

## Editorial

### A Good European? – I

Members of the European Commission are required under Article 10 (2) of the Merger Treaty to be completely independent in the performance of their duties and, in relation to the performance of their duties, neither to seek nor take instructions from any government of from any other body. The recent difference of opinion between Mr MacSharry and President Delors relating to the agricultural element of the GATT negotiations has brought this obligation of independence into the public eye. Whilst it is clear that the Commission cannot operate in a political vacuum, there must be a clear difference between dialogue in which governments of Member States or private interest groups make their view known to the Commission and political pressure on commissioners to act in the interests of a national government or industrial sector. The credibility of the Commission is at stake when governments overstep the mark. Of course it may well be legitimate for members of the Commission who still have political ambitions in their home countries to consider the consequences of particular actions at home. But at the end of the day their duty is to act in

the wider Community interest and not in pure pursuit of the interests of national lobbies or of their own political skins. The problem is not confined to any particular nationality – indeed the British government is not unadverse to applying pressure to prevent or delay the adoption of decisions which it finds unpalatable – but is one which will have to be addressed more seriously if the credibility of the Commission is not to be irreparably damaged. The Member States, it will be remembered, are obliged under Article 5 EEC to ensure the fulfilment of the obligations arising out of the Treaty and to facilitate the achievement of the Community's tasks, as well as to abstain from any measure which could jeopardise the attainment of the objectives of the Treaty. The obligation to ensure that the Commission acts independently is thus reciprocal.

### A Good European? – II

The survival of the Maastricht paving resolution in the House of Commons is to be welcomed, but the somewhat dubious standpoint of British government concerning the timetable

for ratification is not. The foreign ministers of a number of Member States have already expressed considerable concern at the prospect of delay until late spring or even early autumn 1993. Such delay will seriously handicap the ability of the European Council to make substantive progress at its meeting in Edinburgh in December on issues such as the accession of candidate States to the Community. It will also encourage dissenters within the Conservative Party to try to postpone ratification for as long as possible by every procedural device known in parliamentary practice. Making Maastricht a hostage to the likes of the so-called "Euro-sceptics" gives the tail of the Conservative Party an undue opportunity to wag the dog. Whilst it is true that the ultimate fate of the Treaty on European Union is also dependent on the outcome in Denmark, the United Kingdom, if it is to be at the heart of Europe, should be taking the initiative rather than biding its time.

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