

'What has become of the Political Community?', from La voix fédéraliste (1953)

Caption: Writing in La Voix Fédéraliste in spring 1953, Dr J. Spaey, a member of the executive committee of the Belgian Section of the European Movement, wonders what form the European Political Community will take.

Source: La voix fédéraliste. Organe de l'Organisation Luxembourgeoise du Mouvement Européen. 1953, n° 2-3. Luxembourg: Organisation Luxembourgeoise du Mouvement Européen. "Fédération ou confédération", auteur:Spaey, J. , p. 13-15.

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What has become of the Political Community?

Retrospective

The fundamental reasons for and guidelines of the European Political Community are set out in Article 38 of the European Defence Community Treaty, which authorises the Common Assembly, provided for by the Treaty, to draft a proposal for a European Constitution, either federal or confederal in nature.

Meeting in Luxembourg in September 1952, the Council of National Ministers of the Member States of the ECSC recognised that it would be some time before the European Defence Community came into effect. They therefore instructed the ECSC Assembly, together with certain other designated members, to consider this proposal.

This is how what is known as the 'ad hoc' Assembly came into being. On 10 March 1953, it submitted its findings to the National Ministers.

[...]

Federation or confederation

At first, the problem of the powers and responsibilities to be conferred on that political community caused a confrontation between the minimalists and the maximalists, the protagonists of federalism or of confederation. The ones recommended wide responsibilities and limited powers, the others minimal responsibilities and genuinely and exclusively European powers.

In fact, this dilemma is artificial; there is a minimum amount of powers and responsibilities without which there can be no genuine political community. This minimum must not be a function of ideological or emotional preferences or of legal constraints, but of the reality of Europe as it is today.

There is not one nation in Europe at the moment that can assume sole responsibility for its own defence. No one state can hope to be heard on the international stage in the climate of deep antagonism that separates East and West. Nor can one state hope to provide economic prosperity and social change for its citizens on its own. It is, therefore, obvious that a political union must have economic, diplomatic and military responsibilities, if only because of the particular circumstances in which it exists. It must have them in a legal and constitutional framework precise enough to prevent any ambiguity and binding from the outset on every Member State.

Similar reasoning applies to its powers. The question is not whether the Europe of tomorrow will be federal or confederal. These are legal terms formulated in the past to establish the American, Swiss and German Constitutions, in very different circumstances from those that prevail at the moment in Europe. The American situation, for instance, is unlike the one in Europe where we are talking about the creation of a community between countries with a lengthy history, a national identity, and very particular legal and institutional traditions. A legal formula must be found for Europe which is not necessarily already in existence but is adaptable to the reality of the situation.

What in fact do we want?

On the one hand, we want to maintain the national institutional frameworks which safeguard the culture, traditions and specific aspects of society. We also want to create bodies able to take decisions in areas in which Member States can no longer act effectively alone.

The powers of the Political Community will therefore necessarily have some federal and some confederal aspects.

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