

EDITORIAL COMMENTS

Building a future together

On 8 May 1990, on the initiative of the Commission, a commemorative session on the Schuman Declaration was held in the Berlaymont, in Brussels. On this occasion, the Presidents of the European Parliament, the Council of Ministers and the Court of Justice made speeches. The President of the Commission closed the session with his conclusions.¹

The initiative of the Commission of the European Communities was both very timely and appropriate. More than ever before the Community is at a crossroads. Increasingly it stands out as a model for those in Eastern Europe who want to reach a life without excessive government interference in economic, political, cultural and private matters. Community confidence was greatly boosted when, in July 1989, the European Commission was entrusted with the co-ordination of the aid of the 24 rich countries to Poland and Hungary. Recent international political developments have further strengthened the Communities' international profile.

While these developments were occurring, the Community found its own momentum towards the Economic and Monetary Union (EMU). The momentum was brought about by an increased and accelerated awareness of the fact that the full benefits of a true internal market can not be achieved without a concomitant monetary integration.

The developments in Eastern Europe have not led, at this crucial mo-

1. Agence Europe 1618, 16 May 1990.

ment in the history of Europe, to stagnation in the integration process. The political and psychological interplay of these activities has fortunately provided an impetus towards further integration. This is evidenced by the call for a political union by Chancellor Kohl and President Mitterant. The notion of political union has been criticised for being too vague. While one may concede that there is a great deal that needs to be firmed up about the concept of a political union, its fundamental importance lies in the recognition of the necessity of a leap forward in the integration process. Imaginative efforts will be needed to bring the idea of a political union in Europe forward. In the course of history, lawyers have played an important role in framing ideas into reality where the building of nations was at stake. It is common on such occasions to recall and point to the efforts of the USA in this respect. However useful such comparisons are, lawyers have a broader range of examples to draw from. The experiences in Federal States such as Canada, Australia and, nearby, the Federal Republic of Germany can provide further useful comparisons for the creation of a political union. The extrapolation of present trends in the Community will not necessarily bring about a clear model of a political union. Thus for example, enlarging the powers of the European Parliament will not be enough. Clearly the position of the European Council, the Council of Ministers and the Commission all need to be reconsidered. At the legal level, the implementation of and obedience to Community law, in particular its directives, are in great need of fundamental strengthening. The cohesion of Community law was forged by the Court of Justice of the Communities in the sixties and the seventies, by giving its provisions direct effect.

Reverting to the creation of a political union it is necessary to formulate the basic objectives of such a union clearly. First, the union should create the necessary institutions, mechanisms and rules necessary for the creation and implementation of the EMU. The co-ordination of monetary and economic policy which will necessarily be part of the EMU, calls for institutional reforms. Fortunately, the discussion on the EMU is not carried on in isolation from other developments. The creation of a monetary union in Germany shows how closely economic and political developments are connected.

Second, the union should create greater political unity in Europe and

fill the presently existing democratic deficit. The national centre of democracy will have to be supplemented and eventually superseded by democracy in Europe. This is necessary because at present decision-making in the Community does not sufficiently represent the democratic traditions common to the people of Western Europe. It is also necessary because the countries of Eastern Europe will increasingly look toward the Community for strengthening their political system.

Third, the union should face the fundamental changes in East and Central Europe and provide the Community with structures, institutions and rules which enable it to accommodate the movement toward market economy and democratisation in Europe. A mature Community must be able to enlarge its membership considerably. Economic and political reform in Eastern Europe will necessarily lead to a quest for integration with the Community.

Finally, the union should be responsible towards third countries. The union must be in a position to assume its role as one of the promoters and protectors of the international trading system *i.e.*, the GATT. It should also establish its internal policies and rules with due regard for external repercussions. Moreover, the Community will only be able to exert its influence in the world if it is endowed with a sufficient coherent foreign policy.

These four objectives cannot be separated or isolated. A true political union in Europe must be adequately equipped to meet all four of them. It is a great challenge for lawyers to be able to contribute towards the realisation of these objectives. A challenge of the same dimension as that which confronted our founding fathers, Jean Monnet and Robert Schuman. And, as the example of these visionary men shows, a clear perspective of the future combined with great imagination, perseverance and enthusiasm, can create the conditions for bold political decisions.