multidimensional regimes like those found in the field of European defense, which concern multiple issues (the regulation of the defense industrial sector, the command structure of armies, the diplomatic representation of states' interests, etc.), we can formalize the bargaining process by using the non-cooperative model of multilateral bargaining formalized in the Stahl-Rubinstein game,¹⁵ which incorporates multiple players and multidimensional issue spaces. We assume that N players, each one of them being characterized by a pre-defined payoff function (called utility function) with respect to the negotiated variables, choose either to negotiate or to not negotiate over a given set of policy variables x_k . In this model, we assume that the negotiation is organized as a sequence of compromises with a finite bargaining horizon: when a new compromise is made at time t, a proposer j amongst the N players makes a proposal for the policy $X_t^j = (x_{1,t}^j, \dots, x_{k,t}^j, \dots, x_{K,t}^j)$ over the policy variables with the probability p_x that X_t^j be selected.

Regime theorists tell us that when collective action problems occur that prevent individual states from benefiting from positive externalities if they act unilaterally, then each state j will seek to maximize its expected utility EU^j by solving the following equation represented in game 1,¹⁶ where $U_i(p_x X_t^j)$ represents the utility that the player i derives from the proposal X^j :

$$\text{Game 1 : } EU^j = \sum_{j=1}^n U_i(p_x X_t^j)$$

In this game, a compromise is reached when all players i and j agree on a common proposed set of policies X_T , which is turned into a new treaty.¹⁷ Then, the game ends. Whether the game ends with the adoption of a purely intergovernmental or a federalist treaty depends on the preferences of each state, which early EU scholars believed Monnet and other federalists could change. In the history of European integration, each time a new geopolitical¹⁸ or economic problem¹⁹ arises which necessitates collective action, state

representatives sit down around the table, make a series of compromises, and come up with a consensus through successive rounds of compromises until they can write down a new treaty whose jurisdiction does not extend beyond solving the problem at stake. These compromises are not dependent upon prior legal obligations, nor do they bind the negotiating parties to future deliberations on aspects not concerned with the problem at stake.²⁰

Here, time is introduced only to represent the number of compromises that each state will have to make for all to reach a consensus. But the game is assumed to start with no treaty, and to end when one treaty is agreed upon. In that sense, the outcome of this game is not constrained by prior games having been played, or by future games to be played. This corresponds to the assumption made by regime theorists like Andrew Moravcsik²¹ who implicitly endorse the assumption that states are not only rational actors but that they can somehow make calculations outside a pre-existing legal context. In each new period of negotiation, they look at treaties with fresh eyes and consider them only as commitments that they would take if, and only if, those commitments produce durable benefits, as compared to their costs to sovereignty.²²

“Integration as a Process”: Introducing History as Path Dependency

Regime theorists forget that most state activities which new treaties propose to regulate are already the subject of prior treaty commitments, and that most of the time, states must choose between past, present and future treaties rather than between anarchy and legal order. Institutionalists agree with regime theorists that at the moment of the treaty negotiations, new European treaties are signed because states think that it is in their interest to sign them as opposed to not sign them, or to sign alternative treaties. But they add that once signed, the treaties add new important institutions whose influence on future cycles of treaty

negotiations are actually stronger than that of transnational networks of federalists, and that regime theorists should not ignore them.²³

Institutionalists and field theorists like Alan Milward, Neil Fligstein or Alec Stone Sweet²⁴ add an internal dynamic – or a “path dependency” – to the rational calculations made by governments gathered around the table of treaty negotiations. They update the old functionalist theory according to which EU integration starts with technical cooperation and spills over into political integration.²⁵ They include history as a variable, as they argue that the European institutions created by past treaties of federalist inspiration (like the European Commission, the European Court of Justice, and the European Parliament) can pressure governments into signing new European treaties.²⁶

Including the history of past treaties into the equation might affect whether states are more likely to accept to sign new treaties inspired by the same norms – in the case of the EU for instance, treaties in new fields which use past federalist treaties as templates. If we take for instance the case of the Euratom Treaty (1957), which was the only one of two Rome treaties sponsored by Jean Monnet and his enclave,²⁷ we can see that although many components of the Euratom Treaty were intergovernmental in kind, it still included provisions of federalist inspiration like the monopoly of the Commission on the introduction of legislation in the European Council, the possibility to pass R&D proposals by qualified majority voting (Art. 215), and the foreign policy prerogatives of the Commission in the nuclear field (Art. 29).²⁸

An institutionalist would argue that if the ECSC Treaty had not been signed before Euratom Treaty negotiations started, the British government could have convinced European governments that a completely inter-governmentalist approach to nuclear cooperation within the Organization of European Economic Cooperation (OEEC), a purely intergovernmental organization, maximized the expected utility of all states.²⁹ The existing European

institutions, in this case, the High Authority of the ECSC which Monnet chaired until 1955, favored the Euratom Treaty as compared to its alternatives, and was also able to influence how states perceived their expected utility. In particular, they did so by increasing the subjective probability that each state ascribed to its acceptance compared to other policy proposals.

The path dependency observed by institutionalists depends upon the existence of transnational networks of federalists and supranational institutions created in past rounds of negotiations. Their role explains why European states agreed to sign treaties of federalist inspiration, which took away some sovereign prerogatives, when they could accomplish the same tasks by signing purely intergovernmental treaties less costly to their sovereignty. So far, regime theorists have failed to provide a satisfying answer to this riddle, except by affirming, quite dogmatically and against a full body of evidence, that European treaties are *in fact* just like intergovernmental treaties.³⁰

In this case, we can say that for a state j , accepting the cluster of federalist policies X_t^j proposed by the French government, which after some rounds of compromises starting at time t became the Euratom Treaty, maximized their expected utility knowing that the ECSC Treaty had already been signed at time $t-1$, but may not have done so if the ECSC Treaty had not been signed. Part of the explanation lies in the fact of the probability $p_{x|y}$ that $X_t^j = (x_{1,t}^j, \dots, x_{k,t}^j, \dots, x_{K,t}^j)$ was selected if a preexisting set of policies $Y_{t0} = (y_{1,t0}^j, \dots, y_{k,t0}^j, \dots, y_{K,t0}^j)$ existed. In our example, the cluster of policies Y_{t0} represents the ECSC Treaty, which already existed when the Euratom Treaty was negotiated at time t . In other words, for a state j ,

$$\text{Game 2: } EU_1^j = \sum_{j=1}^6 U_i(p_{x|y} X_t^j | Y_{t0})$$

We can predict that the probability $p_{x|y}$ that $X_t^j | Y_{t0}$, e.g. the signing of X_t^j , given the fact that Y_{t0} was already signed at the beginning of the game ($t0$), was higher than the

probability p_x of acceptance of X_t^j , e.g. the signing of X_t^j when no prior treaty existed before. Institutionalists also tell us that the following situation might exist when the expected utility of the federalist proposal $X_t^j|Y_{t0}$, proposed by the state j (for instance, France) at time t after the federalist treaty Y_{t0} has been accepted at t_0 , might be higher than the expected utility of the intergovernmental treaty X_t^i proposed by the state i (for instance, the U.K.), which might be itself higher than the expected utility of the intergovernmental treaty X_t^j proposed by the state j, if there was no federalist treaty Y_{t0} previously accepted:

$$EU_1^j = \sum_{j=1}^6 U_i(p_{x|y} X_t^j | Y_{t0}) \succ EU_3^j = \sum_{j=1}^6 U_i(p_x X_t^j) \succ EU_2^j = \sum_{j=1}^6 U_i(p_x X_t^j)$$

Transnational networks and European institutions can tip the balance toward future federalist treaties because they can easily write a new treaty, or refurbish the content of an old federalist treaty, for instance by diluting its supranational aspects or manipulating the subjective probabilities that states ascribe to their acceptance.

“Integration as a Process”: Introducing Temporality

Although it points toward the importance of the past to understand the present and future of European treaties, this institutionalist approach to the EU still leaves one temporal dimension of the process of integration outside of the equation: the future. Institutionalists do not tell us whether envisioned futures affect the present.³¹ Indeed, in their model, the occurrence of a future round of negotiations seems purely random at the time of the negotiations of a present treaty, in the sense that one cannot know when geopolitical or economic changes will call for a new treaty to be negotiated, and what aspects it will be concerned with.

In the model of recursivity that we propose, we include the future in the equation as we make the assumption that states are likely to negotiate not only the solution to a present

problem when they sign a new treaty, but also the type of solution that they agree to consider for new problems, which they expect to face at a later date with a fixed (although subjective) probability. Thus, we claim that European federalists like Monnet might have had an influence on the adoption of treaties of federalist inspiration at time t , not just because they manipulated the probability that they would be signed at time t , or because they manipulated their content, but because postponed to time $t+1$ the negotiations on those aspects which were the least likely become accepted at time t – something that promoters of an intergovernmental approach, for whom each new negotiations assumes a legal *tabula rasa*, failed to do.

The introduction of the future in the equation explains why states would agree to sign treaties of federalist inspiration, which take away some sovereign prerogatives, when they can accomplish the same tasks by signing purely intergovernmental treaties, which are less costly to their sovereignty. We claim that the expected utility of the federalist proposal $X_t^j|Y_{t0}$, proposed by the state j at time t , might be higher than the expected utility of the intergovernmental treaty Z_t^i , proposed by the state i at time t , where Z_t^i is a cluster of policies which intersect with $X_t^j|Y_{t0}$, such as that $Z_t^i = (x_{1,t}^i, \dots, x_{k,t}^i, \dots, z_{1,t}^i, \dots, z_{k,t}^i)$. In other words, for a state j ,

$$\text{Game 3: } EU_4^j = \sum_{j=1}^6 U_i(p_{x|y} X_t^j|Y_{t0} + p_{\Delta z|x} \Delta Z_{t+a}^j|X_t)$$

In this case, we assume that federalists will negotiate the least likely policies that are part of Z_t^i (or $\Delta Z_{t+a}^j|X_t$) from t to $t+a$, where a corresponds to the finite number of compromises that negotiating states will need to make to sign $\Delta Z_{t+a}^j|X_t$. We therefore assume that: $p_{x|y} \succ p_{z|x} \succ p_z$. We find the following order of preference for the state j . When the state j adds to the proposed $X_t^j|Y_{t0}$ the commitment to negotiate $\Delta Z_{t+a}^j|X_t$ at time $t+a$, where $\Delta Z_{t+a}^j|X_t$ includes the subset of policies of Z_t^i not included in $X_t^j|Y_{t0}$, then:

$$EU_4^j = \sum_{j=1}^6 U_i(p_{x|y} X_t^j | Y_{t0} + p_{\Delta z|x} \Delta Z_{t+a}^j | X_t) \succ EU_5^j = \sum_{j=1}^6 U_i(p_{z|y} Z_t^j | Y_{t0})$$

In the rest of the paper, we will simplify these equations by referring to the expected utility of the solution of each game, rather than by talking about the games themselves. Therefore, this ordering of preferences means that, assuming N represents the number of treaties being signed before the negotiation of T_{N+1} (or the number of type 3 games, having been played before), all negotiating states prefer signing T_N^{EUR} during the Nth game if they also commit to negotiate another federalist treaty ($T_{N+1}^{EUR} | T_N^{EUR}$) during the Nth+1 game, to all other options. The other options being: that they would sign a comprehensive intergovernmental treaty of inspiration ($T_N^{INT-GOV}$) during their Nth game, or that they would only sign the limited federalist treaty (T_N^{EUR}), without the promise to start new negotiations on the treaty ($T_{N+1}^{EUR} | T_N^{EUR}$) during the Nth+1 game. As a result, each state has the following order of preferences:

$$EU_4^j \left(\left(p_N^{EUR} T_N^{EUR} \right) + \left(p_{N+1}^{EUR} T_{N+1}^{EUR} | T_N^{EUR} \right) \right) \succ EU_3^j \left(p_N^{Int-Gov} T_N^{Int-Gov} \right) \succ EU_1^j \left(p_N^{EUR} T_N^{EUR} \right)$$

This focus on the sequencing of negotiations explains why the process of European integration is recursive: each new treaty comes with the promise to negotiate another treaty in the future.

A Paradigmatic Case of Recursivity: The First Cluster of Treaties on European Defense

In this section, we schematize how Jean Monnet and federalists around him conducted the first European treaty negotiations and how they structured the temporality of these negotiations.³² The first three European treaties were not drafted successively, one after another, as if European founding fathers started to write a new treaty as soon as they had finished writing one. Jean Monnet proposed two pairs of treaties in two successive periods: 1)

the ECSC Treaty, to which was soon added the EDC Treaty; 2) the EDC Treaty, to which was soon added the EPC Treaty.

Instead of being one comprehensive European treaty tackling all the aspects of West European defense (political, military, industrial, etc.) at the same time, the ECSC Treaty started as a modest plan sketched by Monnet and announced by Schuman in a declaration read in May 1950. It called for the Europeanization of the regulation of two industrial activities: coal and steel. In 1950, there was a large consensus on the validity of this approach: not only Monnet but also French Gaullists³³ realized that Western Europe needed the coal and steel produced in these regions and that the limits placed by the International Authority created after the war to administer these industries in the Saar harmed the defense and prosperity of Western Europe.³⁴ Monnet and other Frenchmen preferred to place the regulation of these strategic activities in Germany under the authority of a European institution rather than under the authority of the West German Chancellor. Indeed, for a century, the industrial production of coal and steel in the Saar and Ruhr regions allowed Germany to surpass the military production of its neighbors, and Monnet wanted to make sure that this possibility would not happen again.

As field theory tells us, the treaties proposed in the process of European integration should not be considered in isolation of the other treaties proposed by international liberals. In this case, in August 1950 international liberals proposed an alternative intergovernmental framework within which West German recovery in the energy and defense sectors could have taken place. Their approach was more comprehensive than the limited approach proposed by Monnet with the ECSC Treaty. The Soviet testing of a nuclear weapon in the fall of 1949 and the start of the Korean war in June 1950 had convinced Dean Acheson, the U.S. Secretary of State, that West German industries and West German soldiers should be asked to contribute to West European defense, although a purely German army was out of the question since “[t]o

create a German military system complete from general staff to Ruhr munitions industry would weaken rather than strengthen European defense and repeat past errors”; a point of view with which “[t]he President agreed.”³⁵ In the summer 1950, Acheson let it be known that he intended to let West Germany raise troops and fabricate some weapons to be placed under the command of NATO’s future Supreme Commander and that the people of the Saarland would decide whether to reintegrate with West Germany or be independent.

Acheson’s proposal convinced Monnet to enlarge his proposal to include some of the policy issues (like the integration of the armies) left unaddressed in the ECSC Treaty in a more comprehensive proposal. Indeed, as Monnet reported, everyone agreed “a Coal and Steel Community would have no interest in the eyes of the Germans once they would recover their full sovereignty with a national army,”³⁶ even if the latter would be fully integrated under the authority of NATO’s Supreme Commander. The federalists could have decided in October 1950 that the ongoing negotiations of the ECSC Treaty negotiations would be enlarged immediately to cover all aspects of West European defense in a Great Leap Forward, by negotiating one federalist treaty capturing all the issues covered by Acheson’s proposed treaty of integration of West Germany into NATO.

Monnet chose instead to keep two tracks of negotiations: one concerned only with coal and steel; and the other with the rest of the defense issues. Therefore, from the beginning, the federalists announced the creation of, not one, but at least two treaties. Already in May 1950 the Schuman Declaration called for the beginning of negotiations to draft the ECSC Treaty, as well as future negotiations on the political provisions of the future European federation whose construction this first treaty started.³⁷ Two months after the Schuman Declaration, Monnet and the same team that he had gathered to draft the ECSC treaty fleshed out what this second treaty would achieve: it was supposed to place the armies and the whole defense industrial sector (with the exception of the coal and steel sectors already falling under the authority of

the first ECSC treaty) under the authority of a second European Commission.³⁸ This plan was formally introduced in Parliament in October 1950 by the French President of the Council, René Pleven (1901-1994), a long-time associate of Jean Monnet who had joined Monnet on the Allied Board of Armament, which Monnet chaired first in London and then in Washington during the Second World War.

In fact, by breaking down negotiations into two tracks, we can assume that Monnet and his network of federalists responded to the fact that Acheson's offer to the West Germans threatened the ECSC negotiations. Monnet added the promise of a new treaty to respond to the following constraints in how European states ordered their preferences :

$$EU_4^j(p_N^{ECSC} T_N^{ECSC} + p_{N+1}^{EDC} T_{N+1}^{EDC} | T_N^{ECSC}) \succ EU_3^j(p_N^{WG-NATO} T_N^{WG-NATO}) \succ EU_1^j(p_N^{ECSC} T_N^{ECSC}) \succ EU_5^j(p_N^{ECSC+EDC} T_N^{ECSC+EDC})$$

Even though, for many negotiating parties (in particular, West Germany) the expected utility of $T_i^{WG-NATO}$ was higher than the expected utility of an unlikely comprehensive federalist treaty on European defense $T_i^{ECSC+EDC}$, and also higher than the expected utility of a limited but likely treaty T_i^{ECSC} , it was still less than the expected utility of T_i^{ECSC} signed during the N^{th} game, combined with the promise to negotiate the EDC Treaty during the $N^{th}+1$ game, $T_{N+1}^{EDC} | T_N^{ECSC}$. For the West Germans in particular, the announcement that France would open negotiations of the EDC Treaty in October 1950 was an added incentive to stay at the negotiating table of the ECSC Treaty negotiations. Indeed, if they could gain an equal voice as France in the future EDC structure, their gains in terms of control over West European defense would be higher than if the West Germans simply entered into the integrated structure of NATO. Even if the probability that the EDC Treaty was signed and ratified during the $N^{th}+1$ game was small, it was not null, and it could compensate the costs of refusing the U.S. offer of direct integration into NATO – or rather of delaying the acceptance of that alternative until after the outcome of the EDC Treaty negotiations.³⁹

Choosing to negotiate one comprehensive federalist treaty would have been a direct road to failure. As Monnet and other federalists knew, many military professionals in France believed that the loose coordination of European armies as part of NATO (with the exception of West German armies, which would be fully integrated into NATO) was preferable to their full integration into a European army.⁴⁰ Proposing a comprehensive federalist treaty would mean losing the high chances of signing the ECSC Treaty (p_N^{ECSC}), which had been initially agreeable to the French and West Germans before Acheson put his own proposal on the table. In contrast, the probability $p_N^{ECSC+EDC}$ of signing a more comprehensive treaty concerning all the competencies covered by the ECSC and the EDC Treaties was much lower, even lower than the probability $p_N^{WG-NATO}$ of signing the Treaty of integration of West Germany into NATO ($T_N^{WG-NATO}$). Only if the Europeans signed the ECSC first would the probability p_{N+1}^{EDC} increase, since European federalist ideals would become more legitimate.

In other words, the creation of two negotiating tracks along two temporalities solved the dilemma faced by the French government, which accepted neither the idea of direct West German integration into NATO, nor the integration of French armies in the EDC. It created the opportunity for France and its five European negotiating partners to postpone resolving existing disagreements over the ECSC Treaty to the future negotiations of the EDC Treaty. If the six states which negotiated the ECSC Treaty failed to agree on the final political structure of the European Federation overseeing the Coal and Steel Community, then they would get a second chance to solve their disagreements in the context of the EDC Treaty negotiations. Monnet's tactic worked in this case. The ECSC Treaty was signed while the EDC Treaty negotiations were still ongoing; and it entered into force two months after the EDC Treaty was signed (but not yet ratified).

This tactic was not only applied to the negotiation of the treaty during the N^{th} game, but also to negotiate the next treaty during the $N^{\text{th}+1}$ game (see table 1). Our point here is not

to claim that this tactic, which consists in sequencing the negotiation of treaties into two distinct tracks and temporalities, has been followed because it has always been a guarantee of success. Instead, we claim that the process is never ending, since, like fractals, every sequence is decomposed into another sequence of similar structure. The process itself has become paradigmatic of how European integration operates for every treaty, independent of whether the outcome is success or failure.⁴¹

Insert Table 1: The Fractal Process of Integration at the Beginning of the EU

In this case, the bulk of the provisions of the EDC Treaty concerned the regulation of the European armament and dual-use industries in times of peace, with the exception of coal and steel, which were already regulated by the ECSC Treaty (see table 1). As the ECSC Treaty organized the intra-European competition in the coal and steel industries, the EDC Treaty opened defense industrial markets (naval, aircraft, nuclear, missile industries among others) to fair competition. The Council of Ministers was given the authority “to approve” a joint-program of armament for the European Army (Art. 106). Then, based on the armament plans approved by the European Council, the Defense Commissariat oversaw the execution of the “production, imports and exports of war-material to and from the member-states, control procedures of installations destined to produce war-material, as well as fabrication of prototypes and technical research on war-material” (Annex 2 of Art. 107). It was even entitled to license the construction of all the new plants in the defense sector, broadly defined, as it extended to the energy sector (at least as far as nuclear energy was concerned). But in the EDC Treaty, the national governments retained their veto power in the Council on the decisions regarding budgets and future armaments.

Although the definitive political structure of accountability was supposed to have been agreed on by the future EDC member-states during the treaty negotiations, a similar temporary structure of political accountability to that of the ECSC was crafted in the EDC Treaty, with the promise that the final design of the future European Federation overseeing the work of both the High Authority and the Defense Commissariat would be clarified at a later date, in a future treaty: the EPC Treaty. In Article 38 of the EDC Treaty negotiators called for an assembly (the future *ad hoc* assembly) charged with writing a constitution for the European Federation — what became EPC Treaty.⁴² Not until after the signing of the EPC Treaty during the third game would national governments agree to a more substantial loss of sovereignty over their military affairs (see table 1).⁴³

In this case, the EDC Treaty was rejected when all states realized that the probability that it would be signed was close to zero, after the French decided to violate *de facto* the provisions concerning nuclear energy before its entry into force. In response to the British explosion of their first atomic bomb, French leaders rushed to join the arms race, and brought French production levels of fissile materials a hundred times higher than the maximum limit authorized by the EDC Treaty.⁴⁴ As Maurice Vaïsse notes, as “European integration meant the equality of rights”⁴⁵ between member-states who signed the EDC Treaty, by voting for this Plan, the French Parliament made the implementation of the EDC Treaty impossible to respect. France’s insistence on re-opening negotiations of the provisions of the EDC Treaty on the regulation of nuclear development led to a direct confrontation with other signatory-states of the EDC Treaty and finally the failed ratification.⁴⁶

This failure, however, did not stop the process of European integration, nor did it change its pattern. The promise made during the ECSC Treaty negotiations to negotiate the EDC Treaty was honored when Monnet and other federalists decided to take the nuclear provisions of the EDC Treaty, which had become the object of controversy, and to draft a new

treaty with more intergovernmental provisions and fewer federalist ones: the Euratom Treaty. This treaty, signed with the Common Market Treaty, was negotiated with the promise that some aspects of the EPC Treaty would be implemented in the future, leading the President of the Euratom Commission to ask in May 1960 for a new round of negotiations. After many upheavals these negotiations led to the signature of the European Economic Community (or “fusion”) Treaty of 1965. In each case, negotiations followed the same pattern, and we could cite many other examples to argue our case.⁴⁷ The question we now address is whether we find a similar structure in the negotiation process of the last treaties not negotiated by Jean Monnet and his associates.

From a European to a Common Security Policy: The Pursuit of a Recursive Process

Forty-four years after the failure of the EDC Treaty, a new step on the road toward a common European defense policy was enacted in December 1998 during the Saint-Malo Summit, where France and the U.K. called for the creation of the European Security and Defense Policy (ESDP). The label ESDP was then replaced by the similar concept of Common Security and Defense Policy (CSDP) within the Lisbon Treaty ratified in 2008. These two fundamental steps of defense integration confirm that Europe’s political elites have not definitively forgotten the ideal of building a European defense along federalist lines. The project of integration in the security field actually started after the end of the Cold War, when European leaders were in the process of redefining their visions of their strategic environment and role in it. But the process of integration was delayed for a decade by the institutional competition between NATO and EU views of security and defense within Europe. As a result, from Maastricht to Lisbon, the EU has incrementally built a European policy for security and defense matters by successive negotiations of policy proposals of federalist inspiration. Our argument shows how such a process could be not straightforward, but rather recursive .

In the early hours of the common European defense in the 1990s, diplomatic and defense decision-makers were aware that the EU needed to develop and implement a comprehensive security and defense policy that would allow the Union to assume responsibility for the new crisis management tasks. At this stage, the civilian dimension of such an ambition was easier to achieve, considering European preferences, than the integration of military (hard) capabilities, since the positions of influential European countries were too polarized on the latter issue. Consequently, the Maastricht European Council (signed and ratified in 1992 with the Maastricht Treaty) proposed a Common Foreign Security Policy (CFSP) where the civilian aspects of security policies dominated all military ambitions. Although the Maastricht provisions had moved from “co-operation” to common policy, European countries kept (hard) military power under their national prerogatives because they were still divided about the content and the form that their common military defense policy would take. In fact, at Maastricht, their “common” security policy remained essentially intergovernmental:⁴⁸ they only promised to move forward at later stage of treaty negotiations.

Tested during the Balkans’ crisis in the 1990s, the CFSP proved unsatisfactory due to the deep European military deficiencies that the Maastricht Treaty had not fully anticipated or rather not commonly anticipated. As Mérand writes, “the Balkans wars illustrated vividly the ‘capabilities-expectations gap’. Declaratory diplomacy, the main output of the European foreign policy field, has failed.”⁴⁹ The lesson that European leaders drew from these painful events was that EU countries needed to transform this failed institutional framework into a successful new scheme: the ESDP. In particular, the failure of the EU to project forces in the Balkans pushed member-states to revise the floating institutional architecture of CFSP by introducing a military dimension to the EU.

To reach such a goal, the main challenge consisted of finding alternative agreements to inter-governmental proposals of cooperation in both security and defense policies. At this

stage, in the end of 1990s, member-states' preferences in security and defense matters were quite heterogeneous. The Big Three European countries were divided on the role of the EU in terms of defense institutional building: Germany favored a greater EU role through the OSCE (Organization for Security and Co-operation in Europe), France defended a strengthening of the WEU (Western Europe Union), and Britain stayed put on NATO through the ESDI (European Security and Defense Initiative), eventually encompassing a European security and defense identity.⁵⁰ The three proposals differed, but one could not help but notice that all three proposals favored European cooperation within a purely intergovernmental organization.

The need for a more militarily operational EU was met by the challenge to convince simultaneously France, Germany and the U.K. to move from their initial positions and cooperate on the institutional design for a common European security and defense policy. The emergence of ESDP, born during the Franco-British Summit in Saint-Malo in December 1998, in large part resulted from the absence of suitable existing alternatives in a world that was changing rapidly.⁵¹ After the Saint-Malo summit, players recognized that they would be better off, and no EU country would be worse off, if the ESDP was accepted by all European states – it corresponded to a situation of Pareto optimality. According to our recursive bargaining model, once again there is no doubt that the Balkans' debacle combined with the Franco-British reconciliation guaranteed a gain for any EU country joining the ESDP project such as:

$$EU_1^j(p_N^{ESDP} T_N^{ESDP}) \succ EU_0^j((1 - p_N^{ESDP}) T_N^{ESDP})$$

Besides the political and symbolic benefits that EU countries could derive from the implementation of ESDP (compared with the weak legitimacy of WEU or the isolated vision of German authorities on the OSCE), the ESDP created by the Nice Treaty provided a core innovation, e.g. the concept of “enhanced cooperation,” which reflected a federalist inspiration. Ratified under the French Presidency in 2001, the Nice Treaty provided military

and civilian assets for international conflict prevention and crisis management. Still, this zest for federalism was quite limited, as enhanced cooperation “shall not relate to matters having military or defence implications” (Art. 27b).⁵² An early version of the concept drawn by the Working Group on Defense of the European Convention chaired by Valéry Giscard d’Estaing was much more extensive, but it was not the one chosen in the Nice Treaty, partly due to disputes between the U.K. and France. But this first round of negotiations in Nice (our Nth game) was not in vain, as the next round of bargaining in Lisbon (our Nth+1 game) extended the applicability of the concept to armament cooperation.

If we put the Euratom Treaty (1957) aside, the Nice Treaty was the first legal stone in the road toward European defense integration, but except for “enhanced cooperations,” it was mostly inspired by an intergovernmentalist view of defense integration. This did not mean that ESDP could not evolve towards a more integrated or “top-down” approach to European security. That the treaty included some federalist components was already unexpected, in a field where the prevalence of states’ concern for defending their sovereignty, combined with the heterogeneous preferences of EU members on defense matters, made any advance unlikely.⁵³ As Freedman and Menon argue, in the mid-1990s, “there was ‘every reason to suspect that West European nations will continue to prefer NATO over the EU.’”⁵⁴ To explain the progress made by the Nice Treaty, we have to take into account this recursive aspect of the ESDP approach.

EU members were able to broker a partially integrated treaty at Nice even though they could not have agreed on a fully integrated treaty extending to all defense issues. All partners agreed to extend the discussion to other aspects of defense policy in the future, as they did with the Treaty of Lisbon, which made further crucial progress on defense issues under the CSDP framework. At Nice, EU countries expected to increase their utility by signing the CSDP component in the future Lisbon Treaty rather than betting on a full agreement during

the Nth game, whose acceptance would have been unlikely as France, the U.K. and Germany maintained polarized preferences on the (hard) military dimension. The following relation summarizes the recursive bargaining process:

$$EU_4^j \left(\left(p_N^{ESDP} T_N^{ESDP} \right) + \left(p_{N+1}^{CSDP} T_{N+1}^{CSDP} \mid p_N^{ESDP} T_N^{ESDP} \right) \right) \succ EU_3^j \left(p_N^{INT-GOV} T_N^{INT-GIV} \right) \\ \succ EU_5^j \left(p_N^{CSDP} T_N^{CSDP} + p_N^{ESDP} T_N^{ESDP} \right)$$

To some extent, the 2008 Lisbon Treaty affected the area of ESDP in three ways. First, the general harmonization of the overall institutional framework of the ESPD and the CSFP aimed at facilitating relations between the Council and the Commission with respect to crisis management issues. Second, several articles in the treaty were intended to strengthen Europe's role in the world directly through the improvement of the CFSP, and the corresponding provisions in the ESDP. The creation of a High Representative of the Union for foreign affairs and security policy, currently occupied by Catherine Ashton, started a process of federation of Foreign Ministries and cannot be said to reflect a strict intergovernmental architecture. Third, the Lisbon Treaty officially created the European Defence Agency (EDA) and substituted 'enhanced cooperation' for the Permanent Structured Cooperation (PSCoop).

With the Lisbon treaty, new federalist advances were made in the security policy realm, especially in the regulation of armament industries, but intergovernmentalism continued to rule how states were to use their hard power. In the Lisbon Treaty, the principle of unanimity remains a cornerstone of security and defense cooperation for all decisions concerning the sending of troops in the battlefield. While Qualified Majority Voting applies in some cases for CFSP, it is excluded altogether when it comes to decisions that have military or defense implications. Any modification of this provision is explicitly excluded in the Lisbon Treaty, which states, "national security remains the sole responsibility of each Member State."

Still, what the Lisbon Treaty provides is not necessarily a reinforcement of EU intergovernmentalism but rather a federalization of the foreign and security policy according to a fractal process. Indeed, even on the most sovereign issue concerned with the authority to declare war, the Lisbon Treaty introduced a solidarity clause and a mutual defense clause, which both force EU member-states to support each other in case of a common threat. The mutual defense clause compels states to offer aid and assistance if one of them is victim of an armed aggression on its territory, even though this clause does not dictate which alliances member-states should be part of. But just like Article 5 of the North Atlantic Treaty, this new clause could be interpreted as a promise made during the $N^{\text{th}}+1$ game to negotiate the details of a collective defense policy for EU members during the $N^{\text{th}}+2$ game. And consequently, it offers some fruitful indications that a slow trend of “NATOisation” of CSDP for security matters will be taking place in future EU institutional changes.

Last, and probably the most decisive, Articles 27-6 and 31 of the Lisbon Treaty created the protocol of “Permanent Structured Cooperation” to enhance closer cooperation for those member states that are willing and able to undertake greater efforts in the realm of military capabilities. For some scholars⁵⁵ this institutional innovation, which built upon the ‘enhanced cooperation’ concept in the Nice Treaty, was intergovernmentalist in kind as it allowed some subsets of EU member-states to cooperate without the agreement of all, as in De Gaulle’s concept of a *Europe à la carte*. However those commentators forget that the PSCoop was connected to the creation of the European Defence Agency. By leaving member-states to develop their defense capacities through the development of their national contributions and participation in the respective multilateral endeavors (opt-in basis), the PSCoop rested, on the one hand, on the willingness of States “to proceed more intensively” and, on the other hand, on the possibility to develop joint equipment programs under the EDA framework. This possibility of using the European integrated framework in the defense field

is very similar to the kind of structure of Community enterprises that the Euratom Treaty created in the nuclear field.⁵⁶ The European Defence Agency is now able to meet federalists' desires on the armament production side, i.e. a top-down approach where European needs are defined and accepted by the Agency, and where each member-state decides to participate or not in the realization of these goals.

To summarize the bargaining process that occurred from Nice to Lisbon, we can say that, at time t (Nice Treaty), EU members started to institutionalize the ESDP within a larger treaty whose institutional framework was largely inspired by an inter-governmental approach, although negotiating parties promised to reevaluate the content of the treaty during the $N^{\text{th}+1}$ game. During the $N^{\text{th}+1}$ game (the Lisbon Treaty negotiations), EU members, including newcomers, slightly amended and reinforced the Nice Treaty in the field of defense cooperation, even though many issues remained to be decided under an intergovernmental framework. After promoting enhanced cooperation, federalizing EU diplomacy and regulating armament procurement through the EDA, member-states are likely to push in the future for a more federalist defense policy ($T^{\text{DEF-FED}}$) which could include European Armed Forces under a supranational control or develop an EU corps within NATO missions. According to this recursive process, it will not be surprising that the next steps of security and defense integration within the EU follow the same pattern where:

$$EU_4^j \left((p_N^{\text{CSDP}} T_N^{\text{CSDP}}) + (p_{N+1}^{\text{DEF-FED}} T_{N+1}^{\text{DEF-FED}} | p_N^{\text{CSDP}} T_N^{\text{CSDP}}) \right) \succ EU_3^j (p_N^{\text{INT-GOV}} T_N^{\text{INT-GIV}}) \succ EU_5^j (p_N^{\text{CSDP}} T_N^{\text{CSDP}} + p_N^{\text{ESDP}} T_N^{\text{ESDP}})$$

Conclusion

Based on a simplified formal theory derived from bargaining games, this paper provides an argument for the recursive aspect in the process of European integration to formalize the cycles of treaty negotiations of the first and the latest European treaties in the security domain.

Our article challenges the role that successive generations of EU scholars have granted to the transnational networks of European federalists in the process of European integration. Whereas a first wave of scholarship has claimed that they played a huge role in the process 1) by convincing states to change their preferences and adopt federalist treaties instead of intergovernmental treaties – a claim that was disputed by regime theorists, who argued that transnational networks played no role at all in the process of integration – and that European integration was in fact not different from classical inter-governmentalism; a second wave of institutionalist scholarship refined that claim by arguing that federalists played a more limited role 2) by changing the subjective probabilities which states assigned to the possibility of acceptance of federalist treaties. Instead, this wave argued that federalists increased the expected utility that states derived from the signing of federalist treaties, 3) by spreading the risk of rejection of these treaties into successive rounds of negotiations. Federalists, we claim, segmented treaties into components with different probabilities of acceptance, and structured the different rounds of negotiations of these components by starting with the less risky ones, promising to continue negotiating more risky ones in future rounds. Future research should look into economic treaties to see if a similar sequencing of negotiations occurred, and whether this sequence is what distinguishes the process of European integration from other processes of integration elsewhere in the world.

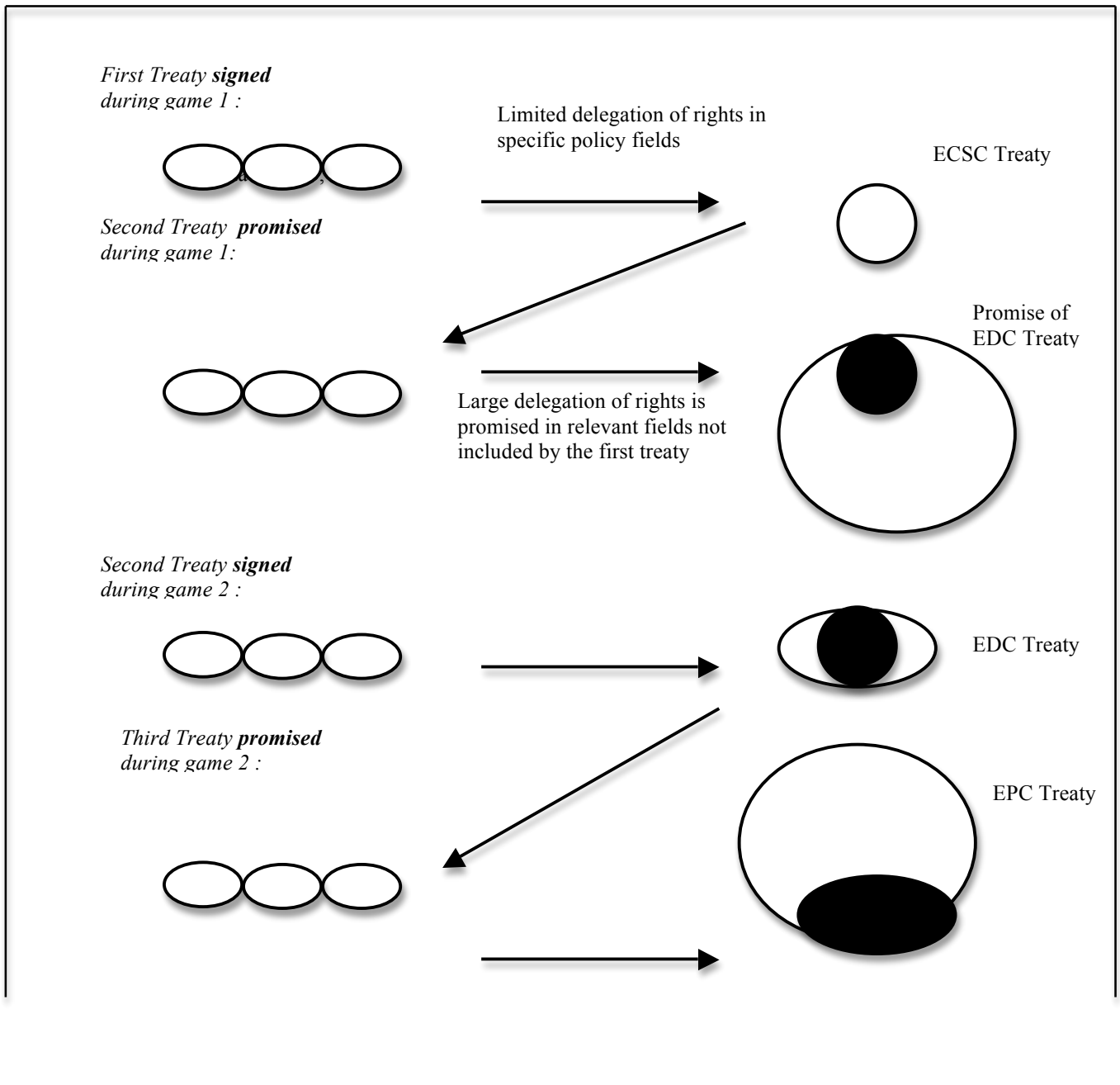


Table 1: The Fractal Process of Integration at the Beginning of the EU

¹ Pascal Fontaine, *Le Comité d'Action pour les Etats-Unis d'Europe de Jean Monnet* (Lausanne: Centre d'Etudes Européennes, 1974); Douglas Brinkley and Clifford Hackett, *Jean Monnet: The Path to European Unity* (New York: Saint-Martin's Press, 1991).

² Alan Milward, *The European Rescue of the Nation-State*, (London: Routledge, 1992).

³ Andrew Moravcsik, "Preferences and Power in the European Community: A Liberal Intergovernmental Approach," *Journal of Common Market Studies* 33, (1993), 611-28.

⁴ Tanja A. Börzel, "Mind the gap! European integration between level and scope," *Journal of European Public Policy* 12, 2, (2005), 217-236.

⁵ Léon N. Lindberg and Stuart A. Scheingold, *Europe's Would Be Polity: Patterns of Change in the European Community* (Englewood Cliffs, NJ: Prentice-Hall, 1970); Mark A. Pollack, "The End of Creeping Competence? EU Policymaking Since Maastricht," *Journal of Common Market Studies* 38, 3 (2000), 519-538; Simon Hix, "Electoral Institutions and Legislative Behavior: Explaining Voting Defection in the European Parliament," *World Politics* 56, 1, (2004), 194-223.

⁶ Andrew Moravcsik, 1993.

⁷ Another version of this argument can be found in Grégoire Mallard. Under Review. "Crafting the Nuclear World Order (1950-1975): Explaining Legal Change in the Field of Nuclear Nonproliferation." Northwestern University.

⁸ Neil Fligstein and Alec Stone Sweet, "Constructing Politics and Markets: An Institutional Account of European Integration," *American Journal of Sociology* 5, 2, (2002), 1206-43.

⁹ Terence C. Halliday and Bruce G. Carruthers, "The Recursivity of Law: Global Norm Making and National Lawmaking in the Globalization of Corporate Insolvency Regimes," *American Journal of Sociology* 112, 4, (2007), 1135-1202.

¹⁰ Stephen D. Krasner, "Structural Causes and Regime Consequences: Regimes as Intervening Variables," in *International Regimes*, ed. Stephen Krasner (Ithaca, NY: Cornell University Press, 1983), 1-21.

¹¹ Barry Posen, "ESDP and the Structure of World Power," *The International Spectator*, 39, 1, (2004), 5-17.

¹² John Duffield, "Explaining the Long Peace in Europe: The Contributions of Regional Security Regimes," *Review of International Studies*, 20, 4, (1994), 369-88.

¹³ Robert O. Keohane, "The Demand for International Regimes," in *International Regimes*, ed. Stephen Krasner, (Ithaca, NY: Cornell University Press, 1983), 141-172.

¹⁴ Jack Goldsmith and Eric Posner, *The Limits of International Law* (Oxford: Oxford University Press, 2005), 13.

¹⁵ Ariel Rubinstein, "Perfect Equilibrium in a Bargaining Model," *Econometrica* 50 (1982), 97-109.

¹⁶ In the remainder of this section, we will not add transaction costs to the equations.

¹⁷ All other players $i \neq j$ calculate the utility U^j they derive from this proposal and compare it with their reservation utility EU^j , assuming that they have perfect information. A player's reservation utility is the utility he can expect from the following round $t+1$: it is the sum of the player's utilities derived from each player's proposals (including himself) in the next round, weighted by their access probability. Players choose to move on to the next sequence of bargaining when their reservation utility is higher than the utility derived from the proposer's offer.

¹⁸ Miriam Camps, *Britain and the European Community 1955-1963* (Princeton, NJ: Princeton University Press, 1965).

¹⁹ Andrew Moravcsik (1998) argues that most significant in the signing of EU Treaties, from the Common Market Treaty to the Maastricht Treaty, were economic rather than geopolitical concerns. Andrew Moravcsik, *The Choice for Europe: Social Purpose and State Power from Messina to Maastricht*, (Ithaca, NY: Cornell University Press, 1998).

²⁰ Robert Keohane, Stephen Macedo and Andrew Moravcsik, "Democracy-Enhancing Multilateralism," *International Organization* 63, 4, (2009), 19.

²¹ Andrew Moravcsik 1993.

²² The sovereignty costs are the costs paid by states when they renounce taking unilateral decisions for a limited or unlimited period of time. Regime theorists usually assume that the lesser these costs are, the more likely states will be to sign a treaty. This is why regime theorists or EU specialists like Moravcsik predict that states are more likely to sign treaties inspired by international liberal principles, e.g. treaties which create cooperation mechanisms which follow an inter-governmental approach, than treaties which delegate even limited sovereign powers to international organizations.

²³ Liesbet Hooge and Gary Marks, *Multi-Level Governance and European Integration* (New York: Rowman and Littlefield Publishers 2001), 3; Fritz Scharpf, *Governing in Europe: Effective and Democratic?* (Oxford: Oxford University Press, 1999); Neil Fligstein and Alec Stone Sweet 2002:1216.

²⁴ Neil Fligstein and Ioan Mara-Drita, "How to Make a Market: Reflections on the European Union's Single Market Program," *American Sociological Review* 61 (1996), 656-73; Neil Fligstein, and Alec Stone Sweet 2002.

- ²⁵ Ernest Haas, *The Uniting of Europe: Political, Social, and Economic Forces, 1950-1957* (Notre Dame, IN: University of Notre Dame Press, 1968).
- ²⁶ Frédéric Mérand, *European Defense Policy*, (Oxford: Oxford University Press, 2008).
- ²⁷ Action Committee for the United States of Europe 1955. In the sense that Monnet paid no attention to the Common Market Treaty, and concentrated his efforts on military or armament treaties concerned with dual-use activities like Euratom, Moravcsik (1993) is right to claim that the influence of Monnet on the evolution of the Common Market is very limited.
- ²⁸ Euratom Treaty 1957, http://www.fissilematerials.org/ipfm/site_down/euratom.pdf
- ²⁹ Grégoire Mallard, "L'Europe puissance nucléaire, cet obscur objet du désir," *Critique internationale* 42 (2009), 141-163.
- ³⁰ Andrew Moravcsik, 1993.
- ³¹ Grégoire Mallard and Andrew Lakoff. "How Claims to Know the Future are Used to Understand the Present: Techniques of Prospection in The Field of National Security." In *Social Knowledge in the Making*, edited by Charles Camic, Michèle Lamont and Neil Gross. (Chicago: University of Chicago Press. 2011).
- ³² Most authors who have studied the EDC Treaty have focused on normative and strategic issues and not on the temporality of negotiations: see Raymond Aron and Daniel Lerner (ed.). *La querelle de la CED: Essai d'analyse sociologique* (Paris: Armand Collin, 1956); or for more recent examples; see Alan Milward, *The Rise and Fall of a National Strategy 1945-1963* (London, UK: Whitehall History Publishing, 2002); Gunnar Skogmar, *The United States and the Nuclear Dimension of European Integration* (London, UK: Palgrave Macmillan, 2004); Wolfram Kaiser, *Christian Democracy and the Origins of European Union* (Cambridge: Cambridge University Press, 2007).
- ³³ Michel Debré, *Mémoires t.2: Trois Républiques pour une France* (Paris: Albin Michel, 1988), 170.
- ³⁴ The International Authority limited levels of German coal production to fifty per cent of its prewar production, and the levels of steel production to twenty five per cent. Jean Monnet, *Mémoires* (Paris: Fayard, 1976), 357; Tony Judt, *Postwar: A History of Europe Since 1945* (NY: Penguin Books, 2006), 110; Alan Milward 2002:82.
- ³⁵ Dean Acheson, *Present at the Creation: My Years in the State Department* (New York: Norton Company 1969), 437.
- ³⁶ Jean Monnet, 1976, 357.
- ³⁷ This is why the British initially refrained from entering into the negotiations, whose extent remained too undefined for them. Alan Milward 2002, 51.
- ³⁸ Jean Monnet 1976: 401, 403.
- ³⁹ This equation (g), however, did not describe the preference of the U.S. or British governments, which were not part of the ECSC Treaty negotiations. Postponing the details of the plan of West German integration into NATO until future EDC Treaty negotiations at time 2 was not to the liking of Acheson or American international liberals. Marc Trachtenberg, *A Constructed Peace: The Making of the European Settlement* (Princeton, NJ: Princeton University Press, 1999), 110.
- ⁴⁰ Indeed, for NATO states in Europe, the costs of this solution in terms of their loss of sovereignty over military affairs were lesser than those they would have to pay to enter the EDC structure. Raymond Aron and Daniel Lerner, 1956; Alan Milward, 2002.
- ⁴¹ Here, we are only concerned with the field of defense, and future examination could test whether the rule applies to treaties in the purely economic field.
- ⁴² European Defense Community Treaty 1952. Tony Judt, 2006, 126.
- ⁴³ The EPC Treaty planned that all the budgets of the EPC would have to be approved by a European Lower Chamber of directly elected parliamentarians through Europe-wide elections, with each nation having the same number of parliamentarians in the upper chamber. Alan Milward, 2002, 113.
- ⁴⁴ Lawrence Scheinman, *Atomic Energy Policy in France under the Fourth Republic* (Princeton, NJ: Princeton University Press, 1966), 74.
- ⁴⁵ Maurice Vaïsse, "Le choix atomique de la France, 1948-19561" in *La France et l'atome : Etudes d'histoire nucléaire*, ed. Maurice Vaïsse (Buxelles: Bruylant, 1994), 47.
- ⁴⁶ With a four-year delay, the British resurrected the plan first proposed by Dean Acheson in the midst of the Korean War in August 1950, which proposed West German rearmament within the framework of NATO, with all West German forces under the authority of NATO's Supreme Commander.
- ⁴⁷ The version of the Multilateral Force Treaty (MLF Treaty) proposed by Monnet to erect a fourth Community in 1962 in the field of military nuclear activities would be another perfect example. See Jacques Van Helmont, "Article 2 of the draft treaty attached to a letter to Jean Monnet" (Florence: European Archives, Max Kohnstamm Fund - 40. July 25, 1964).
- ⁴⁸ Stanley Hoffmann, "Towards a Common European Foreign and Security Policy," *Journal of Common Market Studies* 38, 2, (2000), 189-98.
- ⁴⁹ Frédéric Mérand 2008.

⁵⁰ Frédéric Mérand 2008, 115.

⁵¹ Jolyon Howorth, *Security and Defence Policy in the European Union* (Houndmills: Palgrave, 2007).

⁵² Treaty of Nice, 2001.

⁵³ Gilles Andreani, Christoph Bertram, Charles Grant, *Europe's military revolution* (London: Center of European Reform, 2001).

⁵⁴ Lawrence Freedman and Anand Menon, "Conclusion: Defence, States and Integration" in *The European Union and National Defence Policy*, eds. Jolyon Howorth and Anand Menon (London: Routledge, 1997).

⁵⁵ Sven Biscop, and Franco Algeri, *The Lisbon Treaty and ESDP: Transformation and Integration* (Egmont: The Royal Institute for International Relations, 2008).

⁵⁶ Grégoire Mallard. "Can the Euratom Treaty Inspire the Middle East? The Promises of Nuclear Regional Authorities." *The Nonproliferation Review*, 15(3), (2008), 459-477.