

## Editorial

### Congratulations to Sir Gordon Slynn

Since he succeeded Sir Jean-Pierre Warner as Advocate General at the Court, Sir Gordon has been a tower of strength in promoting the understanding and appreciation of European Community Law in the United Kingdom and elsewhere. Law students and young practitioners and academics have constantly found in him a source of inspiration and encouragement. His appointment as a Judge at the Court gave pleasure to his many friends and his appointment as a Lord of Appeal in Ordinary redoubles that pleasure. We look forward to reading in his speeches in the Judicial Committee the same penetrating analysis of complex issues that was evident in his Opinions when he was Advocate General. His appointment increases still further the profile and importance of Community Law in the United Kingdom and we wish him every success and happiness in his new function.

*Laurence Gormley and  
Susan Nicholas*

### The European Community: Wider or Deeper?

"For forms of government let fools contest; whate'er is best administered is best", according to Pope in a quotation probably familiar to everyone who ever studied 'A' level history. Recent developments over European union have brought it very much to mind.

The European Community consists of a great deal more than just a common market. Indeed, it doesn't yet consist of that; even after 1992 begins the common market is going to be incomplete.

Business lawyers, and their clients, can be excused for losing sight of this basic proposition. The common, or internal, market is what really matters to business; who cares whether foreign policy and

defence are brought within the Community's sphere of influence? What does it matter what rôle is given to the Parliament?

The answer is that business should be interested in how these, and other, issues are resolved. An instinctive feeling that European union is a good thing (or not, as the case may be) is no longer sufficient. The variety of different Europes on offer obliges all but the most hardened xenophobe to make a choice.

Even ardent federalists of long standing are obliged in the light of recent events to reconsider their positions. The Community cannot simultaneously be widened and deepened, at least not without some trade-off of one against the other; the more complex the rules of the club become as part of the deepening process, the more difficult it will be for new members to adhere to them.

Sweden and Austria will presumably be able to cope with a more integrated Community. Cyprus and Malta, whose applications will not be considered for some years, may also be accommodated. But the agenda no longer ends there; the

collapse of communism has put another half continent in the frame.

Leave aside the idealistic aspects of the matter. The former Soviet satellites, and the Soviet Union itself, need to be integrated into the community of democratic nations, but this is a matter of peripheral interest to business.

From the point of view of business, the former Eastern Bloc countries are a huge, barely-tapped market which must be brought into the structure of the common market. Splitting hairs over the competing Luxembourg and Dutch drafts of the Treaty on European Union should not at this stage be a high priority; Member States' governments should instead be concentrating on extending the benefits of the internal market, and of what unity we already have, to the whole of the continent. Widening is what business needs.

*Peter Groves*