

Treaty Of Maastricht



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HISTORY OF THE MAASTRICHT TREATY

The Treaty on European Union, the Maastricht Treaty, was ratified on 7 February 1992. Dubbed Maastricht after the place it was signed, Maastricht, Netherlands, the Maastricht Treaty brought the European Union (EU) into existence. The Maastricht Treaty came into force 1 November 1993 following its approval by all 12 states in the European Community.

Following the reunification of Germany in 1989 and the collapse of the Soviet Bloc, European Communities were seeking to further the European Political Union by creating a commonality on which to build. Structured around three “Pillars,”

[t]he treaty reflected the intention of the EC nations to broaden the scale of monetary and economic union and begin serious consideration of joint policies in regard to defense, citizenship, and the protection of the environment. (Encarta)

The Maastricht Treaty, in addition to establishing the EU, grants EU citizenship to citizens of each Member State. It also established an outer border for EU citizens, within which they could travel, move freely, work, and live in any member state without restrictions. The Maastricht Treaty called for unity in monetary and foreign policy. It established a central banking system, led to the creation of a common currency, the Euro, and required its members to comply and cooperate with its environmental, social, security, and domestic policies.

EVOLUTION OF THE EUROPEAN UNION

In 1951, the predecessor to the European Union, the European Coal and Steel Community, was founded by a group of countries now commonly referred to as the “Inner Six.” They were Belgium, France, West Germany, Italy, Luxembourg, and the Netherlands. Following the signing of the Treaty of Paris (1952), and the Treaties of Rome, this group established the original European Communities in 1967.

There have since been six enlargements to the EU which now consists of 27 member countries. This “European Integration” continues today as more and more countries explore the possibility of joining the European Union.

Original “Inner Six”

Belgium, France, West Germany, Italy, Luxembourg, and the Netherlands

First Enlargement -1 January 1973

The United Kingdom, Denmark, and Ireland

Second Enlargement – 1981

Greece

Third Enlargement – 1986

Portugal and Spain

Fourth Enlargement -1 January 1995

Austria, Finland, and Sweden

Fifth Enlargement (First part) – 2004

Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, Slovenia, Malta, and Cyprus

Sixth Enlargement (Second Part of the Fifth Enlargement) – 2007

Bulgaria and Romania (Enlargement of the EU)

ACCESSION TO THE EU BY MEMBER COUNTRIES

Belgium			
Denmark	1992	No 52%	Yes 48%
	1992 With Opt-Outs	No 43%	Yes 57%
France	1992	No 48.95%	Yes 51.05%
Germany	1992 Bundestag	Yes 543 to	No 19
	1992 Bundesrat	Unanimous	
Greece			
Ireland	1992	No 31.3%	Yes 68.7%
Italy			
Luxembourg			
The Netherlands			
Portugal			
Spain			
UK	1993 Lower House	No 112	Yes 292
	1993 Upper House	No 29	Yes 141
(Unizar)			



French citizens wait to cast their votes in a referendum on the 1993 Maastricht Treaty. The treaty changed the European Community (EC) into the European Union (EU). It had to be approved by a popular majority in each EC member country before it could go into effect. (Encarta)

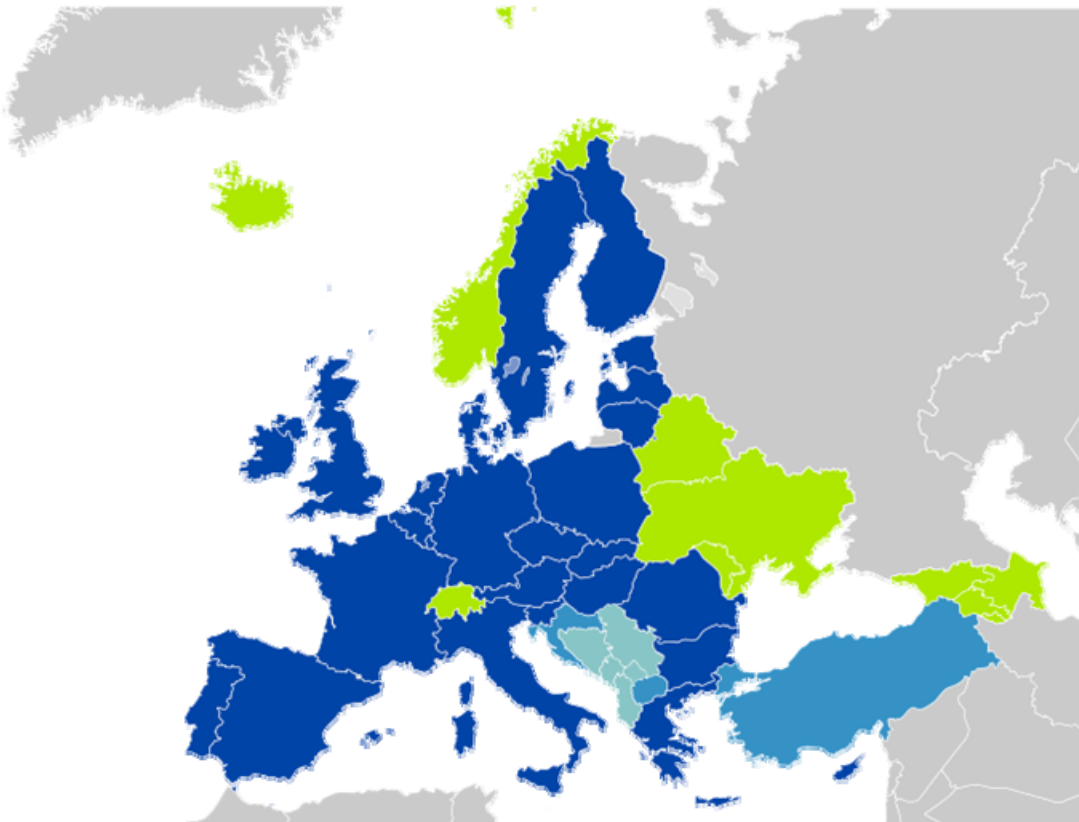
ACCESSION CRITERIA

A series of formal steps lead to accession, and although any European Country could apply to join the European Union, further expansion of the EU depends on the applicant country's ability and willingness to meet the requirements set in place by the European Commission. First, the country "must be a European State (and)...must respect the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law" (Enlargement of the EU).

Once these conditions have been met, the applicant country must then meet the Copenhagen Criteria, set in place in 1993 by the European Council in order to evaluate the "suitability of applicants." The Copenhagen Criteria require that the country must have a free

market economy, operate as a democracy, and be willing to accept without exception the Law of the European Union already in place.

At this point, the applicant country may enter into negotiations with the EU Member States. Negotiation is seldom a quick process and a common ground between the applicant and the Union may never be reached. Furthermore, the Maastricht Treaty requires that each current member of the EU as well as the European Parliament must accept the new Member State before accession can be successfully completed. Once the applicant state has the support of the Union Member States, it must ratify the treaty within its own government prior to acceding. This is the final step, and if successfully achieved, the European Union will expand again as it gains more land mass and GDP (Copenhagen Criteria).



(Enlargement of the European Union)

[EU27-European_Union_map.svg](#)

PILLAR ONE

The first pillar of the Maastricht Treaty was written with the goal to create a community under which all of the nations of Europe could collaborate. The first pillar is called the European Community pillar and is based on the principles of supranationalism (political communities made up of multiple nations which make decisions together as one) and intergovernmentalism (unanimous agreement between governments rather than majority voting by the populace). The first pillar of the treaty deals with such issues as creating a union in customs and the economic market, common agricultural policies, citizenship, education, culture, consumer protection, healthcare, employment, asylum policies, immigration policies, and many others (BBC 1).

The creation of the European Union in the first pillar was accompanied by the EMU (Economic and Monetary Union) and the nations that made up the EU took a giant step forward in their unification. It was decided that there would be a common European currency, the Euro. The European Central Bank was established in January 1999 and made fixed exchange rates for the new currency. From 1994 to 1999 the member states of the European Union set objectives to coordinate their economic policies, reduce inflation and interest rates between markets, and begin strict control of government deficit and debt in order to function in the newly established European Monetary system (Ocaña 1). A united European market called for social and economic cohesion among the many diverse countries of the EU. Less developed and impoverished regions were provided with financial aid.

The Maastricht Treaty's first pillar allows for every person living in any participating nation to also be a member of the European Union automatically. The creation of the European Union also allowed anyone living within it, regardless of their nationality, to run for office in any local and European Parliament elections in their EU country of residence (Britannica 1).

Supranational institutions run the EU including the European Commission, the European Parliament, the Council of the European Union, the European Council, the European Court of Justice and the European Central Bank (Gabel 2). All of the multinational governmental bodies have representatives from Member States, and the Council is headed by a rotating presidency—every Member State takes the leadership of the EU, for a period of six months (Gabel 2).

In summary, the European Communities pillar outlines the structure of the EU and every institution involved. It lays out the ways in which disputes will be dealt with between nations and created a standard for all the nations in areas such as agricultural production, environmental protection, transportation and highways, socialized medicine, and education. It established a common currency and a fixed set of customs duties. It was the first crucial and monumental step in creating a truly unified Europe.

PILLAR TWO

The Second Pillar of the Maastricht Treaty is the Common Foreign and Security Policy (CFSP). It is the official Foreign Policy of the European Union, which deals with issues such as commercial, trade, security, policies and dealings with third party countries. Beginning in 1970 with the formation of the European Political Co-Operation, different European states met with each other to form an informal set of guidelines regarding the foreign policies of the then un-united Europe. Agreeing upon a set of guidelines allowed for greater strength and unity when Europe was confronted with a tough economic or security issue. Realizing the authority a united Europe carried, it was clear that when the Maastricht Treaty was created an official set of policies must be included.

During the formation of the Common and Security Policy the objectives were to consolidate common values and beliefs, work to increase security, and advance international

cooperation. All decisions require unanimous support of all European Union Member States. This continues the recurring theme of providing each Member State an equal vote without regard to population, power, affluence, or influence.

The Common Foreign and Security Policy is not in charge of military protection (see NATO); it handles policies and humanitarian aid in an effort to strengthen the EU's security, values, and independence. The European Union is a major player in the international humanitarian effort. According to Europa, "More than half of official international humanitarian aid comes from the EU" (Europa). While the EU is not directly responsible for security, it plays a large part in peacekeeping operations. Following the war in Kosovo, members of the European Union recognized the need for an independent military force that could operate outside of NATO. This ultimately led to the European Union Battlegroups initiative, wherein each battle group can supply 1500 soldiers to be deployed in military situations.

The High Representative heads the Common Foreign and Security Policy (CFSP). He is the spokesperson of the CFSP's policies and in charge of meeting foreign diplomats. Several different committees and councils lead the discussion and research into various sections of the CFSP. Examples of the various councils include the Political and Security Committee, European Defense Agency, European Union Satellite Centre, General Affairs and External Relations Council, and the Council of the European Union. On behalf of the European Union the CFSP plays a major role in international economics. The EU is a member in both the G8 and World Trade Organization, giving Europe a cohesive voice in worldwide business affairs.

In the past few years there have been growing problems with finding a unanimous policy in regards to the recent war on terrorism and other foreign policies. This trend towards independent national policies presents a growing dilemma, "re-nationalisation of foreign policy

with its inherent de-Europeanisation, is therefore one of the major problems of CFSP” (Heinrich Böll Foundation). The strength of the Common Foreign and Security Policy lies in the unity of all its members and all measures should be taken to reach unanimous decisions.

PILLAR THREE

Police and Judicial Co-operation in Criminal Matters (PJCCM), the third pillar, deals with the prevention and combating of crime, such as terrorism, trafficking of people, crimes against children, drug and firearm trafficking and corruption and fraud within the European Union (Moussis). The third pillar was referred to as “Justice & Home Affairs” until 1999, with the influence of the Amsterdam Treaty, which transferred the policy of asylum, migration and the judicial co-operation in civil matters to the Community pillar.

The PJCCM was designed to have greater cooperation between police forces, custom authorities through Europol, tighter cooperation between judicial authorities, and strict rules on criminal matters. The Member States discuss and consult one another within the EU Council when deciding on their actions. However, the Council must consult the European Parliament first before finalizing any rules or legal procedures (Europol: European Police Office).

When Member States need to communicate with each other’s police authorities, they go to Europe Police Office (Europol), which works with all of the custom and other authorities for the collection, processing, and exchanging of pertinent information and also to collaborate on investigative techniques. The Europol Convention was signed on the 26th of June 1995. Its main purpose was to strengthen cooperation between member states to battle against terrorism and any other serious international crime. The Member States have also established the European Police College (CEPOL) in 2005. This organization brings in senior police officers from around Europe to encourage border cooperation in fighting crime and to maintain security and order. The

European Arrest Warrant was created in June 2002 in order to allow for arrests. This warrant is a request made by a judicial person in another Member State to surrender a suspect, to handle a personal prosecution, implement a custodial sentence, or to execute a detention order. The warrant applies where a final sentence of imprisonment or a detention order has been imposed for at least four months. It also applies to offences punishable by imprisonment or a detention order for a maximum time of at least one year. Each member state has a right to refuse the warrant for three reasons: the final judgment has already been made by a member state upon the person in respect of the same offence, the offence is covered by an amnesty in the executing Member State, or finally, the person may not be held responsible due to his/her age. (Europa: European Arrest Warrant) For the most serious crimes of international concern, such as genocide, crimes against humanity and war crimes, the EU works with the International Criminal Court to see that people are put on trial for such offences (ICC at a glance).

The death rate from drug addiction in Europe is very high. Thus, the EU has devised the “Drug Prevention and Information Program,” which is designed to prevent and reduce drug use as well as provide information about drug use, involving civil society in developing and creating strategies for the program. Using the European Information Network on Drugs and Addiction (Reitox), all Member States can communicate through this database for obtaining relevant drug information to combat drug crime and related issues (Drug Prevention and Information Programme).

To encourage intercultural integration and to better combat racism and xenophobia, the Fundamental Rights and Citizenship program was put into place in 2007. In 2013, there will be a decision among the Member States, whether or not to keep the program. Its intent is to strengthen civil society, encourage open fundamental rights, to provide a better understanding of

cultures and religions, and to strengthen information and networks between judicial authorities (Fundamental Rights and Citizenship).

With collaboration and cooperation, the member states are able to provide each other with the tools and information to establish a well-rounded combative system to prevent crime and to provide safety to all members of the EU making the PJCCM a significant part of the Maastricht Treaty.

AMENDMENTS

A number of amendments have been made to the Maastricht treaty since it first came into force in 1993. The first of the three major amendment treaties signed was the Amsterdam Treaty which was signed on 2 October 1997 and entered into force on the first of May 1999. The treaty was written with an emphasis on citizenship—to create more rights for individuals living within the European Union. It also aimed to implement democracy more so than the Maastricht treaty previously had, allowing citizens to have more power with the European Parliament other than just abiding by the hybridization of supranationalism and intergovernmentalism that the Maastricht Treaty was strictly based on (Ocaña 3). The Amsterdam Treaty also added the beginnings of a common foreign and security policy (CFSP) to the EU.

Concerns of the ordinary European population were the causes of the Amsterdam Treaty. Immigration, fraud prevention, legal and personal security were the main issues addressed by the populace. The rights and equality of the EU's citizens were what the European Commission and its president along with the European Parliament aimed to improve greatly from the original Maastricht Treaty (Ocaña 3).

On the 26th of February 2001, the Treaty of Nice was signed to reform the institutional structure of the European Union in order that it would allow for greater and easier eastward

expansion. The expansion of the Union was affecting relations within the EU, such as Germany and France's. Germany demanded that its comparatively large population be weighted higher and reflected within the Council, a demand France strongly opposed. The French called for equality in intergovernmental representation. A compromise was reached which determined population proportions would have fair representation in Parliament, where the number of seats grew to 732 to compensate for the population and territorial growth. The number of commissioners for the EU was lowered, and a maximum number was set with the Treaty of Nice to limit the possibility of massive numbers of members due to the enlargement of the Union as a whole (Gabel 1).

With the Treaty of Lisbon, signed on 13 December 2007, many major amendments were made to the European Union and the Maastricht Treaty. It eliminated the overcomplicated pillar system that the Maastricht Treaty created, combining the different sections into one. The goal of the Treaty of Lisbon, as stated in the Treaty Preamble, was "to complete the process started by the Treaty of Amsterdam and by the Treaty of Nice with a view to enhancing the efficiency and democratic legitimacy of the Union and to improving the coherence of its action" (Ocaña 2). Qualified majority voting in the EU Council and increased involvement with the European Parliament in major decision-making were main aims of the treaty as well. Parliament gained power with the treaty in hopes to create guidelines for co-decision making with the EU Council. The Parliament and EU Council now have to decide together what the EU budget should be used for (Ocaña 3).

ANALYSIS AND EXPLANATION

The effect that the Maastricht Treaty has had on Germany is astounding; in the past 15 years Germany has continued to grow and become a leader of the European Union and is “generally regarded as the nominal anchor for Europe” (Warwick). Germany has been the leader in economic growth and development, and has contributed the most to the European Unions finances.

Aside from helping the economy, the Maastricht treaty has also forced Germany to reevaluate its stance on citizenship laws. With the creation of European Citizenship, citizens of any nation in the EU are free to travel, live, and work in other member nations. This has created strong pressure from other nations for Germany to reform their citizenship laws to better conform to guidelines set out in the treaty. As a result Germany changed its long-standing policy to include aspects of a more open and accepted policy of *ius soli*, citizenship based on birthplace. This allows children of Turkish immigrants the right to German citizenship if their parents meet certain criteria. It is speculated that this will help the children of foreigners living in Germany gain citizenship and help to create a more diverse nation. With the opening of its borders, the flow of different cultures throughout Europe has created a new multicultural European Union, which is not only economically successful but also culturally.

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