

## 'Lambert Schaus: The spirit of the Treaties' from the Luxemburger Wort (26 March 1957)

**Caption:** On 26 March 1957, the day after the signing of the Treaties establishing the European Economic Community (EEC) and the European Atomic Energy Community (EAEC or Euratom) in Rome, the Luxembourg daily newspaper Luxemburger Wort publishes the address delivered by the Luxembourg diplomat, Lambert Schaus.

**Source:** Luxemburger Wort. Für Wahrheit und Recht. 26.03.1957, n° 85; 110e année. Luxembourg: Imprimerie Saint-Paul. "L'esprit des traités", auteur:Schaus, Lambert , p. 2 (supplément).

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**Last updated:** 06/07/2016

## The spirit of the Treaties

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The Common Market and Euratom Treaties are to be signed in Rome on 25 March.

Once they have been approved and ratified by the Six, these will clearly be the authentic texts. But not only shall we have the texts themselves, we shall also have the spirit of the Treaties. This was the spirit that inspired the Foreign Ministers when they met in Messina, in June 1955, and the spirit that dominated the negotiation and drafting of the Treaties.

In Messina, at the initiative of the Benelux Foreign Ministers, the Foreign Ministers of the Six sought to 'relaunch' the concept of European integration. After the failure of the EDC, the proposal for a European Political Community had been filed away in chancery cupboards. The ECSC was supposed to be the cornerstone of the edifice of European unification, but it remained alone and isolated. The aim of the Messina Resolution was to take another step towards European unification, albeit solely at economic level.

As the Ministers felt that the peoples of Europe were not yet ready for political integration, they limited their endeavours and focused on economic integration. However, the longer-term aims are undoubtedly also political in nature.

The authors of the Rome Treaties decided not to follow the ECSC model and create supranational institutions.

The principal institution, then, will be the Council of Ministers, made up of representatives of the national governments. There will, however, be many instances in which the Council takes its decisions on the basis of weighted qualified majority voting, particularly once we reach the second stage in the development of the Common Market. While in principle respecting national sovereignty, the Treaties introduce the concept of Community responsibility. The Community's Assembly will embrace both the Common Market and Euratom, and will, from the outset, incorporate the ECSC's Common Assembly. A European Economic Assembly will thus be established, mandated to cooperate with the national governments and supervise their activity at a European economic level. The Assembly will consist of representatives of the national parliaments of the Six.

At an institutional level, the Rome Treaties respect and safeguard national sovereignty provided it is compatible with the general European interest. The relevant treaty provisions are clearly drafted in the light of the objectives pursued. If, subsequently, the process of politically integrating Europe is set under way, the institutions will have to be adjusted accordingly. But the spirit of the current institutional arrangements should be retained.

On the road leading to European integration, it is neither necessary nor even helpful to get rid of the sovereign States. We need to pool the resources required to achieve our objectives. The purpose of the State is to achieve the common good. These days, it is simply no longer possible to achieve, at a purely national level, certain objectives pertaining to this common good. In the same vein as the national commonweal, however, the international commonweal will be confined to those values and services that individual States are unable to produce and supply themselves.

According to both the letter and the spirit of the Rome Treaties, the national States will continue to exist. They must continue to exist, even within a politically united Europe. After all, the value and wealth of Europe reside in the diversity of nationalities that make it what it is. But those national groups will have to be directed towards one and the same goal: individual peoples working within a policy of convergence.

At a general economic level, and in regard to nuclear energy in particular, the Treaties seek to make Europe

stronger and more independent of the rest of the world. Faced with the major economic blocs we see in the world today, a divided Europe risks losing its position. Though not yet a complete Europe, the Europe of the Six – together with the Overseas Territories associated with it – is a continuing economic force able to maintain the position of the old continent on the international stage.

But a Europe which is economically united, in both a customs and an economic union, will not be achieved overnight.

The spirit in which the negotiations were conducted was above all one of realism. Proper account was taken of the *de facto* circumstances. The countries' legitimate wishes were respected, and their long-standing interests safeguarded. Negotiations between democratic countries cannot be conducted in any other way and are bound to result in compromise, on many issues. Pure logic has not always coloured the text of the Common Market and Euratom Treaties. But it is surely better to draft texts which take account of certain inescapable realities than to construct a treaty system which may be inherently logical and perfect, but fails to meet certain national requirements, and will therefore end up rejected by one or other of the national parliaments.

In order finally to achieve an economically united Europe, the Treaties tread cautiously. Progress will be achieved in stages, as the national economies must be allowed time to adjust. Safeguard clauses are included to avoid disrupting the economies of the Six. Protocols annexed to the Treaties take account of the special circumstances of some partners. The negotiators were aware that treaties cannot be drafted in the abstract, and took into consideration social and economic realities.

From the Messina Resolution, to the forthcoming signing ceremony in Rome, via the Brussels Conference, this has been a long, painstaking and frequently difficult process. After the failure of the EDC and the vain attempt to create a European Political Community, the Six could not afford to fail in establishing an economic and an atomic energy community.

Political will has overcome all the obstacles. It is above all thanks to the intelligent, resolute and persuasive action of Mr Paul-Henri Spaak, Belgium's Foreign Minister and the political coordinator of the Brussels Conference, that we have a successful outcome.

One of the most important features of the Common Market Treaty is the association of the Overseas Territories.

This was not envisaged in the Messina Resolution but was introduced subsequently, at the instigation of France. France's partners considered it to be right and proper. They recognised that it made sense to associate with the Common Market – in an appropriate manner – the Overseas Territories with which some of the Six have special relations.

Economically speaking, Africa represents the extension of Europe. The creation of a Euro-African economic community marks the achievement, in our times, of one of the great historical objectives of the peoples of Europe.

But this association of a number of Overseas Territories with the Common Market is not being done in a spirit of 'colonialism'. Clearly, the Six want to acquire economic outlets in those Territories. But they are also undertaking to contribute significantly to the economic development of the Territories and to improve the standard of living of their peoples. That constitutes judicious application of the principle of assisting the underdeveloped countries.

Some of the resources the Six will accord to the Overseas Territories will be used for investment in welfare: to build schools, hospitals, clinics, and so on. In this respect, the Common Market Treaty is imbued with a spirit of human solidarity. And it is that very spirit which raises the Treaty to much more than a purely economic agreement.

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The aim of the Common Market and Euratom Treaties is to contribute to European unification, to ensure that the countries of Europe retain their rightful position in the world, reflecting both their history and their economic and human significance.

But the Six have absolutely no desire to create a closed system of economic autarky. The Treaties leave the door wide open for fruitful cooperation, founded on trust, with the other countries of Europe and the world. The Community of Six is not being set up in opposition to anyone, in either the economic or the atomic energy field.

In spirit, the Treaties are founded on a healthy realism, on respect for the legitimate and vital interests of the partners. This spirit is European in the best sense of the word, because it seeks to create a Europe that is economically and politically robust and healthy. It is a spirit that will guarantee effective cooperation between Europe and all peoples of good will.