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## Reflections on the Schuman Declaration

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The Treaty establishing the European Coal and Steel Community was the first concrete achievement of several centuries of reflection on European construction. At first sight this may seem a huge anti-climax. Yet we now know after more than fifty years of integration, that this was far from the truth. Were the founding fathers visionaries? It would be as wrong to think that they foresaw all the consequences that flowed from their initiative, as to suggest that their pragmatic endeavour was devoid of any long-term vision. As the Schuman Declaration shows, they were initiating what was to become the first stage in a process of integration.

The experience of the Hague Congress and of the establishment of the Council of Europe, which was its first outcome, had shown them that any ambitious venture was doomed to fail as states were not prepared to surrender large parts of their sovereignty to the benefit of common institutions. Hence, even if some were sympathetic to the idea of a federal system, the approach they adopted was more modest in scale. Yet they were able to incorporate this approach into a long-term vision, a vision shared by all those who pondered the construction of Europe: the quest for peace. And Monnet and Schuman knew from experience that this peace could be achieved only if an occupied Germany could be permanently returned to the European fold.

### Historical Context

The Schuman Declaration was a response to this objective. As a result of his personal experience at the junction of Germany, France and Luxembourg, Schuman was not a naive pacifist and in 1949. Speaking in the French National Assembly in a debate on ratification of the Atlantic Treaty, he said on the subject of Germany's participation: « The question cannot be raised today or in the future. Germany does not yet have a peace treaty. It does not have an army and it will not have one ». But he quickly understood that peace would not be possible unless the errors made by France after the Treaty of Versailles were avoided. There was no question of discriminating against Germany: rather it must be treated as an equal.

In 1950, Franco-German relations were strained. When Schuman made an official visit to Bonn the reception by the new German Chancellor, Konrad Adenauer, had not been easy. There were ample subjects for recrimination: the status of the Saarland, which had just been admitted to the Council of Europe, and the restrictions on steel production, were matters on which the chancellor took a firm line. A way of restoring good relations needed to be found. The solution came from Jean Monnet, the Planning Commissioner, who referred the draft declaration to Schuman. The first version of which had been prepared by law professor Paul Reuter and was to give birth to the ECSC. The basic

thinking was to bring France and Germany together in specific areas by granting Germany equal rights. Coal and steel was the unavoidable choice as these were crucial for the reconstruction of Europe and were the source of deep disagreement between Germany and France. By integrating what had previously been a cause of division, the foundations of European construction were laid and, if successful, would provide a model that could be used in other sectors. The history of the declaration is well known: prior consultations with Chancellor Adenauer, who agreed; the consultation with the US Secretary of state Dean Acheson; the official announcement on 9 May 1950; the acceptance of the plan by Italy and the Benelux countries; its rejection by Great Britain; the opening of negotiations on 20 June 1950; and finally the signing of the Treaty on 18 April 1951.

That success would also owe much to personal relations between the political leaders of the Member States. Schuman had completed part of his studies in Germany before the First World War and spoke the same language as Adenauer. He was a Christian Democrat and shared the values of Alcide de Gasperi and above all the Italian Minister for Foreign Affairs Count Sforza. He spent his early years in Luxembourg and was on friendly terms with the Minister for Foreign Affairs, Joseph Bech. Part of his family lived in Belgium and he quickly established good relations with Paul van Zeeland and Paul-Henri Spaak.

This conjunction of views accounts for the speed of the negotiations, but this does not mean that their course was an easy one. Economic interests had strong misgivings and certain states, including Italy, which was very much in favour of the treaty, demanded specific provisions to protect their production. The Netherlands had very strong reservations about the existence of a supranational authority. But the fact that each member would be subject to the same constraints and on an equal footing vis-à-vis the High Authority helped to create a sense of solidarity. In addition, the dangers of overproduction of steel, and hence of crisis, if each state continued to pursue its own policy without restraint, the memory of the pre-war German steel companies, and the role of steel in arms manufacture, were powerful factors in favour of the project being accepted.

## **The Declaration and the so-called « Monnet Method »**

The ECSC Treaty bears the stamp of what would come to be known as the Monnet method: creating areas of solidarity on specific issues and then, building on the success of those areas, extending their scope. However, with Monnet the inspiration was federal. The Member States would delegate sovereign powers, albeit in a limited sphere, to common institutions. As Monnet puts it, such institutions are federal. The arrangement is simple. Management powers are entrusted to a High Authority whose members are independent of the states and which is accountable to a parliamentary assembly. The Council of Ministers is consulted and ensures that the ECSC's policy is coordinated with that of the Member States. A court supervises the institutions' action. The founding fathers attached great importance to institutions, knowing that major political advances



can always be made in response to circumstances, but that institutions will guarantee the permanence of the system in daily life and over time.

## **A Basis for Future Development**

This approach proved effective. While attempts at a political union such as the European Defence Community or the European Political Community failed, the European Economic Community provided a way out of the crisis provoked by these unfruitful endeavours. Of course the EEC, owing to the scale of its responsibilities, was unable to emulate the institutional structure of the ECSC.

As shown by Paul-Henri Spaak, whose endeavours gave rise to the EEC, the issue was not to impose a prefabricated model on the common market but to determine what institutions would be capable of achieving the desired result. This realistic approach did not distort the institutional model of the ECSC, but altered the balance in favour of the Council. Beyond the day-to-day management of a market, an important legislative project needed to be carried out and it could not be conducted by a supranational body alone. While the Commission, which succeeded the High Authority, retained management powers, the Council would take legislative decisions on a proposal from the Commission. The explanation for the choice of decision-making process in the Council is interesting. A weighted majority was adopted for the operation of the market and unanimity was reserved for what Paul-Henri Spaak described as 'matters relating to the general policy of states'. The proposal of the Spaak committee was highly ambitious in the case of the Parliament, which approved the appointment of Commission members, approved administrative budgets and adopted the Commissions legislative proposals with the Council acting by a two-thirds majority. It was not until the Maastricht Treaty that Spaaks proposals on this point were implemented.

The general framework set by the founding fathers still forms the basis for the institutional structure and the functioning of the institutions. All progress must of course start from what already exists so that when the European Economic Community was established, work had to proceed on the basis of the ECSC Treaty. This pattern has been repeated with each revision of the treaties. Each time amendments have been made, but in compliance with the basic structure. And while the draft establishing a constitution for Europe seemed, mainly in appearance, to depart from the Monnet method, the Lisbon Treaty clearly exhibits a return to orthodoxy. Institutional reforms have been and will be necessary, of course, but they have been carried out on the basis of the *acquis* and have gone in the direction the founders wanted: a practical, gradual approach to extending the sectors of activity, more majority voting, and more powers for the Parliament, attesting to the validity of the original approach.

