

'A positive attitude to the European Union' from 30 Jours d'Europe (November 1972)

Caption: In an article published in November 1972 in the monthly journal 30 Jours d'Europe, Emanuele Gazzo, Director of Agence Europe, analyses the broad guidelines emerging from the conclusions of the Paris Summit of 19 and 20 October 1972. In his opinion, by defining objectives for the future, summits could provide a starting point for the transformation of the European Community into a European Union.

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A positive attitude to the European Union

The European Summit is now behind us. It resulted in an imposing collection of declarations of principle, statements of objectives and specific decisions. For the observer who attentively followed the very lengthy preparations (which were not lacking in suspense) and then lived through a total of almost forty-eight hours in close contact with the laborious, difficult, often mysterious process that produced this result, it's difficult to pronounce an overall opinion that is balanced and well-argued.

This is very true, especially if this observer rejects both banality and extremism. To say that one is satisfied with the possibilities that have opened up is a diplomatic response, but an inadequate one. To say that we are profoundly dissatisfied at the number of possibilities that were not realised would be to state only a partial truth.

The main problem, however, if one wants to pass judgement, lies in the very nature of things. The Summit is not a final outcome — it is the start of a process, and we cannot know in advance how it will evolve. This is because how it evolves will depend on the goodwill of men and institutions, and on the circumstances.

It would be easy to say that the result is positive as regards such or such a point and negative on such or such a point. However, who can guarantee to us today that what seems to us to be a highly promising possibility will not soon fade and die without bearing fruit? Who can assure us that what we may regard as an apparent failure is not a source of tensions and imbalances that will force the Nine to undertake specific actions? In this context, the experience of the The Hague Summit (December 1969) is very instructive. The 'The Hague spirit' enabled achievements to see the light of day which had seemed to us at the time to have little chance. When the political will existed, it became a kind of driving force. It is on the basis of these considerations that an attempt can be made to analyse the main guidelines emanating from the conclusions of the Paris Summit, as resulting from the texts printed further on, which we advise you to read carefully.

Mr Seguin's goat

We need to begin by reporting the enormous disappointment caused to many Europeans by the collapse of all the hopes that had been cherished on the subject of election of the European Parliament by direct universal suffrage. We were not really anticipating a definite decision on a date, but we were entitled to hope that the Summit would have got a procedure under way that would mean we could reasonably expect a decision in the relatively short term. The battle was led, almost in isolation, by the Dutch government and, more precisely, by one of the figures whose political standing was enhanced by this Summit — Prime Minister Barend Bisseuvel. But it was lost.

Mr Seguin's goat held on until dawn before the wolf slit its throat. Mr Bisseuvel held on until midnight. But he had to face a number of wolves with sharp teeth. He preserved his honour by rejecting all the (necessarily clumsy) compromise formulas that charitable hands had offered him.

Irrespective of what one may think of the role of the European Parliament and the validity of the hypothesis according to which it should be elected by universal suffrage, there seems to be a degree of contradiction between the negative position that finally prevailed and the solemn declaration in point 1, namely that the Community Member States want to base the development of their Community on participation of the peoples through their freely elected representatives. Admittedly the current Members of the European Parliament were also freely elected, but would it not be logical to elect directly those who would have the particular task of supervising and stimulating the 'development of their Community'?

Bringing everything back to the Community

This said, Mr Bisseuvel's 'sacrifice' does not appear to have been in vain. When the Dutch Prime Minister expressed his own profound disappointment and that of his people and his Parliament, and when Sicco Mansholt, the President of the European Commission, emphasised the absurdity of a situation in which the Commission itself is not supervised because Article 138 of the Treaty of Rome is not applied, something

happened.

Everybody had to acknowledge that certain truths cannot be hidden, and that an effort should be made to ensure that the 'Community phenomenon', which was the whole *raison d'être* of the Summit, was recognised and reintroduced.

If the need to increase Parliament's powers was tentatively acknowledged, the need to uphold everything in or bring everything back to the Community was very widely understood.

It is a fact that, seen as a whole, the Summit decisions constitute, item by item, a programme of action for the Community institutions or, more specifically, the outline of a programme that the institutions will have to finalise, and the execution of which they will subsequently have to undertake within a certain time frame.

Specific undertakings

It is useful to outline the undertakings that emerged from the Summit:

- (a) European Monetary Cooperation Fund: the solemn act of constitution will be based on the Treaty of Rome. This will be done on 31 March 1973. Two reports recording developments in the Fund's endowment and in its tasks will be filed before 30 September 1973 and 31 December 1973.
- (b) Regional policy: a report on actions to be taken immediately. Creation of the Regional Fund by 31 December 1973 at the latest.
- (c) Social policy: programme of action for the institutions before 31 December 1973.
- (d) Industrial policy: programme of action for the Community institutions before 31 December 1973 with a timetable for execution.
- (e) Environment policy: programme of action for the institutions and timetable for execution before 31 July 1973.
- (f) Energy policy: programme for the institutions as soon as possible.
- (g) Policy vis-à-vis the Third World: comprehensive policy to be implemented by the institutions before the end of 1973.
- (h) Industrialised countries: specification before 1 July 1973 of a common plan for commercial negotiations.
- (i) Eastern bloc countries: common commercial policy to be applied as of 1 January 1973.
- (j) Strengthening of the institutions: the institutions must specify before the end of the first stage (31 December 1973) of economic and monetary union the distribution of competences within the framework of the latter, given that the date of transition to the second stage has been established and that union must be completed by the end of 1980. The Council must, before 30 June 1973, decide on the action to be taken to improve decision-making and contact procedures.

An instrument and a mandate for the Community institutions

Two points not included in this list are of crucial importance as regards the institutional possibilities opened up by the Summit. They will be found in the last ten lines of the communiqué.

The first relates to application of Article 235 of the Treaty of Rome. (1)

The communiqué explicitly states that, in order to fulfil the tasks (many of them 'new', that is to say outside

the scope of the Treaty) specified in the above programmes of action, it is advisable to use, as broadly as possible, all the provisions of the Treaties, including Article 235 of the EEC Treaty. It may be that the undertaking is not sufficiently specific, but only the future will show if it was entered into with a wish to comply with it. It is up to the European Commission to take the initiative for application of Article 235, according to the wording in the Treaty. It is not an option for the Commission, but a duty, as Advocate-General Lagrange clearly explained. The second point, which is a political prediction of future institutional action, relates to point 16, the last point in the communiqué. In it, the Community institutions are invited to draw up, by the end of 1975 (the time limit may seem too long), a report on what needs to be done to transform, before the end of the current decade and in full compliance with the Treaties already signed, all the relationships between the Member States into a European Union.

Time limit 1975 for the European Commission

Thus we are in the presence of an impressive overall picture. We can see in it an indication of the instrument that the institutions can use to extend their sphere of action. In short, we can see in it a mandate designed to transform the Community into a European Union, the Community that is defined as being the driving force behind construction, and thus behind this ‘transformation’.

I don’t particularly like designations whose usefulness is not obvious, and which may be a source of ambiguity and misunderstandings. Since we want to eliminate all theological arguments about the ‘confederation’ or ‘federation’, it is not easy to understand why it should be necessary to introduce the notion of *European Union*. Does not the notion of *Community* suffice? But let us carry on regardless. The key to everything is in the method. A ‘Union’ that evolves in accordance with the Community Treaties and under the impetus of the Community institutions cannot but remain a Community ‘entity’. Thus the magic word is ‘transformation’.

It is inconceivable that the institutions would propose a transformation that would be a retreat. Consequently, it can only involve progress.

Let us not forget that in the Community mechanism, the engine is activated by the European Commission by virtue of its power of initiative, which is its *raison d’être*.

Consequently, the 1975 time limit primarily relates to the European Commission, the Commission that will take up the reins on 1 January 1973, that of the enlarged Community. It will face huge tasks (see the schedule).

But in exercising its power of initiative and proposal, the European Commission is only interpreting the ‘common interest’. The field to which the quest for this common interest must relate has just been defined by the Heads of State or Government themselves, thus at the highest level. The Commission has been given a mandate from on high, but its actions can be crowned with success only if they are deeply rooted in this common interest, i.e. in the interest of the peoples. It is to them, to public opinion, that the Commission must explain itself, and it is from them that it must receive the support necessary if its efforts are to be successful.

Today’s pipe dreams, tomorrow’s reality

Let us return to our starting point. This Summit will, above all, be the Summit remembered for:

- Confirmation, jointly by the six founding members and the three new members, and in solemn form, of earlier undertakings.
- Ratification of agreements entered into on the realisation of economic and monetary union and on the timetable for its implementation.
- Relegation to the back burner of some of the hopes for ‘strengthening of the institutions’ and ‘democratisation’ of the Community.

— Attribution to the institutions of responsibilities in new areas, with an impressive work programme to be executed within the legal framework of the Community.

— Enunciation of a distant objective, that of 'European Union', which remains ambiguous but which, for that very reason, could become the subject of a major political battle over the next three years.

That is why the Paris Summit may be a Summit of a positive attitude to the future.

Provided that political and trade-union forces, young people (who are not mentioned in the communiqué), and all the strong forces in our peoples intensify their activities and lend their support to the institutions, and call unceasingly for democratisation.

Provided that this happens, what seems to us today a pipe dream may become a reality tomorrow.

Emanuele Gazzo

1. ' If action by the Community should prove necessary to attain, in the course of the operation of the common market, one of the objectives of the Community and this Treaty has not provided the necessary powers, the Council shall, acting unanimously on a proposal from the Commission and after consulting the European Parliament, take the appropriate measures .'