

# 'The two Europes' from La Libre Belgique (13 September 1965)

**Caption:** On 13 September 1965, in the daily newspaper La Libre Belgique, Paul Struye, the Belgian Catholic Senator and former Member of the Common Assembly of the European Coal and Steel Community (ECSC), analyses the impact of the press conference held on 9 September 1965 by General de Gaulle, President of the French Republic, which addressed, in particular, the issue of the empty chair crisis.

**Source:** La Libre Belgique. 13.09.1965. Bruxelles. "Les deux Europes", auteur:Struye, Paul , p. 1-2.

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## The two Europes

General de Gaulle's press conference, the last in his seven-year term as President — though it might well not be his last of all — was awaited not only with the interest which his public statements always arouse, but also with some anxiety.

Did the French Head of State intend to accentuate or, on the contrary, attenuate a strict foreign policy often bitterly criticised as 'anti-American' and 'anti-European'?

The reply to this question is unequivocal.

The General's speech is unyieldingly firm with regard to France's position on the major international issues of the moment — and also, it should be added, on the issues of the future. As usual, he has refused to confine himself to current events and has presented a long-term view of the years or decades to come.

His broad canvas of the contemporary world is masterly in many respects. No one has better analysed the upheavals that have transformed the face of the globe in the last few years, drawing appropriate conclusions. No one has more accurately highlighted the role that South America and the People's Republic of China will be called upon to play in future — making it clear that China should be admitted to the UN.

The General is probably right that the Vietnam issue can reasonably be resolved only by an agreement to ensure, through international supervision, the neutrality of a region ravaged by a merciless war that appears to be leading nowhere. And he is doubtless also correct in his view that a true Europe must one day stretch from the Atlantic to the Urals.

Most anxiety, however, centred on France's position on the Common Market crisis.

And here we are forced to conclude that the General's statements aggravate the situation rather than relieving the tension.

It was, of course, easy for him to explain why France broke off negotiations with its five partners on the night of 30 June.

The Five had failed to honour their formal commitment to the plan for funding the agricultural market. Moreover, the EEC Commission had decided to complicate the intended agreement by introducing political clauses that were clearly out of place.

But whereas the General is on solid ground in demanding full compliance with the commitments on the inclusion of agriculture in the EEC — everyone knew that the inclusion of agriculture was a *sine qua non* for French membership of the Common Market — and has adopted a logical and conciliatory approach in agreeing to resume the Brussels negotiations as soon as the agricultural commitments are met by all parties, his position appears much less tenable when he proclaims that France will not be able to maintain its agreement on what he describes as 'errors and ambiguities' in the Rome Treaties.

These errors and ambiguities, it would seem, consist in having imposed on France abdications of sovereignty incompatible with its dignity as an independent nation and its Constitution.

The General has declared that on this point, which is of crucial importance, France will demand a revision of the treaties.

Understandably, this position has been severely criticised by those 'Europeans' who hold that the Treaties are inviolable or that they may be revised, in the future, only in such a way as to further increase the supranational character of the Community.

As justification for revision, General de Gaulle invokes France's weak position at the time the Treaties were

signed. This, he claims, caused it to accept subordination to future Community decisions that may shortly be taken by majority vote. Having regained its independence, however, it cannot conceivably envisage such subordination.

From the legal standpoint, it is a weak argument.

France signed the Rome Treaties of its own free will. At the time, there was no question of any constraint or a 'diktat'. A government is not entitled to repudiate commitments validly entered into by a previous government. *Pacta sunt servanda*. There would be no security in international relations if a government's actions could be unilaterally undone by its successors.

To this the General adds a second argument.

Recent incidents, he claims, have given a clearer idea of 'what France could be committed to in the future if certain provisions of the Treaties were applied strictly.' The Hallstein Commission, an 'irresponsible technocracy', already deemed it perfectly natural to have a budget of 20 billion francs at its disposal and thus to become a major financial power. In the near future, this same technocracy could decide, by a majority vote, to reverse inclusion of the agricultural market in the EEC or adopt, against France's wishes, measures that seriously threatened its vital interests.

Legally speaking, this argument is also rather unconvincing. It amounts to saying that a commitment can be cancelled on the grounds that, when signing an agreement, one of the parties failed to foresee all the disadvantages that might result from its implementation. It implies that a contract can be declared null and void simply because of a failure to appreciate the possible consequences of commitments freely entered into. On this argument, a contract would no longer constitute the law of the parties.

While France's position is scarcely tenable on strictly legal grounds, the fact remains that even the most carefully drafted treaties often require amendment in the light of experience — although such amendment must itself be the subject of an agreement freely entered into.

I have already pointed out in these columns that in Belgium, a country noted for its strong attachment to international cooperation and compliance with treaties, a section of the public objected strongly to the idea that an international court, whose competence had been recognised without reservation, should be able to impose a minor adjustment to our language system. It would therefore be unfair to criticise France for not being happy that a supranational authority, even one duly established by treaty, should claim the right to impose on it a military, foreign or economic policy that would be seriously detrimental to its normal development.

As justification for his opposition to supranationalism, General de Gaulle also uses an argument that has always embarrassed European 'federalists': to bind the Six in a supranational straitjacket would prevent Britain — and possibly Spain — from joining the Community at some point in the future. That objection has never been challenged.

Whatever the strength of the General's arguments, one thing is certain: there are today two Europes, or, more accurately, two opposing views of Europe: on the one hand, a Europe of the states, and on the other, a Europe of the Community institutions. The former aims at a 'confederation' that would leave the main features of national sovereignty intact, the latter at a European 'federation' in which national sovereignties would be merged and to a large extent dissolved.

Since the General's speech, opposition between the two Europes has hardened so much as to suggest that reconciliation is impossible and that the European Community is already doomed.

On further consideration, however, that conclusion seems unduly pessimistic.

Though staunchly opposed to supranationalism, the General has repeatedly stressed that 'cooperation'

between nations, especially the nations of Europe, is indispensable. He has even declared that France intends to lead the way in cooperation.

After all, supranationalism is only one possible form of cooperation. It is not the only one. Nor is it always necessarily the best.

So there is no reason why discussions should not take place on other arrangements. They would, of course, have to maintain the basic elements of the European Economic Community as it exists today, but they would not exclude such adjustments as might prove useful.

Whatever the differences between the opposing views of Europe, common sense, history and geography all tell us that Europe needs France, just as France needs Europe. These two simple facts ought, under normal circumstances, to generate opportunities for new agreements.

Paul Struye