

The European Parliament's proposals

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The European Parliament, elected for the first time by direct universal suffrage in June 1979, was eager to distance itself from the various governmental plans for the political and institutional reform of the Community put forward in the early 1980s. On 14 February 1984, it adopted a draft Treaty establishing the European Union, also known as the 'Spinelli Plan'. Inspired in part by the plan for the European Political Community (EPC) that had been abandoned after the collapse of the European Defence Community (EDC) in August 1954, the European Parliament also sought to exploit the democratic legitimacy that direct elections had conferred on it in order to promote European union using a 'bottom-up' approach, i.e. through the elected representatives of Europe's citizens and not through governmental and diplomatic initiatives.

In 1980, the former Commissioner and Italian MEP, Altiero Spinelli, founded the 'Crocodile Club' named after the restaurant in Strasbourg used as a meeting place by MEPs who wanted to endow Europe with a federal constitution. On 9 July 1981, Parliament adopted a resolution calling for the creation of a Committee on Institutional Affairs with a view to the definition of the European Union's principal goals. Set up in January 1982, that Committee on Institutional Affairs, with Spinelli as its rapporteur and coordinator, drew up a preliminary draft treaty. On 14 September 1983, the European Parliament entrusted the Committee on Institutional Affairs with the task of drawing up a draft treaty after it had considered the Spinelli report on the substance of the preliminary draft.

The draft Treaty on European Union adopted by Parliament on 14 February 1984 by a large majority (by 237 votes to 31, with 43 abstentions) laid down, as its ultimate goal, the creation of a federal European Union. With its emphasis on the political dimension, the Spinelli Plan followed the Community model for its institutions. It assigned to the principle of subsidiarity a decisive role and made simple majority voting in Council the rule, with vital national interests being invoked only in exceptional circumstances. According to the principle of subsidiarity, the European Union should intervene only in those cases where it could be more effective than individual Member States acting alone. In legislative terms, Spinelli also broke new ground by drawing a distinction between laws and regulations and by allocating to Parliament the power of codecision. The Commission retained its role as the executive body, while the European Council was, in particular, made responsible for laying down the new powers and responsibilities of the Union and for ensuring cooperation at political level as well as in foreign affairs. A procedure for appeals to the Court of Justice was provided for in order to allow for rulings by national courts of last instance to be overruled in cases where the principle of reference for a preliminary ruling had not been properly applied. The Spinelli Plan also advocated the rapid completion of the single, internal market and the participation of all the Member States in the European Monetary System (EMS).

The Treaty, which had been drawn up without any consultation of Member State governments, could be ratified immediately by national parliaments in order to circumvent national governments and the Council of Ministers since the European Parliament, as such, had no constitutional powers. However, this creative initiative was not followed through. Except for the Italian Parliament, which welcomed Spinelli's initiative, no national parliament debated the draft Treaty. It was not even at the centre of the debates surrounding the second direct elections to the European Parliament on 14 and 17 June 1984, as Spinelli had hoped. However, on 24 May 1984, Francois Mitterrand, President of the French Republic and President-in-Office of the European Council, gave an undertaking before the European Parliament pledging support for the draft Treaty on European Union. He suggested that preparatory discussions should be held between the ten Member States with a view to institutional reform. In the spring of 1985, the Dooge Committee, set up a year earlier to review the institutional issues and ways to improve cooperation within the Community and European Political Cooperation, made reference to the importance of the spirit and approach underlying the draft Treaty adopted by the European Parliament.