

## Interview with Charles Rutten: the ‘empty chair’ crisis and the Luxembourg Compromise (The Hague, 29 November 2006)

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[Étienne Deschamps] During the 1960s, and particularly during the second half of the 1960s, how did the Dutch authorities, the government in The Hague react and feel towards France’s stance on Europe and, specifically, that of de Gaulle?

[Charles Rutten] Of course, as soon as de Gaulle came back, we expected a policy very different from that of his predecessor with regard to the creation of Europe. De Gaulle had said: ‘If I had been in power, I would never have signed the Rome Treaties.’ So that was very clear. On the other hand, we were also convinced that de Gaulle could not allow himself simply to destroy the European Community, because it was obvious that the existence of the Common Market, and, particularly, of the common agricultural policy and the common agricultural market, brought enormous economic benefits to France. And a straightforward destruction of the Community would be politically impossible, and de Gaulle was intelligent enough to understand that. But what he wanted, of course, was to strip the Community of all its supranational elements. And that was shown on various occasions. It was shown by the Fouchet Plan, and it was shown during the ‘empty chair’ crisis that was artificially provoked by France to achieve practically the elimination of qualified majority decisions, something which was only remotely related to the issue of the agricultural finance regulation which was the issue on the table.

During that ‘empty chair’ crisis, it was precisely our firm belief — and not just ours but also that of the Germans and of Spaak and the Italians — that de Gaulle’s hands were practically tied and that he could not let the crisis get out of hand and threaten the break-up of the Community. So, the position of the Five was a strong one, provided that they remained united with a united position, a united point of view, a united negotiating stance. And, once again, there was clearly still the risk that some Minister or other would be convinced by Paris that it was in the interests of everyone if compromises were found and, of course, compromises that met the concerns felt in Paris. All the Permanent Representatives did their utmost to hold the Five in line.

[Étienne Deschamps] At that time, were the negotiations taking place solely between the Five, or did you nevertheless ensure that contact was maintained with the French Permanent Representation, in this instance with the number two, since the number one had been recalled to Paris? Were there contacts between the Five plus the sixth?

[Charles Rutten] Yes, plus the sixth who was Maurice Ulrich. He was left behind as the rearguard, in a way, in Brussels. And we kept him informed of everything that was going on, so all the discussions between the Five were communicated to him also in order to influence Paris, to convince Paris that, on the essential points, and particularly on the question of qualified majority decisions, the Five would not budge. Well, that led finally to the Luxembourg Agreement that of course ... can be interpreted in different ways. Our position is that, in Luxembourg, we did not give ground on anything of substance. On a certain number of ancillary issues, we did trim the Commission’s wings a little, but Hallstein had also caused some upset. But, on the essential issues — the qualified majority decision — the formula in our view was clear: discussions would continue in order to secure a unanimous agreement and, if that was not secured, the treaty applied, that meant that decisions could be taken on the basis of a qualified majority.

But this whole issue of decisions being taken by qualified majority was always very much exaggerated because, from the moment that it became possible for such decisions to be taken, it was hardly ever used. The possibility of taking a decision by qualified majority was, above all, a negotiating weapon. The threat could be made: ‘Listen, we must reach an agreement. You have to realise, Mr X, that if you do not agree we can always *outvote you*.’ And that was always a very effective argument for securing an agreement and avoiding the need to vote. So, in fact, the French problem was a purely intellectual problem. De Gaulle could not tolerate the idea that there was a possibility, even a remote one, of a decision being taken where France was in the minority.

[Étienne Deschamps] During this crisis, did the Benelux countries play a special role or no more than the

others? Or did the structure of the Benelux ...?

[Charles Rutten] No. Luns worked a lot with Schröder, the Minister of Foreign Affairs at the time. Spaak would talk to the French. That I must say, really, that gave us *the jitters*, put the wind up the others, because Spaak, of course, always tended to reach compromises. It is in the Belgian character, I believe, and, at all events, in Spaak's character, to seek a compromise. It was always feared that he would go too far. But I must say that, on that point, Spaak, on the essential points, remained firm and did not give ground. No, the work was ... well, that negotiation was going well at the Luxembourg Conference.

So I took part in one round, because, normally, it was the Permanent Representatives who attended, but Spierenburg was ill the first time, so I had to attend that meeting. Luns and Schröder were working hand-in-hand. And Schröder was very tough, very tough about the way the French had acted. Well Luns backed him up, but in a more elegant way. And Spaak pursued the essentials he remained firm on the essentials but was still a bit softer concerning ... well, they were playing a game, but one which finally succeeded. I don't feel that de Gaulle understood the lesson. But, at all events, he did not come back in the same way to try to sabotage the Community in its supranational aspects.