Shaping European Union: The European Parliament and Institutional Reform, 1979-1989

European Parliament

EN

Shaping European Union: The European Parliament and Institutional Reform, 1979-1989

Wolfram Kaiser

Based on a large range of newly accessible archival sources, this study explores the European Parliament's policies on the institutional reform of the European Communities between 1979 and 1989. It demonstrates how the Parliament fulfilled key functions in the process of constitutionalization of the present-day European Union. These functions included defining a set of criteria for effective and democratic governance, developing legal concepts such as subsidiarity, and pressurising the Member States into accepting greater institutional deepening and more powers for the Parliament in the Single European Act and the Maastricht Treaty.

Executive summary

This study explores the European Parliament's policies on the institutional reform of the then European Communities (EC) between 1979 and 1989. Alongside contemporary literature, European Parliament (EP) documents and media reports, it also draws extensively on primary sources from the archives of the EP, the European Commission, the Council and political groups including the socialists, Christian democrats and liberals, as well as interviews with eyewitnesses.

The study demonstrates how the EP sought to use its limited powers to extract procedural concessions from the Commission and the Council. It quickly became clear, however, that the policy of 'small steps' in trying to change institutional rules and practices within the scope of the EEC Treaty were inadequate for achieving the EP's larger vision of a Community with much more efficient and democratic decision-making structures.

The EP's debate about institutional reform mattered in several ways. Internally, it accelerated the professionalisation of the work of the political groups and committees. It also fostered the cohesion of the major political groups which did not want to be seen as disunited on the future of the EC. Moreover, the EP and the political groups realised the extent to which EC matters were becoming issues of domestic politics, and the necessity to latch institutional demands on to policy integration to achieve substantial reforms.

The EP's constitutional activism also impacted on external dynamics in the form of the evolving inter-institutional relations in the EC. They concerned relations with national parliaments; the need to demonstrate to the Commission how much it depended on the EP for its own institutional legitimacy; and the often tense relations with the Member States.

EP activism also impacted on the process of EC constitutionalisation itself. The 1984 Draft Treaty on European Union (DTEU) strengthened the existing ideological trajectory and created ideational path-dependencies. The DTEU also contained some constitutional innovations, such as the possibility of sanctions against Member States that persistently violated conditions of membership such as human rights and the rule of law – a constitutional idea that eventually found its way into the EU's Treaty framework. Through its wide-ranging networking and its 'democratic deficit' discourse the EP actively trapped the national governments rhetorically and forced them to recognise just how out of line the EC institutional set-up and practices were with established national parliamentary systems and practices – a strategy that contributed significantly to the Treaty changes in the Single European Act and the Maastricht Treaty.

Table of contents

Abbreviations

CAP	Common Agricultural Policy
CD Group	Christian Democratic Group
CDU	Christian Democratic Union
COSAC	Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union
CSU	Christian Social Union
DC	Democrazia Cristiana
DTEU	Draft Treaty on European Union
EC	European Communities/Community
ECJ	European Court of Justice
ECSC	European Coal and Steel Community
EDC	European Defence Community
EDG	European Democratic Group
EEC	European Economic Community
EFTA	European Free Trade Association
ELD	European Liberal and Democratic Group
EMS	European Monetary System
EP	European Parliament
EPC	European Political Community
EPC	European Political Cooperation
EPP	European People's Party
EU	European Union
IGC	Intergovernmental Conference
MEP	Member of the European Parliament
PS	Parti Socialiste
SEA	Single European Act

1. Introduction

Institutions matter. They are not politically neutral. In democracies they shape how power and resources within a society are distributed. They 'influence perceptions, structure, information channels, help to legitimize decisions and stabilize norms about wanted and unwanted behaviour'.[1] They also provide the legal tools for the making of policies that matter to citizens in their everyday lives. This is true for the present-day European Union (EU) as much as for the political systems of its member states, or, for that matter, democracies elsewhere. Major changes in the existing institutional set-up have potential, imagined or real, for changing power relations, shaping decision-making and producing alternative legal and political outcomes for salient issues. In September 1983, for example, Paddy Lalor, a Member of the European Parliament (MEP) for Fianna Fail, the Irish nationalist political party allied to the French Gaullists in the European Parliament (EP), defied his group. While his colleagues abstained in an important vote on the EP's Draft Treaty on European Union (DTEU) in the making, he voted against for fear that such major constitutional change would bring abortion to the Republic of Ireland through the back door of European integration.[2]

Institutions and proposals for institutional reform are intimately connected, therefore, to particular visions of a constitutional order or to concrete interests regarding particular policy issues. Even stable democratic systems with strong consensus on core constitutional features reform their institutions intermittently to respond better to new economic and societal challenges, for example. Political systems in the making are prone to faster change as they face new internal or external tasks, acquire more competences, or seek to respond to popular demands for integration. This is especially true of the EU. From the beginning of 'core Europe' integration in the form of the European Coal and Steel Community (ECSC), created in 1951-2, and the European Economic Community (EEC) and Euratom, both founded in 1957-8, functionalists advocated deeper 'supranational' integration to allow the new communities to respond more effectively to transnational policy challenges. Over time they included managing declining industries, creating an internal market and preventing environmental degradation. At the same time, federalists sought to create a new union at the European level to overcome the legacy of nationalist frictions, secure peace and improve the living conditions of citizens. In fact, since the 1950s the EU has massively expanded its scope and competences from its initial - and much more limited - focus on market integration. To tackle transnational policy issues, subsequent treaty changes up to and including the 2007 Lisbon Treaty have even allowed the EU to expand into areas long thought of as core member state competences like running monetary policy, policing borders, or maintaining external security.

From the beginning, however, demands for the deepening of European integration and associated institutional reform met with stiff resistance, too. In the 1960s, for example, French President Charles de Gaulle railed against 'unelected Brussels bureaucrats' in the European Commission who, in the words of Jean Monnet, merely sought to draft European laws 'in the interest of all [Europeans]'.[3] In 1965, de Gaulle even provoked the 'empty chair' crisis in protest against Commission pretensions to be a European government in the making and to avoid the transition to majority voting in the Council of Ministers – a conflict that eventually led to the legally non-binding Luxembourg

---

[1] Wolfgang Wessels (1992) The Institutional Debate – Revisited. Towards a progress in the "acquis académique", in: Christian Engel and Wolfgang Wessels (eds) *From Luxembourg to Maastricht: Institutional change in the European Community after the Single European Act,* Bonn: Europa Union Verlag, 18-32, here 19.

[2] *The Irish Press*, 15 September 1983.

[3] Jean Monnet, Father of Europe. The 1971 BBC Documentary https://www.brookings.edu/blog/brookings-now/2014/03/14/jean-monnet-father-of-europe-the-1971-bbc-documentary/ (accessed 29 October 2018).

Compromise of January 1966, which in turn created the informal institution of a national veto when a 'vital national interest' was at stake.[4] Nevertheless, many political actors still saw the European Communities (EC) – as they became known after the 1967 institutional merger – as having a strong federalist vocation, something that continued to deter third countries from joining the EC (as in the case of the Norwegian 'No' in the first 1972 referendum, for example). Moreover, as the 2016 Brexit referendum in the United Kingdom has shown in dramatic fashion, opposition to EU membership or further integration continues to persist to different degrees across Europe.

Thus, despite the decades-long discourse about a 'finalité politique' of European integration, the EU's 'constitution' is creatively being written and rewritten, without having reached a clear end-point in the form of a consensual settlement. At the time of writing, third countries were negotiating accession to the EU which would enlarge its geographical scope further at a time when the United Kingdom was about to leave for an insecure future outside. Domestic and international challenges suggest the need for closer cooperation or integration and political activism in newly emerging policy fields, from regulating technological progress to the fight against terrorism. At the same time, Euroscepticism is on the rise, calling into question the legitimacy of the EU and its institutions.

European integration as a non-teleological 'process' - with strong potential for 'spill-back' in the form of the Luxembourg Compromise or Brexit, for example - has been researched by political scientists for a long time. From the 1950s onwards, functionalists, starting with Ernst B. Haas, argued that functional connections among policy areas and challenges increasingly required European-level political action, something that newly-created supranational institutions like the European Commission (in collaboration with increasingly transnationally organized interest groups) would nurture and foster. This in turn would lead to institutional deepening, growing European competences for new policies, and the EC's geographical expansion attracting third countries into its orbit.[5] With its more optimistic assumptions about 'spill-over' dramatically called into question by de Gaulle's reassertion of member state control over policy-making in 'Brussels', neo-functionalists nevertheless continued to make the case that EC-level integration was frequently induced by functional needs - for example, in conjunction with the 1987 Single European Act (SEA) and the creation of an internal market. Clearly, such an internal market as already foreseen in the Rome Treaties required not just the transition to the customs union accomplished in the 1960s. It also necessitated dealing with non-tariff regulatory barriers increasingly used by member states to compensate for the abolition of tariffs and to protect domestic industries.[6]

Stanley Hoffman first challenged the functionalist conceptual hegemony when he highlighted the continued resilience of the member states in his analysis of the 'empty chair' crisis and its possible impact on European integration.[7] Liberal intergovernmentalism later developed his 'dissident realist' argument further by explaining the constitution of 'national interests' as the result of domestic competition among interest groups. Member state governments then bargain over such interests - including in intergovernmental conferences – which, according to this view, explains EC treaty reforms.[8] Despite his disagreements with social science theory, economic historian Alan S. Milward has similarly argued that European integration as 'process' can only be explained by

---

[4] Philip Bajon (2012) *Europapolitik „am Abgrund". Die Krise des „leeren Stuhls" 1965-66*, Stuttgart: Franz Steiner.

[5] Ernst B. Haas (1958) *The Uniting of Europe*, Stanford/CA: Stanford University Press.

[6] Wayne Sandholtz and John Zysman (1989) Recasting the European Bargain, *World Politics*, 42 (1), 95-128.

[7] Stanley Hoffman (1966) Obstinate or Obsolete? The Fate of the Nation-State and the Case of Western Europe, *Deaedalus*, 95 (3), 862-915.

[8] Andrew Moravcsik (1998) *The Choice for Europe. Social Purpose and State Power from Messina to Maastricht*, Ithaca/NC: Cornell University Press; Andrew Moravcsik (1991) Negotiating the Single European Act: national interests and conventional statecraft in the European Community, *International Organization*, 45 (1), 19–56.

purposeful national governments defending national 'interests' or, as he put it later, following a 'national strategy' in order to use the EC for their own purposes – in his view, the 'European rescue of the nation-state', which after 1945 was no longer able to secure sufficient welfare for its citizens and so opted for economic integration and political cooperation through the EC.[9]

None of these authors were even faintly interested in the question of why the ECSC already included a Common Assembly (and the EEC a parliamentary assembly) that started to call itself the European Parliament in 1962 and was first directly elected in 1979. Nor, for that matter, were they interested as to why the EP acquired more substantial budgetary powers in the 1970 Luxembourg and the 1975 Brussels treaties; or why it was granted legislative powers in the 1987 SEA, the 1992 Maastricht Treaty and the 2007 Lisbon Treaty which further broadened the scope of what is now called the Ordinary Legislative Procedure in which the EP acts as co-legislator with the member states in the Council of Ministers. Neo-functionalists highlighted the importance of the European Commission and its cooperation with business actors in particular (as in the case of the origins of the internal market in the 1980s).[10] The EP was less central to their explanation of the constitution of a new European polity. For state-centric International Relations scholars, the delegation of powers to an elected parliament even contradicted key assumptions of their theory, especially the alleged ability of governments to control supranational institutions and only to delegate powers to them to foster their own strategic objectives. The EP could not be easily controlled, however, especially after 1979 when it could claim to be directly legitimized as representing the European peoples, or people.

For this key explanatory deficiency, and because of their preoccupation with history-making events rather than day-to-day politics and regulation, Simon Hix discarded all International Relations theories as 'obsolete' for explaining EU politics in 1994.[11] Since then political scientists like Berthold Rittberger, drawing on institutionalist theories and literature, have sought to explain the delegation of powers to the EP with national experiences with parliamentary democracy. From this perspective, national political parties and parliaments are strongly influenced by the notion of effective parliamentary control of government as a core aspect of any functioning democracy. As they were progressively losing power over national governmental policy-making in the EC, resulting in growing executive autonomy and arrogance, these political parties and parliaments started to demand the strengthening of the parliamentary dimension of the emerging EC political system as a mechanism to enhance democratic control in a transnational polity. Their normative commitment to adopting existing national democratic templates for the EC level in this view eventually convinced governments to agree to the direct elections of the EP, which were already foreseen in the EEC Treaty, and the gradual transfer of substantive powers to it.[12]

Making the important point about the role of democratic norms as a key motivation behind the strengthening of the EP's position and its role in the EU political system, these studies focus on member state political parties and parliaments only, however. Transnational European actors also strongly promoted the idea of an EC-level democratic political system in which they acquired a growing stake. In fact, these transnational actors - including European party organizations and EP groups - often lobbied national-level actors to make them more sensitive to the adverse

---

[9]   Alan S. Milward (1992) *The European Rescue of the Nation-State*, London: Routledge.

[10] Maria Green Cowles (1995), Setting the Agenda for a New Europe: the ERT and EC 1992, *Journal of Common Market Studies*, 33 (4), 501-526.

[11] Simon Hix (1994) The study of the European community. The challenge to comparative politics, *West European Politics*, 17 (1), 1-30.

[12] Berthold Rittberger and Frank Schimmelfennig (2007) Explaining the constitutionalization of the European Union, *Journal of European Public Policy*, 13(8), 1148-1167; Andreas Maurer (2002) *Parlamentarische Demokratie in der Europäischen Union. Der Beitrag des Europäischen Parlaments und der nationalen Parlamente*, Baden-Baden: Nomos.

consequences of further competence transfers to the EC level for the quality of democratic policy-making and controlling national executive action. Moreover, since its creation the EP itself strongly promoted its potential contribution to overcoming the 'democratic deficit' - as it became known in the 1970s - and demanded more powers. In 1984, for example, it voted for the DTEU to break what it regarded as the EC's institutional deadlock and resulting inability to address pressing transnational challenges, which had a negative impact on the organization's efficiency and legitimacy in the eyes of European citizens.

Against this background, this study explores the EP's policies on EC institutional reform and its political activism to bring such reforms about in the crucial formative period of its first two terms, between 1979 and 1989, with an outlook on the transition from the SEA to the Maastricht Treaty. Contemporary studies describe EP policy-making on institutional reform in some detail. They were often written by insiders like Richard Corbett.[13] As a young official, Corbett worked for the Committee on Institutional Affairs when the EP debated the future DTEU before becoming a British Labour Party MEP from 1999 to 2009 and again in 2014. In the 1980s the EP's claim to legitimacy rested especially on being perceived as an open and transparent institution which had to appeal to the European electorate to enhance its position in the EC political system. As a result, these authors were often able to draw on internal as well as publicly accessible documents. They also received the benevolent support of their institution. The EP regarded their work on the borderline between academic research and political activism as an essential support mechanism for counterbalancing academic and media interest in the European Commission and member state policy-making and for propping up its own demands for institutional reform with scientific arguments.

Nevertheless, this literature could not use archival sources. In contrast, this study, alongside contemporary literature, EP documents and media reports, also draws extensively on primary sources from the archives of the EP, the European Commission, the Council, and political groups including the socialists, Christian democrats and liberals, as well as interviews with eyewitnesses.

Moreover, the older literature largely failed to conceptualize the EP's role in the EC's institutional reform. This study situates the EP's activism in the broader constitutional politics of (in the words of Thomas Christiansen and Christine Reh) 'the struggle between a wide range of actors over constitutional choice…in a legally, institutionally and discursively prestructured context'.[14] This perspective on continuous debate and negotiation about institutional reform is close to social science-oriented legal scholars. In contrast to earlier legal works which talked about EU constitutionalization as an apparently teleological 'progress' shaped to a large degree by enlightened decisions of the European Court of Justice (ECJ), this recent literature has emphasized, to quote Jo Shaw, 'contestation and non-fixity as a way of life' in EC/EU constitutional politics.[15] Such an approach is largely shared by recent historical research on the EC's legal integration which has highlighted the heavy contestation of the scope and limits of European law - for example, by the French and German constitutional courts.[16] Importantly, research on the EP's role in European constitutionalization in this vein can also help overcome the artificial divide between studying the evolution of the EC polity and EC policies. Frequently, institutional and policy issues were intimately

---

[13] See e.g. Richard Corbett (1998) *The European Parliament's role in closer EU integration*, Basingstoke: Palgrave.

[14] Thomas Christiansen and Christine Reh (2009) *Constitutionalizing the European Union*, Basingstoke: Palgrave Macmillan, 4.

[15] Jo Shaw (2003) Process, Responsibility and Inclusion in EU Constitutionalism, *European Law Journal*, 9 (1), 45-68, here 48.

[16] Bill Davis and Morten Rasmussen (2012) Towards a New History of European Law, *Contemporary European History*, 21 (3), 305-318.

linked, as became clear most dramatically in the connection between the expansion of majority voting in the 1987 SEA and the creation of the internal market.

For heuristic reasons it is possible (following Christiansen and Reh) to differentiate between three forms of constitutionalization.[17] The first is 'formal and explicit' and concerns attempts - as with the DTEU - to create an actual constitution for the EC/EU. The second is 'formal and implicit' and regards modifications in the EC's legal order towards something akin to a constitutional settlement, especially in the form of subsequent treaty changes such as the SEA. The third, finally, is 'informal and incremental' and captures institutional practices that have actually, if not legally, transformed the EC. In fact, as section 2 of this study will demonstrate, the EP continuously sought to acquire more power without having recourse to treaty change. ECJ decisions sometimes induced changing practices. They could also result from redefinitions of the scope and legal basis of policy areas, such as when regional funding became characterized as non-compulsory, something that contributed significantly to the dramatic rise in the percentage of the EC budget over which the EP could exercise influence (from only three per cent in 1970, when the Luxembourg Treaty was signed and ratified, to 30 per cent in 1986).[18] At other times changes in institutional practices followed tripartite institutional agreements with the Commission and the Council about improved political consultation or more efficient administrative rules.

The EP, like parliaments in other political systems, has always had a number of key functions.[19] Even before it acquired substantial legislative powers the EP sought to shape EC policies. Historical research has shown, for example, how political resources like expertise helped the EP and individual MEPs to influence the evolution of core early policy areas like agriculture and competition during the 1960s.[20] In addition, the EP has had to interact with EC citizens, especially after its direct election in 1979, in an attempt to connect them to EC politics and policy-making – a communication task made much more difficult by its continued limited powers after 1979, lack of citizens' interest in EC policy-making, and the absence of a shared language and European media, which severely complicated transnational political communication and mobilization.

The third function, however, which is at the centre of this study, is that of contributing to reforming and transforming the EC political system, also called the parliament's system shaping function. Roswitha Bourguignon-Wittke and Otto Schmuck have distinguished two core elements of this function: activities that develop the existing 'constitution' of treaties and formal and informal practices (for a long time known as the EC acquis communautaire), and others that seek to create an actual constitution, in this case for the EC.[21] EP jargon in the 1980s, and much of the literature about the EP and institutional reform in this period, talked about these elements as constituting two distinctive strategies: a minimalist strategy geared towards achieving change in institutional

---

[17] Christiansen and Reh, *Constitutionalizing the European Union*, 8-9.

[18] Richard Corbett and Francis Jacbos (1989) Aktivitäten und Arbeitsstrukturen des Europäischen Parlaments, in: Otto Schmuck and Wolfgang Wessels (eds) *Das Europäische Parlament im dynamischen Integrationsprozess. Auf der Suche nach einem zeitgemäßen Leitbild*, Bonn: Europa Union Verlag, 147-184, here 154.

[19] See, for example, Eberhard Grabitz and Otto Schmuck (1984) Das Europäische Parlament im Verflechtungssystem der EG–Handlungsspielräume, Rollenbeschreibung, Funktionen, *Zeitschrift für Parlamentsfragen,* 15 (3), 427-440, here 438, Wichard Woyke (1989) *Die Europäische Gemeinschaft. Entwicklung und Stand. Ein Grundriß,* Opladen: Leske & Budrich, 130.

[20] See e.g. Ann-Christina L. Knudsen (2009) *Farmers on Welfare. The Making of Europe's Common Agricultural Policy*, Ithaca/NC: Cornell University Press.

[21] Roswitha Bourguignon-Wittke and Otto Schmuck (1984) Demokratisierung des EG-Systems durch das direktgewählte Europäische Parlament? Eine vorläufige Bilanz der ersten Wahlperiode, *Integration,* 7 (2), 91-116, here 93.

practices falling short of treaty change, and a maximalist strategy focused on changing the entire EC system, especially through strengthening the powers of the EP.

The Common Assembly of the ECSC already fulfilled the system shaping function when its Ad Hoc Assembly drafted the European Political Community (EPC) treaty in 1952-3. Its attempt to create a supranational political system failed, however, following the demise of the European Defence Community (EDC) in the French Assemblée Nationale in August 1954. The EP, too, exercised the system shaping function from the beginning. Starting with the 1961 Dehousse report, it fulfilled its treaty obligation by proposing a uniform electoral system for its own direct elections.[22] Its attempts to get the member states to adopt such a system failed during the Gaullist phase of European integration before governments finally agreed on direct elections, albeit without a uniform electoral system. During the 1970s the EP mainly concentrated on exploiting and extending its newly-won budgetary powers, which remained formally unchanged during the 1980s. However, cooperation practices did change following the EP's rejection in 1979 and 1984 of the budgets for the following year in view of the danger of EC expenditure shooting through the roof after breaking through the new ceiling of 1.4 per cent of EC GDP agreed at the 1984 Fontainebleau summit in 1986, and reaching 1.6 per cent in 1987.[23]

As the study will show through references to earlier reform initiatives, the EP did not start from a clean sheet regarding institutional reform in 1979. In fact, since its creation it had boasted a broad majority for European integration with largely federalist connotations and practiced constitutional activism to reform the EC's institutional set-up. Whether, and to what extent, its direct election transformed the EP's agenda for a new constitutional settlement for the EC during the 1980s therefore remains to be explored. Close to that time, commentators arrived at widely diverging conclusions about the potential influence of the EP and the impact of direct elections. Thus, Martin Westlake largely reproduced the EP's own institutional vision. He argued that direct elections had 'important consequences' by making the EP independent from national parliaments, giving it 'political independence' with the task to represent the European peoples, and making it more independent from the Commission, thus changing the nature of institutional roles and practices.[24] In his book about the EP, Rinus van Schendelen, on the other hand, painted a bleak picture of the institution's role in the 1980s. According to him, the EP was 'set to be weak. Its legal powers in the area of European legislation are purely consultative and can therefore be disregarded. Its formal powers to control the actions or omissions of other institutions such as the Council and the Commission amounts to little more than asking questions and sending the Commission packing.'[25]

Reconstructing the EP's views on and role in institutional reform in the 1980s, the study will proceed in three main parts. Section 2 provides a largely chronological narrative of the EP's initiatives and political activism in three chapters. Chapter 1 will tell the story of the activities of the Committee on Political Affairs, the informal, cross-party Crocodile Club founded by Altiero Spinelli, and the newly-created Committee on Institutional Affairs until the 1982 Spinelli Report, which constituted an important intermediate step on the way to the DTEU. However, the chapter will also trace the policy of small steps which brought about significant changes in the EP's role. This included, for example, the impact of the ECJ's 'Isoglucose' decision which stipulated that the Council could not decide

---

[22] Martin Westlake (1994) *A Modern Guide to the European Parliament,* London: Pinter Publishers Ltd., 14ff.

[23] See e.g. Claus-Dieter Ehlermann (1982) Das Parlament muß berechenbar sein. Zum Verhältnis von Kommission und Europäischem Parlament, *Zeitschrift für Parlamentsfragen,* 13 (2), 185-190, here 186.

[24] Westlake, *A Modern Guide,* 24; similarly Richard Corbett, Francis Jacobs and Michael Shackleton (2003) The European Parliament at fifty: A view from the inside, *Journal of Common Market Studies,* 41 (2), 353-373, here 355.

[25] Marinus P. C. M. van Schendelen (1984) The European Parliament: Political influence is more than legal powers, *Journal of European Integration,* 8 (1), 59-76, here 60.

legislation unless the EP had given its opinion on it. Chapter 2 will go on to analyse progress towards the DTEU, passed by the EP by a large majority in February 1984. The chapter will identify key elements of the EP's constitutional vision. While the DTEU was a step too far for most member state governments at the time, it developed an arsenal of reform proposals and put down important constitutional markers which were to inform later debates and treaty reforms. Chapter 3 will then study the EP's attitudes to the Dooge Committee, instigated by member states to discuss reform options following the DTEU, and to the 1985 Intergovernmental Conference (IGC) which led to the signing of the SEA. As a collective actor, the EP was disappointed with the outcome of the IGC despite the creation of the cooperation procedure and resulting strengthening of its own legislative role. Although the SEA's actual impact on policy-making patterns turned out to be greater than the EP initially anticipated, it nevertheless began to advocate further institutional reform before the SEA even came into force.

Section 3 will analyse internal dynamics and their influence on the EP's reform demands. Chapter 1 will discuss the constitutional debate, vision, and attitudes among the political groups, and their concrete proposals for institutional reform. While some groups, like the European People's Party (EPP), were strongly united behind a quasi-federalist reform agenda and saw this as a key element of their identity, others, like the socialists, were divided in this period even over the question of EC membership - the French communists on the Left and the Gaullist and conservative forces on the Right were sceptical or hostile to further integration for different reasons. Chapter 2 will focus on the role played by individual political entrepreneurs in the EP in promoting the institution and its reform agenda within the EC system. They included leading members of political groups and EP committees. The chapter will concentrate especially on Spinelli who was instrumental in creating a large cross-party coalition for the DTEU despite the internal fragmentation of some groups and competition and jealousies among them. Spinelli successfully worked towards the creation of the Committee on Institutional Affairs. The committee attracted influential MEPs with membership overlap with other prestigious EP committees (especially Political Affairs and Budgets) and played a key role in advancing the institutional reform agenda in the EP.

Section 4, finally, will study the external dynamics of institutional reform. It will demonstrate that the EP's role and influence resulted, in significant measure, not from its very limited formal powers, but its ability to network with other actors and institutions to create pressure for institutional reform. Chapter 1 will consider the EP's links with national political parties and parliaments. In several cases the push for institutional reform led to the creation of new cooperation structures between the EP groups and national political groups, and between the EP and national parliaments. Chapter 2 analyses the EP's changing relationship with the European Commission. It had its own primary institutional concerns such as the protection of its sole right of initiative. With the EP aiming to become a co-legislator with the Council, relations with the Commission became more complex. At the same time, the much greater political ambitions of the Delors Commissions after 1985 reinforced the EP's demands for institutional reform. Chapter 3, finally, explores the EP's relationship with member state governments and the Council. Throughout the period from 1979 to 1989, the EP struggled to make its voice heard in intergovernmental relations and negotiations. Large parts of the DTEU were ignored during the 1985 IGC, for example. The EP also found that some sympathetic member state governments, such as Italy, at times limited their engagement to rhetorical support while others, like Germany, even flatly contradicted their integration-friendly rhetoric with their behaviour in the Council.

Thus, repeated appeals to upload national norms of democratic government to the EC level and to strengthen its parliamentary dimension to counteract a growing democratic deficit alone did not secure institutional reform and more powers for the EP. Rather, the EP as a networking institution successfully worked with other political actors and institutions to trap national governments rhetorically in a way that eventually made it impossible, even for the most reluctant, to avoid any

longer ceding more powers to the EC and to the EP within this transnational political system. Transformations in the external environment for EC constitutionalization facilitated major treaty reforms like the SEA and the Maastricht Treaty. They included concerns about the competitiveness of European industry and the consequences of German reunification. However, the EP as a purposeful actor made a significant contribution during the 1980s to creating an arsenal of reform options that governments could draw upon in times of rapid environmental change, like the end of the Cold War, which created new windows of opportunity for deepening European integration.

2. Shaping constitutional ideas and discourse in the European Communities

Chapter 1: European Constituent Assembly? Towards the Spinelli Report, 1979-82

On the occasion of the twenty-fifth anniversary of the signing of the Rome Treaties in March 1982, the pro-integration British weekly *The Economist* characterized the EC as 'moribund'. It seemed 'capable of power until it tried to wield it'.[26] Frustration with 'Eurosclerosis' remained widespread in the early 1980s. Most national governments were preoccupied with domestic political issues and failed to provide political leadership on European matters. In France, newly-elected President François Mitterrand started a socialist economic policy experiment in 1981. In Germany, the social-liberal coalition under Chancellor Helmut Schmidt was nearing its implosion. In Britain, Margaret Thatcher focused on her domestic agenda of liberalization and privatization. Her only interest in the EC seemed to be to ask for her 'money back' – a demand that she first made at the European Council meeting in Strasbourg in June 1979, only six weeks after her election, as the Belgian Prime Minister Wilfried Martens recalls in his memoirs.[27] Italian governments, finally, were as preoccupied as ever with infighting in the centrist *Democrazia Cristiana* and within the changing coalition governments.

At the same time, the European Commission appeared very weak under the leadership of Roy Jenkins, who spent the second part of his term in office preparing his return to British politics, and even weaker under his successor, Gaston Thorn.[28] In these circumstances it was difficult for MEPs and observers alike to see how the EP could have a major impact on the EC's constitutionalization. It seemed initially as if its first direct election might prove to be the end point in the EP's evolution. After all, as Lord Carrington - British foreign minister from 1979 to 1982 - put it in his memoirs, 'no realm, no Parliament – or no Parliament with perceptible purpose beyond that of the talking-shop'. From this perspective, the EP could do no more than talk 'until or unless a realm, an empire, a genuine federal polity called Europe emerges'.[29]

From the perspective of Spinelli and fellow MEPs from different member states and party groups who were keen to deepen European integration, however, direct elections were nevertheless 'not the point of arrival but the point of departure'.[30] To begin with, many of them shared a strong ideological commitment to creating some kind of quasi-federal European 'union'. Moreover, the directly elected MEPs would have to talk, not because they had no power and nothing better to do, but to co-shape what they thought of as a European polity in the making – something that in turn would legitimize the EP as a parliament with much more substantial powers than it had in 1979. With the fast phasing out of the dual mandate, MEPs sought such powers for the EP not least to be able to exercise perceptible influence at a time when they could no longer rely on their membership and role in a national parliament for that. In other words, in addition to the strong normative commitment of a clear majority of directly elected MEPs to creating a far more integrated and possibly federal EC, they also shared a pronounced functional interest in enhancing the EP's and

---

[26] *The Economist*, 20 March 1982.

[27] Wilfried Martens (2008) *Europe: I Struggle, I Overcome*, Heidelberg: Springer Verlag (Dutch 2006), 92.

[28] On Jenkins see Piers N. Ludlow (2016) *Roy Jenkins and the European Commission Presidency, 1976-1980. At the Heart of Europe*, Basingstoke: Palgrave Macmillan.

[29] Peter Carrington (1988) *Reflections on Things Past: The Memoirs of Lord Carrington*, Glasgow: Collins, 321.

[30] Spinelli cited in Paula Scalingi (1980) *The European Parliament: the three-decade search for a united Europe*, London: Aldwych, 155.

their own role in the EC's constitutional set-up. The direct elections, finally, rendered them a potentially powerful political weapon: the argument that they enjoyed direct popular legitimacy – something that even Peter Moser, with his highly skeptical view of the EP as a 'conditional agenda-setter' in a 1990s debate among political scientists,[31] has conceded 'may have played a certain role as a motivation for parliamentary assertiveness'.[32]

At the time of the first direct elections, the EP could build on a strong tradition of publicly advocating EC constitutionalization. It had a legacy of reports and debates about far-reaching institutional reform and of supporting proposals emanating from other actors, especially the Commission. On behalf of the Council of Ministers, Konrad Adenauer, the German Chancellor, first invited the ECSC Common Assembly - on the occasion of its first session back in 1952 - to draft a plan for the EPC which had been inserted into Article 38 of the EDC treaty on the initiative of the Italian government. Such a community would have provided a quasi-constitutional framework for the ECSC and the EDC treaty, which had been signed but not ratified at that stage. Many leading members of the Ad Hoc Assembly, which subsequently drafted the EPC, had a background in constitutional law and strong federalist credentials. They included key constitutional solutions in the EPC which continued to shape the debate about institutional reform in the EC for decades to come, including legislative powers for the parliament, which the Common Assembly lacked already in the ECSC.

In drafting the EPC, the EP established itself as what Martin Westlake has called an 'agent of federalisation'.[33] Its cohesion was largely derived from the self-selection for membership in the EP of national politicians who were highly motivated to play a role in the newly created European institutions and to influence the politics of integration. Many of them had links to the federalist movement or were involved in other political and legal networks that propagated the deepening of European integration. After the creation of the EEC the EP remained instinctively federalist. Throughout the 1960s it submitted proposals for its own direct elections, as required by the EEC treaty, only to be ignored by the member state governments while Charles de Gaulle was in power in France. In March 1962 the Assembly unilaterally renamed itself as the European Parliament in a symbolic statement to underline its aspirations. At that time, it also debated the conditions for future membership of third countries in the EEC. Through this debate and the resulting Birkelbach Report (named after the German social democrat rapporteur who had been a political prisoner in Nazi Germany), the EP identified and clarified criteria such as the rule of law and respect for human rights, which became part of the EU's constitutional fabric much later in the Copenhagen criteria and the Lisbon Treaty.[34] While these criteria were not legally binding at the time, the EP debate stifled calls by Catholic conservatives to facilitate the EEC accession of Spain under Franco.[35] In June 1963 the EP then passed the Furler Report on *Competences and Powers of the European Parliament* which made far-reaching proposals for the development of the EP into a proper legislature.

With national governments largely ignoring its appeals and demands, the EP also focused on strengthening its internal organization and developing its parliamentary practices based on national templates, for example by asking the Commission to present its annual programme to the EP. More generally, the EP sought to form a close alliance with the Commission, especially its

---

[31] George Tsebelis (1994) The power of the European Parliament as a conditional agenda setter, *American Political Science Review*, 88 (1), 128-142.

[32] Peter Moser (1996) The European Parliament as a conditional agenda setter: What are the conditions? A critique of Tsebelis (1994), *American Political Science Review,* 90 (4), 834-838, here 835.

[33] Westlake, *A Modern Guide*, 29.

[34] Daniel C. Thomas (2006) Constitutionalization through enlargement: the contested origins of the EU's democratic identity, *Journal of European Public Policy*, 13 (8), 1190-1210.

[35] See e.g. Birgit Aschmann (1999) *"Treue Freunde…?" Westdeutschland und Spanien 1945-1963*, Stuttgart: Steiner.

federalist President, Walter Hallstein. In 1965 he presented his reform package, including a plan for the creation of Community own resources to the EP first, not the national governments – a procedure that annoyed de Gaulle as much as the proposal's content. The French President then provoked the 'empty chair' crisis which led to the so-called Luxembourg Compromise with its informal agreement on the persistence of a national 'veto' in the Council.[36]

For a long time, the EP saw the Commission as a natural ally in the creation of a European political system that would eventually have a parliament with much the same powers as national parliaments, and a Commission as a kind of government which would depend on the support of this parliament. It turned out, however, that the Commission was much weakened after the 'empty chair' crisis. It moderated its reform ambitions and at times seemed to behave more like the administrative arm of the member states in the Council than an institution effectively exercising its sole right of initiative. The EP continued to propagate EC constitutionalization, especially in its 1975 Bertrand Report. To avoid its isolation in inter-institutional relations, however, it somewhat moderated its agitation for better democratic control and greater powers for itself as one of its core reform objectives. Instead, it emphasized its two other main ambitions for which it expected more support from the Commission and the Council, namely stronger EC activism to meet new policy challenges from environmental protection to foreign policy coordination, and greater institutional efficiency in times of multiple blockages in the Council. Seeking to embed its own more far-reaching proposals in a larger inter-institutional reform debate, the EP broadly supported the Commission-organized 1972 Vedel Report and the moderate findings of the report for the Council submitted by Leo Tindemans, the Christian democratic Belgian Prime Minister, in January 1976.[37] Similarly, the EP hoped that two other reports submitted in the autumn of 1979 would mobilize the governments in the Council to address the EC's 'Eurosclerosis': the Spierenburg Report prepared for the Jenkins Commission, and the Three Wise Men Report drafted on the initiative of the French President Giscard d'Estaing.[38]

Despite this legacy, political parties and their candidates did not focus their 1979 election campaign on EC institutional reform let alone the instant creation of an EU of sorts. The first direct elections to the EP turned out to be second order elections fought over domestic political issues and were in many instances used by voters to punish their own national government. The issue of institutional reform had much higher salience for the newly-elected MEPs, however. Research conducted at the time found high levels of support among candidates for giving the EP the powers to select the Commission president and to revise all budget proposals, not just those of a non-compulsory nature. 93 per cent of German candidates supported giving the EP the power to select the Commission president, as did 83 per cent of Belgian and 77 per cent of British candidates. Support for such an institutional reform, which would diminish member state control, was lowest among French candidates, at only 39 per cent. On what the authors of the study regarded as an entirely 'hypothetical' question, 54 per cent of candidates from across the EC who responded to the survey replied that they supported the federalist demand for the EP to sit as a constituent assembly and prepare far-reaching treaty reform, whereas 39 per cent opposed this idea.[39] Separate research on

---

[36] For an overview see Amie Kreppel (2002) *The European Parliament and supranational party system: a study in institutional development*, Cambridge: Cambridge University Press.

[37] See Philippe de Schoutheete (1986) Le rapport Tindemans: dix ans après, *Politique étrangère*, 51 (2), 527-538.

[38] See also Ludlow, *Roy Jenkins*.

[39] Cf. Jacques-René Rabier and Ronald Inglehart (1981) What Kind of Europe? Support for National Independence, Cooperation and Integration in the European Parliament, *Government & Opposition*, 16 (2), 185-199; Ronald Inglehart et al. (1980) Broader Powers for the European Parliament? The Attitudes of Candidates, *European Journal of Political Research*, 8 (1), 113-132.

the German candidates showed high support for giving the EP full budgetary powers and expanding the EC's policy scope, followed by the EC's parliamentarization as a less urgent demand.[40]

Upon becoming chancellor in 1982, Helmut Kohl gave German European policy new purpose and direction, strongly supporting the European Community's institutional deepening.

Institutional reform was not just a salient issue for candidates and elected MEPs, however, but also for political parties in particular from the centre-left to the centre-right. At its first congress in March 1978, the EPP demanded 'a new constitutional and institutional impetus for the achievement of European union and progress towards a European federation, the ultimate political aim of unification'.[41] The EPP was united behind its largely federalist agenda for the EC, which also characterized its national member parties. The German Christian Democratic Union (CDU) and the Bavarian Christian Social Union (CSU), which dominated the EPP Group in the EP together with the Italian Democrazia Cristiana (DC), had passed their European manifesto in 1976. It demanded 'comprehensive parliamentary rights of legislation and control, a European government, which is solely responsible to the directly elected European Parliament [and] a European chamber of states that allows the member states to participate in making the law of the European federation'.[42] Importantly, the CDU programme was actually worth the paper that it was written on. After becoming chancellor in October 1982, CDU party leader Helmut Kohl stuck to his party's agenda for

---

40 Karlheinz Reif, Hermann Schmitt and Klaus Schubert, Klaus (1979) Wer sind und was wollen die Deutschen im Europäischen Parlament? Zeitschrift für Parlamentsfragen, 10 (3), 332-354, here 348.

41 Cited in Rita Cardozo and Richard Corbett (1986), The Crocodile Initiative, in: Juliet Lodge (ed.), European Union: The European Community in Search of a Future, London: Macmillan, 15-46, here 16. See also Wolfram Kaiser (2013) Europeanization of Christian Democracy? Negotiating Organization, Enlargement, Policy and Allegiance in the European People's Party, in: Wolfram Kaiser and Jan-Henrik Meyer (eds) Societal Actors in European Integration. Polity-Building and Policy-Making 1958-1992, Basingstoke: Palgrave Mamcmillan, 15-37.

42 Cited in Hans-Peter Schwarz (2012) *Helmut Kohl: Eine politische Biographie*. Munich: DVA, 398.

the EC's institutional reform. Crucially, he repeatedly demanded the strengthening of the EP in the SEA and the Maastricht Treaty negotiations.[43]

The European liberals disliked the attempt by the EPP to appropriate the federalist heritage and agenda for themselves. At their congress in November 1977, for example, they also demanded 'the drawing up of a draft Treaty setting up a European Union'.[44] Some socialist parties likewise had strong pro-integration credentials - like the Belgians - but opposition to supranational integration remained especially pronounced among the British and French parties. Support for further integration extended to other groups on the margins of the EP, too, especially the Italian communists, on whose list Spinelli, though he was not a party member, was elected in 1979.

The pro-integration agenda was not just embedded in many party programmes, however. The groups' increasingly cohesive organization in the EP had potential to transform ideas into practice. In June 1953 the ECSC Common Assembly had already recognized the political groups, inserted them into its rules of procedure and started to give them financial support.[45] The groups allocated the crucial positions of EP president and vice-presidents as well as chairs and vice-chairs of the committees and the rapporteurs. The groups also structured political debate in the EP. They decided which issues to give a prominent place in the committees and the plenary. As a matter of fact, institutional issues featured prominently in the first EP term. Of all votes in the EP between 1979 and 1983, 13 were on institutional matters, of which six were especially controversial roll-call votes, surpassed only by votes on agricultural policy, human rights and budget issues. Of all parliamentary questions directed at the Commission, 97 (or 7.7 per cent) concerned institutional matters, this time after agricultural policy, external relations and social policy.[46] In short, individual MEPs and the political groups swiftly made the institutional reform of the EC a major EP priority after the first direct elections.

Initially, the EP continued from the 1970s what was known internally, as well as in the contemporary academic literature, as a policy of 'small steps' to strengthen its own role in EC politics. Conscious of their new direct legitimation, however, MEPs were bolder and made larger 'small' steps. Initiated by a Political Affairs Committee report prepared by the Italian socialist Mario Zagari, they fought the battle over the creation of a single seat for the EP.[47] Advocates of the single seat believed that relocating all EP activities to Brussels would enhance EP efficiency and facilitate controlling the Commission and influencing member states in the Council, both located in the Belgian capital. The EP was not united, however. French MEPs in particular supported their own government's strong backing for Strasbourg. The compromise agreed in 1992 and legalized in the 1997 Amsterdam Treaty, largely confirmed existing practice, namely that the main plenaries take place in Strasbourg, but the group meetings and committee work in Brussels. The EP merely ceased in 1981 to hold occasional plenary meetings in Luxembourg where many staff, especially its translation service, were - and still are - located.

---

[43] Ibid., 397-418.

[44] Cited in Rita Cardozo and Richard Corbett (1986), The Crocodile Initiative, in: Juliet Lodge (ed.) *European Union: The European Community in Search of a Future,* London: Macmillan, 15-46, here 16.

[45] Sandro Guerrieri (2015) The Genesis of a Supranational Representation. The Formation of Political Groups at the Common Assembly of the ECSC, 1952-1958, in: Lucia Bonfreschi, Giovanni Orsina and Antonio Varsori (eds) *European Parties and the European Integration Process, 1945–1992*, Berne: Peter Lang, 393-410. See also Jürgen Mittag (2011) Die Politisierung der Gemeinsamen Versammlung der Europäischen Gemeinschaft für Kohle und Stahl: Anfänge transnationaler Fraktionsbildung im Europäischen Parlament, *Journal of European Integration History*, 17 (1), 13-30.

[46] Bourguignon-Wittke and Schmuck, Demokratisierung des EG-Systems, 96.

[47] See David J. Earnshaw (1984) The European parliament's quest for a single seat, *Journal of European Integration,* 8 (1), 77-93.

Not all of the EP's battles resembled those of Don Quixote against the wings of a windmill, however. It successfully made small steps towards strengthening its own institutional role in EC politics in three main ways: by enhancing its influence on the EC budget; bolstering its position in EC legislative policy-making, despite the absence of any decision-making powers (which it only acquired in the SEA); and by expanding its practice of own initiative reports, which the EP used to highlight and make proposals for new transnational policy challenges, but also to demand greater institutional integration.

The Luxembourg Treaty of 1970 and the Brussels Treaty of 1975 created the framework for the EP's involvement in the EC's budgetary process.[48] The Brussels Treaty modified the existing provisions only slightly. Most importantly, the EP acquired the right to reject the budget as a whole. It was also given the final decision on the discharge of the budget. The Brussels Treaty created the Court of Auditors to monitor EC expenditure, too. As the treaty came into force in 1978, only the directly elected EP could make full use of its strengthened institutional role. As before, it had the greatest leverage over non-compulsory expenditure. Here, it could overrule the member states in the Council with a three-fifths majority. Within existing budgetary ceilings, it had the final say on allocating funding between competing budget lines – powers that became more relevant as the percentage of non-compulsory expenditure continued to rise during the 1980s.

After conflicts with the Council, the directly elected EP rejected the budget for 1980 on its second reading in the autumn of 1979.[49] With the Council initially not acting on the new draft budget submitted by the Commission in February 1980, however, the EP ended up without sufficient resources for itself, which it badly needed as a much larger institution than before the elections. In the end, the budget passed in July 1980 amounted to little more than a face-saving exercise for the EP. The Council's agricultural price decisions were moderate and it agreed to increase the Regional Fund. As a result of this frustrating experience, the EP and its Budget Committee adhered to what became known internally as the Adonnino doctrine,[50] named after Pietro Adonnino, the Italian Christian democrat MEP and EP rapporteur for the 1981 budget. The EP fought a war of attrition with the Council over the coming years, mainly to restrict Common Agricultural Policy (CAP) spending and increase non-compulsory expenditure. The MEPs were keen to demonstrate to EC citizens that they could make a tangible difference, not just institutionally, but also through creating European programmes in policy areas like education and culture.[51] As Richard Corbett has argued, however, the conflict over the 1980 budget also radicalized many MEPs, who began to argue forcefully that the EC required much more fundamental change –[52] possibly one reason why several leading members of the Budgets Committee, widely considered as one of the EP's most prestigious committees alongside the Political Affairs Committee, also became engaged in the Committee on Institutional Affairs when it was created as an independent committee half-way through the parliamentary term.

Incremental change through small steps also characterized the EP's involvement in the legislative process in the early 1980s. Under the Rome Treaties, the EP had a right to be consulted on some legislative texts, a provision that the Council agreed to generalize to all legislative and, eventually, non-legislative texts during the 1960s. In 1973 the Commission consented to consult the EP on all

---

[48]   Cf. Corbett, The European Parliament's role, 93.

[49]   See in detail ibid., 97-113.

[50]   Cf. Pascal Fontaine (2009) *Herzenssache Europa – Eine Zeitreise 1953-2009*, Brussels: Racine (French 2009), 212.

[51]   See Oriane Calligaro (2013) *Negotiating Europe. EU Promotion of Europeanness since the 1950s*, Basingstoke: Palgrave; Kiran K. Patel (2013) (eds.) *The Cultural Politics of Europe. European capitals of culture and European Union since the 1980s*, Basingstoke: Palgrave Macmillan.

[52]   Corbett, *The European Parliament's role*, 99.

of its policy proposals, to send all of its formal proposals for legislation to the EP as well as the Council, and to express its views in the EP's plenary on any amendments put forward by the EP. The Commission and Council also agreed to re-consult the EP in the case of major changes to the legislative text which had originally formed the basis of the EP's deliberations. For the case of legislation with possible budgetary implications, a joint declaration by Parliament, Council and the Commission dated 4 March 1975 instituted the 'conciliation procedure' which promised to open up greater opportunities for the EP to influence the legislative process than the standard consultation procedure had.[53]

The ECJ handed the EP a potentially more powerful weapon in its 1980 'Isoglucose' ruling, however.[54] Since its 1963-64 decisions about the direct effect of EEC law and its superiority over national law, the ECJ had continuously developed a coherent constitutionalization doctrine for the EC with a strong inbuilt bias towards a 'supranational' interpretation of the treaties, which could only benefit the EP. Following an ECJ judgement that declared invalid a part of Regulation 1111/77 putting a production levy on isoglucose - a sugar substitute made from wheat, potato or sweetcorn - the Commission submitted a proposal to the Council in early 1979 to fill the resulting legislative gap. On 19 March 1979 the Council sent the proposal to the EP asking it to give its opinion at its session in April. The EP referred the proposal to the responsible Agriculture Committee. The EP rejected the ensuing draft resolution, however, and referred it back to the committee. With the summer recess coming up, the Council, without calling for an additional EP session to allow the timely completion of the consultation procedure, simply adopted the new Regulation 1293/79 that replaced the 1977 version. In a subsequent case, the ECJ ruled this regulation invalid on procedural grounds, namely that the Council had violated the EP's consultation rights. It stated plainly that the consultation constituted 'the means which allows the Parliament to play an actual part in the legislative process of the Community. Such a power represents an essential factor in the institutional balance intended by the treaty.'

In revising its own Rules of Procedure following the first direct elections, the EP eagerly took up this ECJ invitation in order to strengthen its own role by delaying or blocking a proposal. Henceforth, according to its new rules, it could decide to delay its final vote on a proposal until the Commission took a position on its amendments. If and when the Commission rejected one or more of the amendments, the EP could refer the proposal back to the committee responsible. It could thus delay the entire legislative procedure. If the Commission adopted an EP amendment, even if only to accelerate the procedure, then the Council had to take a unanimous vote to overrule the EP. In 1987 the EP even made the referral back to the committee stage compulsory, whereas before this only happened on the request of the Chair or rapporteur. These new procedures had limited impact in the case of policy issues that required urgent action. Nonetheless, the EP, while still lacking the power to make law, compelled the Commission and the Council to begin treating its involvement in the legislative process as more than a meaningless routine procedure.[55] Instead, it became what Martin Westlake has called 'a sort of constitutional anti-chamber to the true legislative process' subsequently instituted by the SEA and the Maastricht Treaty.[56]

Initiative reports constituted the last of the three types of small steps that the EP made in the early 1980s to enhance its role in EC politics. Crucially, the directly elected EP had many more MEPs and

---

[53] See Richard Corbett (1998) *The European Parliament's role in closer EU integration,* Basingstoke: Palgrave, 113-116.

[54] See Patricia M. Leopold (1982) Community law-making: opinions of the European Parliament, *Oxford Journal of Legal Studies,* 2 (3), 454-459.

[55] See also J. Nicolas (1981) Le Parlement élu et le processus législatif de la Communauté, *Revue du Marché Commun*, xxiv (251), 491-503.

[56] Westlake, *A Modern Guide*, 136.

far more resources - including the staff of the committees and political groups - to develop its policy expertise. It became more proactive and advanced several policy ideas that were later taken up by the Commission, such as the introduction of a European passport or enfranchising all EC citizens for European elections, wherever they lived.[57] In addition, the Political Affairs Committee started a series of own initiative reports about the reform of the EC. Traditionally, it had competence for foreign policy as well as for internal institutional matters. Its sub-committee on institutional questions created shortly after the first direct elections dealt with the latter. Due to their cohesive stance on EC constitutional matters, the EPP had traditionally exerted strong influence on such issues in the Political Affairs Committee – something that created friction with Spinelli's DTEU initiative, as we will see below. From 1979 to 1982, the Italian Mariano Rumor chaired the committee and sought to maintain the EPP's strong influence over it.

The institutional sub-committee prepared a number of reports in the early 1980s and passed them on to the Political Affairs Committee, which then submitted them to the EP where they were adopted in plenary session. These reports were prepared by the rapporteurs Karel van Miert, a Belgian socialist MEP and later member of the Commission, on the EP's role in the legislative process;[58] by the German social democrat Klaus Hänsch, later EP President from 1994 to 1997, on relations between the EP and the Council;[59] by the Belgian liberal and former member of the Commission, Jean Rey, on relations between the EP and the Commission;[60] by the French Christian democrat André Diligent, on relations between the EP and national parliaments;[61] by the British Conservative Lady Elles, on European political cooperation and the role of the EP;[62] by the Italian communist Maria Fabrizia Baduel Glorioso, on relations between the EP and the Economic and Social Committee;[63] by the Italian Christian Democrat Dario Antoniozzi, on relations between the EP and the European Council;[64] and by the German Christian democrat Erik Blumenfeld, on the role of the EP in the negotiation and ratification of accession treaties and treaties with third countries.[65]

The EP debated the Rey report in April 1980 and the Van Miert, Hänsch, Diligent, Elles and Baduel Glorioso reports in July 1981, with the Antoniozzi and Blumenfeld reports following in December 1981 and February 1982 respectively. For the most part, these reports and their recommendations constituted the culmination point of EP attempts during the 1970s to strengthen its role and improve inter-institutional relations. Several proposals were taken up by other institutions. Thus, the Council agreed to a programmatic speech by the Council President during each six-month presidency. The member states also promised that the presidents of the specialized Councils (e.g. for Agriculture, Trade etc.) would attend the respective EP committees occasionally, and that the practical operation of the consultation procedure be improved.[66] Other proposals would have required treaty change, so the EP sought to put down markers in the evolving broader debate about the EC's constitutional future rather than expecting any short-term change. This was true, for

---

[57]   Cf. Juliet Lodge (1985) Euro-Elections and the European Parliament: The Dilemma over Turnout and Powers, *Parliamentary Affairs,* 38 (1), 40-55, here 51.

[58]   European Parliament, Doc. 1-207/81.

[59]   European Parliament, Doc. 1-216/81.

[60]   European Parliament, Doc. 1-71/81.

[61]   European Parliament, Doc. 1-206/81.

[62]   European Parliament, Doc. 1-335/81.

[63]   European Parliament, Doc. 1-226/81.

[64]   European Parliament, Doc. 1-739/81.

[65]   European Parliament, Doc. 1-685/81. See also Michael Palmer (1983) The development of the European parliament's institutional role within the European Community, 1974 – 1983, *Journal of European Integration,* 6 (2-3), 183-202, here 188-193.

[66]   Palmer, The development, 192-3.

example, of the demand in the Rey report to limit the number of Commissioners following the EC's forthcoming southern enlargement to include Greece (1981) and later, Spain and Portugal – a proposal that foreshadowed the current system of one Commissioner per EU member state which has been in operation since the 2004 eastern enlargement.

None of the reports' recommendations would have changed the EC's institutional set-up fundamentally, however, as even their wholesale adoption would have amounted to yet more incremental reform. From the perspective of a growing number of MEPs, such limited change could not possibly cut through the Gordian knot of what they saw as the EC's dual problem of lack of efficiency and growing democratic deficit. This was a time when the EC was confronted with proliferating policy challenges from the persisting socio-economic crisis with associated rising unemployment and growing state deficits, to cross-border and global environmental pollution, and the new round of the Cold War started by the Soviet Union when it invaded Afghanistan in 1979. Nevertheless, the EC took on new tasks without creating a proper parliamentary system with an ordinary legislative role for the EP as in any national political system.

In these circumstances MEPs from different political groups now demanded fundamental constitutional change, either through the wholesale revision of existing treaties or the superimposition of an entirely new treaty, or a constitution to create an EU. This was also the federalist objective that the Crocodile Club set itself when it was founded on the initiative of Spinelli in the summer of 1980. In his speech in the plenary on 21 May 1980, he raised the issue of why 'the Community is practically paralysed'. According to Spinelli, EC actors did not lack the political will, but suitable institutions for effective political action. The Commission could only make proposals, the EP could only debate them, and the Council actually only took decisions by unanimity. In this situation, as Spinelli put it, the EP had to recognize 'that it has been elected to represent all European citizens', and take on the task of reforming the EC.[67]

Spinelli subsequently wrote a letter to all fellow MEPs on 25 June 1980, together with a translated copy of the speech that he had given in Parliament in response to Emilio Colombo, the Italian foreign minister. In his letter Spinelli argued that without major reform the EC was bound to go through repetitive and ever more paralysing crises. He proposed to create an 'ad hoc' committee of MEPs which would prepare 'the necessary institutional reforms'. These would transform and integrate the existing treaties into a new draft treaty that would then be formally ratified in the national parliaments. These changes would require compromises among political and national groups, but the EP was 'naturally the appropriate place to strike truly European compromises' as something more than 'the mathematical sum of national perspectives'[68]

Only eight MEPs, who had received Spinelli's invitation in time, met with him in a restaurant in Strasbourg on 9 July 1980, which then lent its name to the new cross-party group, the Crocodile Club. One week later, on 17 July 1980, Spinelli reported to Willy Brandt, the former German chancellor and leader of the Socialist International, that he had received positive replies from more than thirty MEPs who supported his agenda, including sixteen socialists, six Christian democrats, four liberals, four communists, and three conservatives.[69] Brandt did not actually attend many group meetings or EP plenaries. He was nonetheless a crucial go-between for Spinelli who had close contacts with leading socialist politicians dating from his time in the Commission between 1970 and 1976, a high point of socialist electoral success and political influence in Western Europe. Thus,

---

[67] Altiero Spinelli, Der Augenblick der Wahrheit für Rat und Parlament, 21 May 1980, Historical Archives of the European Union (HAEU), AS-356 [translation from German text].

[68] Spinelli to MEPs, 25 June 1980, HAEU, AS-356 [translation from German text].

[69] Spinelli to Brandt, 17 July 1980, HAEU AS-356.

Brandt helped Spinelli to recruit leading German social democrat MEPs for his venture, including Bruno Friedrich, Horst Seefeld, and Rudi Arndt, who later became the Socialist Group leader during 1984-89.[70] Van Miert also wrote Spinelli an encouraging letter offering to contribute his report's findings about the EP role in the EC legislative process to the Crocodile Club's deliberations.[71]

The creation of the Crocodile Club brought out some of the intricacies of cross-party cooperation in the EP, however.[72] Thus, at their first meeting after the 1979 EP elections, the European Liberal and Democratic Group (ELD) had already discussed the possibility that the Political Affairs Committee could be stripped of its responsibility for institutional matters for which a new committee could be created.[73] In reply to Spinelli's letter, however, Martin Bangemann, the German ELD leader and later Commissioner, rejected the notion of an ad hoc committee. While the liberals had discussed Spinelli's letter and supported drafting a constitution, or constitutional treaty, they were now opposed to dismantling the existing Political Affairs sub-committee for institutional matters.[74] The EPP was even more concerned about the possible undermining of the existing EP machinery and its work on institutional matters, in which it had invested so much political capital over the years. Thus, Gero Pfennig, a German CDU MEP, reminded Spinelli of an earlier EPP resolution from September 1979 which had called on the EP to define its approach to the institutional reform of the EC, something that should inspire the Crocodile Club – a reply that reflected Christian democratic sensitivities regarding their internal leadership on institutional matters.[75]

Nonetheless, Spinelli managed to recruit 78 members for the Crocodile Club by the end of October 1980.[76] They included 21 German MEPs, 20 from Italy, 14 British, nine Belgian, six Dutch, and four French MEPs, with the low number of French members reflecting the dominance of lighter forms of Gaullism in French politics at the time, which was skeptical about the EP's evolution into an ordinary parliament with legislative powers and opposed to majority voting in the Council and the creation of a more supranational, let alone federal, EC.[77] In terms of party allegiance, 35 members of the Crocodile Club were socialists, 15 Christian democrats, ten conservatives, nine liberals, and seven communists. It was not just sheer numbers that mattered to Spinelli, however. It was just as important for him to have enlisted some political heavyweights who played a prominent role in their respective groups. From the socialists they included Brandt and Arndt, but also the Dutch MEP Piet Dankert, who was to become EP President during 1982-84, Carlo Ripa de Meana, who was Italian Commissioner from 1985 to 1993, and Van Miert; from the liberals, Bangemann and Colette Flesch, the Democratic Party leader in Luxembourg who was about to become Deputy Prime Minister, the Dutch MEP Hans Nord, a former leader of the European Movement in the Netherlands and EP Secretary-General during 1963-79, and the Belgian Antoinette Spaak, the daughter of the former socialist Prime Minister Pierre-Henri Spaak. Only some of the Christian democrat members were similarly prominent. They included Hans August Lücker, a Christian Social politician from Bavaria and former leader of the Christian Democratic (CD) Group in the EP during 1970-75, and Tindemans. While Tindemans joined the Crocodile Club, he remained skeptical about Spinelli's overriding objective, however. In an interview on German radio in March 1981 he proclaimed that the notion

---

[70] Spinelli to Arndt, Friedrich, and Seefeld, 18 July 1980, HAEU, AS-356.

[71] Van Miert to Spinelli, 9 July 1980, HAEU, AS-356.

[72] See also Emanuele Gazzo, Une initiative "institutionelle" des Parlementaires européens, *Europe. Agence Internationale d'Information pour la Presse*, 15-16 September 1980.

[73] Sitzung der Liberalen und Demokratischen Fraktion, Brussels, 29 June 1981, HAEU, ADLE 235.

[74] Bangemann to Spinelli, 7 July 1980, HAEU, AS-356.

[75] Spinelli to Pfennig, 6 October 1980, HAEU, AS-356.

[76] Adesioni al Crocodile, 23 October 1980, HAEU, AS-356.

[77] See in long-term perspective Craig Parsons (2006) *A Certain Idea of Europe*, Ithaca/NC: Cornell University Press.

of a constitution for the EC was 'a dream, and we need dreams in Europe, but we all know that it has absolutely no chance if we suggest it now'.[78]

Altiero Spinelli in conversation with Simone Veil, the first President of the directly elected European Parliament, after the submission of the Crocodile Club resolution to her on 10 February 1981.

Henceforth, the Crocodile Club met about once a month and disseminated a bi-monthly newsletter in different languages. At their meeting on 15 October 1980, the cross-party group formed a smaller editorial group of six MEPs including Spinelli, who were tasked with drafting a resolution. This motion for a 'Crocodile' resolution[79] was signed by 179 MEPs, which was close to Spinelli's target of 200, and Simone Veil, the liberal French EP President, received the Crocodile Club members on 10 February 1981.[80] By this time several group leaders had signed up in a personal capacity, as Spinelli was keen to avoid the party politicization of the issue. They included Bangemann and the Italian Guido Fanti from the Communist Group, as well as Ernest Glinne, the Belgian chair of the Socialist Group. Because of its several British and French Eurosceptic members, it was clear that the Socialist Group would not be able to agree a united position on a highly divisive issue like a European constitution. For Spinelli, it was more important that Glinne, from the traditionally strongly pro-integration Belgian socialists, mobilized the majority of socialists for the draft resolution. Anticipating that the question of institutional reform would persist for some time and 'have a more or less permanent interest for the Group', moreover, Glinne adjusted the internal group structures to the Crocodile Group's initiative, upgrading institutional reform before Spinelli's ad hoc committee was even formed.[81]

Egon Klepsch, the German Christian democrat chair of the EPP Group since May 1977, did not sign up, however. Instead, the EPP Group put out a press statement on 10 February 1981, the day of the Crocodile Club meeting with Veil. It stated that it agreed with the thrust of the resolution, but that

---

78 Marcel Gärtner, Der Klub „Krokodil" – ein umstrittener Versuch, *WDR*, 10 March 1981, 22.20-22.30, HAEU, GSPE-72.

79 European Parliament, Doc. 1-889/80.

80 Crocodile Numéro 4, 4 March 1981, HAEU, AS-356. See also La Cee a una svolta, *Il Popolo*, 10 March 1981.

81 Draft Summary Report of the meeting of the Socialist Group on January 12, 1981 in Strasbourg, PE/GS/11/81, HAEU, GSPE-71.

it wanted institutional proposals to be prepared in the Political Affairs Committee.[82] In the fourth Crocodile newsletter, Spinelli addressed the issue of the EPP's reluctance. It was of great strategic importance to him as he was keen to secure the largest possible majority for the resolution in the EP to impress European citizens and the national governments. It seemed bizarre, Spinelli argued, that the EPP of all political groups should create such procedural problems. After all, it prided 'itself on being the most homogeneous on European matters, and especially institutional questions'. Some MEPs in the EPP were perhaps keen to first exploit 'all possibilities offered by the existing treaty'. However, referring the motion for a resolution back to the Political Affairs Committee, Spinelli claimed, would amount to a 'silent burial'. It was absolutely necessary to create a different institutional trajectory in the form of a committee solely devoted to debating treaty reform and preparing a coherent project for the EP to debate and decide upon.[83]

Spinelli took great pains to convince the EPP to come around to supporting the setting up of such a separate committee. On 7 May 1981 he took the unusual step to write a letter to Klepsch and the EPP Group. Referring to the Christian Democrats' 'European roots going back to Schuman, De Gasperi and Adenauer' and their previous endeavours to deepen European integration, Spinelli emphasized the need to treat institutional reform as a cross-party matter. The constitutional question 'gives rise to political divisions which are different from the usual ones'. Moreover, the reports of the Political Affairs Committee were useful for improvements within the existing treaty framework, but 'they do not and cannot tackle the central problem of the Community's constitutional crisis'. It was essential to develop a new draft treaty for ratification by national parliaments. This would have to be done by 'the groups' top experts in political and institutional affairs' in a new institutional setting: 'committee, sub-committee or whatever: here, for simplicity's sake, let us call it an ad hoc committee'. The Political Affairs Committee could only take on this task if relieved of all other responsibilities. However, 'a glance at this committee's agenda is sufficient to realize that the task has to be entrusted to another'.[84]

Spinelli then had two private conversations with Klepsch, who he believed agreed to the creation of a new committee for drafting proposals. This committee would not be set up straight away, however, but only at the start of 1982. But shortly afterwards, German CDU MEP Blumenfeld, who was keen to complete his report for the Political Affairs Committee, showed Spinelli the draft of an alternative resolution, not an amendment to delay the creation of a new committee for institutional matters.[85] Moreover, this draft resolution seemed to merely invite the Political Affairs Committee to develop institutional ideas whereas the Crocodile resolution wanted the new committee to submit specific proposals to the EP following a clear timeline. The simmering EPP conflict with Spinelli became 'unpleasant' (Interview Nickel). Faced with this alternative proposal, Spinelli threatened Blumenfeld with a divisive EP vote which would not be in anyone's interest.[86]

In the end, the EPP caved in and the Klepsch compromise formula with a delayed creation of a separate committee for institutional matters was adopted. Spinelli could not afford a divided EP, which would have delegitimized his initiative; nor could the EPP be seen as less federalist in its approach than the centre-left parties, or even some pro-integration British Conservatives. In the end, the Abens resolution was adopted in plenary by 161 votes to 24 with twelve abstentions on 9 July

---

[82]   Cited in Krokodile am Werk, *Das Parlament*, 25 April 1981.

[83]   Crocodile Numéro 4, 4 March 1981, HAEU, AS-356 [translation from French text].

[84]   Spinelli to EPP Group, 7 May 1981, HAEU, AS-356.

[85]   Spinelli to Blumenfeld, 18 June 1981, HAEU, AS-037.

[86]   Ibid.

1981.[87] For diplomatic reasons, it explicitly referred to the 1979 EPP resolution. It also called for a 'full initiative in giving fresh impetus to the establishment of European Union'; agreed the creation of a 'permanent committee on institutional problems as from the second half of the term of office of the European Parliament whose task it will be to draw up amendments to the existing Treaties'; and for the Political Affairs Committee's sub-committee to start the process of deliberation straight away.[88]

The EPP's retrospective claim that this amended resolution constituted a victory for itself is misleading.[89] After all, it agreed to the shift in responsibility for institutional matters from the Political Affairs Committee to the new Committee on Institutional Affairs with a delay of only six months. Spinelli was certain that this was a price well worth paying for getting a clear majority in the EP. Although the amended resolution only defined a process for developing proposals, he believed that his 'central political idea has been retained intact, which is ratification [of any EP proposals] by national parliaments'. In his view, the resolution constituted 'the most important political act that the Parliament has accomplished since its election'. The EP would now 'assume … the role of a European Constituent Assembly' in drawing up what Spinelli termed, in inverted commas, a 'Constitution Treaty' -[90] a treaty only in terms of its legal form, but with the objective of constitutionalizing the EC. This combination of words was later recycled in the 2004 Constitutional Treaty, which failed in the French and Dutch referendums in 2005.

Even before the final behind-the-scenes negotiations with the EPP the Crocodile Club started to prepare the next steps. As the EP was 'not faced with a "terra incognita"', the first was for the Political Affairs sub-committee and then the new Institutional Affairs Committee to compile a list of all reform proposals since 1952.[91] Then it would be necessary to define institutional issues and component parts of the 'constitution treaty' including, inter alia, new powers for the EC and EP, and the proposed ratification procedure. Spinelli was convinced that the future Institutional Affairs Committee report to the EP needed to 'conclude by asking the European Parliament to conduct a full debate on this first report and to approve a resolution stipulating the ad hoc Committee's next mandate' – a mandate to continue its work on either a more intergovernmental institutional design, where member states would not relinquish control of decision-making, or 'the gradual development of a Community invested not only with its own powers, but also with its own legislative, decision-making, executive and monitoring bodies'.[92]

As a committed federalist, Spinelli naturally worked towards this second option. Throughout 1981 the Crocodile Club continued to meet and shape the preparatory work by the Political Affairs sub-committee. In the first half of 1982 it then sought to influence the preparation of the new committee's report. Now that the EPP had come on board, it began to take a leading role in the deliberation of different institutional reform options. On 12 February 1982 the EPP Group submitted a resolution on the first step to realizing a 'federal constitution' as the end goal, prepared by the Dutch MEP Sjouke Jonker, who was vice-chair of the new committee.[93] His plan foresaw, among other points, overcoming the unanimity practice in the Council and awarding the EP more powers,

---

[87] European Parliament, Doc. 1-347/79. Le Parlement européen entend se transformer en constituante, *Le Soir*, 11 July 1981.

[88] Resolution (Abens et consorts), *Europe. Agence Internationale d'Information pour la Presse*, 6 August 1981; Crocodile, Letter to the Members of the European Parliament, September 1981, HAEU, AS-037.

[89] Fontaine, *Herzenssache Europa*, 202.

[90] Crocodile, Letter to the Members of the European Parliament, September 1981, HAEU, AS-037.

[91] Working Report No 1 for the Crocodile Club, 20 May 1981, HAEU, AS-356.

[92] Spinelli to Colleagues, 20 May 1981, Working Report No 1 for the Crocodile Club, 20 May 1981, HAEU, AS-356.

[93] European Parliament, Doc. 1-940/81. See also Sjouke Jonker, Persönliche Anmerkungen zu einigen aktuellen institutionellen und politischen Fragen, no date [1981], Archiv für christlich-demokratische Politik (ACDP), 09-001-222.

including its greater involvement in the legislative process. The EPP Group coordinated its contribution to the committee's work in its own Working Party A. At its meeting on 9 June 1982, the Italian Paolo Barbi, the EPP Group's new chair during 1982-4 concluded that all EP groups agreed that the committee's report had to be somewhat 'de-Spinelli-ized'.[94] However, the EPP Group fully supported its general thrust. Indeed, after consulting with representatives of national parliamentary parties, the EPP Group decided unanimously on 30 June 1982 to support the report and combined resolution, this time without tabling any amendments in the plenary to avoid destroying its logical cohesion. Gero Pfennig highlighted how the EP's demands for institutional reform correlated with the EC's much greater tasks compared to the early days of European integration. Jonker once more emphasized the need to break the deadlock in the Council and democratize the EC's decision-making through the full involvement of the EP. The Italian Ortensio Zecchino reminded his fellow MEPs of the failure of the small steps policy to achieve a constitutional breakthrough. And the Belgian Lambert Croux argued that the EP's reform agenda enjoyed the support of three-fourths of European citizens who desired deeper integration.[95]

The clear majority of the Socialist Group also supported the Spinelli initiative at a time of intense debate about Europe within the French Socialist Party. At their Group meetings on 30 June and 1 July 1982, the socialists adopted a number of amendments proposed by some French members to moderate the committee report's federal thrust. However, the Group also voted by 13 votes to four - with four abstentions - to support it, even if their amendments were not adopted in plenary. Predictably, the Welsh MEP Allan Rogers announced that Labour Party MEPs might vote differently from the majority, this at a time when their party at home was pleading for the United Kingdom to leave the EC.[96] However, the growing Socialist Group unity and unanimous EPP support guaranteed a large majority in the EP on 6 July 1982 when 258 MEPs voted for the formally titled *Report on the European Parliament's position concerning the reform of the Treaties and the achievement of the European Union*, with 35 voting against and 23 abstentions.[97]

Thus, by the summer of 1982 Spinelli and the Crocodile Club had succeeded in convincing a large majority of MEPs of the need for major constitutional reform. The committee report laid down a clear timeline for the future work of the Institutional Affairs Committee which would focus on developing the actual content of the 'constitution treaty'. The report laid down some basic principles. These included that the current institutions would continue to exist, but that their powers would be revised and their work and cooperation be made more effective; that the Council and EP were to exercise legislative power 'jointly' in future; that the Commission would have full executive powers; and that the role of the European Council, which at that time led an entirely informal existence as it was not yet incorporated in the treaty, be defined.[98] Large question marks remained, however, not just concerning the legal compatibility of the planned treaty with the existing treaty framework, but also national government support and the willingness of national parliaments to ratify such a new treaty. As Spinelli had already pointed out in his report on the 1981 resolution, moreover, the majority of EC citizens perhaps supported further integration in a general way, but the EP's constitutional activism 'was hardly noticed or dealt with by the mass-media and just about

---

[94] Protokoll Nr. 4 Sitzung der Arbeitsgruppe „A" vom Mittwoch, 9. Juni 1982 in Brüssel, ACDP, 09-001-222.

[95] EVP-Haltung nach Debatte mit Vertretern in Luxembourg von nationalen Fraktionen, 30 June 1982, Friedrich Fugmann, Die Debatte über die institutionelle Frage, Strasbourg, 12 October 1982, ACDP, 09-001-082/2.

[96] Draft summary report of the meetings of the Socialist Group, 30 June and 1 July 1982 in Brussels, Brussels, July 2, 1982, PE/GS/196/82, HAEU, GSPE-72.

[97] European Parliament, OJ 1982 C238/25.

[98] See also Juliet Lodge (1984) European Union and the First Elected European Parliament: The Spinelli Initiative, *Journal of Common Market Studies,* 22 (4), 377-402, here 386.

ignored by the press'.[99] In other words, the EP as an informal constituent assembly was in danger of holding a conversation with itself in the almost private confines of its committees and plenaries.

At least the Commission was beginning to take notice. Analyzing the internal EP debate in 1981, however, it first and foremost reminded the MEPs of the need to respect 'the responsibilities of the Commission according to the existing treaties', especially its sole right of initiative, which the Commission was intent on defending to its own institutional death. The Commission even backed, for the moment, the Council's de facto role as the EC's sole decision-making body. According to the Commission small steps could still lead to a slightly enhanced EP role in budgetary and legislative matters as a 'first step towards a veritable structure of co-decision for the Parliament'. Extensions of EP powers beyond the existing treaty framework were undoubtedly necessary in the long-run.[100] But the Commission did not indicate for just how long the EP might have to run to get there. From this perspective, EP co-decision powers as well as the constitutionalization of the EC as a quasi-federal political system more generally did not appear to be a realistic prospect.

---

[99] Crocodile, Letter to the Members of the European Parliament, September 1981, HAEU, AS-037.

[100] Commission des Communautés Européennes, Les Relations entre les institutions de la Communauté, Communication de la Commission, COM(81)581, European Commission Historical Archives (ECHA), BAC 211/1998/16.

Chapter 2: Shaping constitutionalization: the Draft Treaty on European Union, 1982-1984

Although the EP was now embarking on the journey towards drafting what Spinelli called a 'constitution treaty', it nevertheless continued at the same time to follow the established strategy of small steps. All in all, however, the experience remained frustrating. For example, the EP, in a joint declaration with the Commission and the Council dated 30 June 1982, agreed new cooperation practices for budgetary matters.[101] But this agreement completely failed to end the persistent inter-institutional quarrels, at a time when governments were mainly preoccupied with the British budget problem – the question how much of 'her' money (that is, the comparatively high British contribution resulting from the particularly agriculture-heavy structure of the EC budget) to return to the British Prime Minister and the United Kingdom. Even after this thorny issue was temporarily resolved - with the budget rebate agreed at the Fontainebleau summit in June 1984 - inter-institutional relations over the EC budget remained highly charged. When in December 1984 the EP rejected a draft budget for the second time since the first direct elections, it once more fuelled what a Council official at the time diplomatically termed 'creative tensions' with the Council.[102]

The new EP President, the Dutch socialist Dankert, was keenly interested in budget issues as well as in shaping the EP's internal structure and administration.[103] He had been elected after the collapse of the original centre-right alliance which had supported Veil in 1979. Dankert nonetheless had to address another problem too, namely that the Council liberally continued to plan its own programme of legislative decision-making paying scant regard to parliamentary necessities and practices. Council's timetable often made a mockery of the consultation procedure even after the ECJ's 'Isoglucose' ruling. On 27 October 1982, Dankert complained bitterly about these persisting problems to Gaston Thorn, Commission President since 1981, former MEP during 1959-69 and Prime Minister of Luxembourg during 1974-79.[104] In his letter Dankert related two cases of legislation for which the Council had set impossibly tight deadlines. In one recent case, the EP had received the Commission proposal on 29 September 1982 and a letter from Council on 6 October 1982 requesting the EP to deal with the issue in its next plenary week from 11 to 15 November 1982. It should be obvious to all concerned, Dankert argued, that it was completely impossible for parliamentary committees competently to deal with any political issue within such a short time span. The situation was all the more untenable as many issues were of a quasi-cyclical nature so that their timely preparation and treatment by the Commission and Council should be feasible given better organization of the entire process. Dankert actually threatened that if Council were to continue its malpractice the EP would then refuse to treat its requests at all to avoid being made politically co-responsible for bad legislation.

---

[101] See Werner Ungerer (1989) Die neuen Verfahren nach der Einheitlichen Europäischen Akte: Eine Bilanz aus der Ratsperspektive, *Integration*, 12 (3), 95-106, here 103.

[102] See William Nicoll (1986) From Rejection to Repudiation: EC Budgetary Affairs in 1985, *Journal of Common Market Studies*, 25 (1), 31-49.

[103] Cf. Corbett and Jacobs, Aktivitäten und Arbeitsstrukturen, here 173.

[104] Dankert to Thorn, 27 October 1982, Historical Archives of the European Parliament (HAEP), PE1 P2 223/RICM RICM-1982-020 0050.

The German liberal foreign minister Hans-Dietrich Genscher presenting the Genscher-Colombo initiative to the European Parliament on 19 November 1981.

The member state governments largely ignored such procedural issues as politically irrelevant and to be left to the Council administration. They were more concerned with political fire-fighting, from the steel crisis to coordinating a European position on NATO's dual-track decision about the stationing of middle-range nuclear missiles. They saw no real scope for a major constitutional overhaul of the EC and instead followed their own policy of small steps. This is especially true of the 1981 Genscher-Colombo initiative which eventually led to the so-called Solemn Declaration at the EC summit in Stuttgart in June 1983. On 6 January 1981, Genscher, the German liberal foreign minister, gave a speech at his party's traditional January conference in the federal state of Baden-Württemberg, suggesting renewed efforts to achieve a European Union of sorts.[105] Genscher subsequently met several times with Emilio Colombo, the Italian foreign minister and former EP president during 1977-79, before the two foreign ministries developed a concept for a 'Single

---

[105] On Genscher's foreign and European policy see Hans-Dieter Lucas (2002) Politik der kleinen Schritte – Genscher und die deutsche Europapolitik, in: Hans-Dieter Lucas (ed.) *Genscher, Deutschland und Europa*, Baden-Baden: Nomos, 85-113; Wolfram Kaiser, „Weltordnung der Partnerschaft": Genschers Ansätze einer westdeutschen Globalpolitik 1974-1982, in: Hans-Dieter Lucas (ed.) *Genscher, Deutschland und Europa*, Baden-Baden: Nomos, 201-221.

European Act'. Their plan mainly focused on defining the role of the European Council more clearly, making intergovernmental decision-making more effective by limiting the practice of informal vetoes, and improving foreign policy coordination in the European Political Cooperation (EPC). In contrast, the future role of the EP within the reformed EC featured on the margins of the document only, in the context of a broader appeal for the EC's democratization and its strengthened role in protecting human rights.[106] According to the Genscher-Colombo Plan, for example, the EP would in future be able to address questions to the Commission and the Council at any time – hardly the constitutional revolution that many MEPs now aimed for.

Genscher and Colombo together presented their plan to the EP on 19 November 1981. In his memoirs, Genscher makes a lot of this event as 'a small revolution' as it was only customary for the Council Presidency to appear before the EP.[107] But instead of politely applauding the bilateral initiative, some MEPs were scathing in their criticism. Spinelli led the attack and was actually applauded strongly by the Liberals among others (Interview Mahling). He reminded Genscher of his German Free Democrats' programmatic commitment to a federal form of European unification and his earlier personal political commitment to strengthening the EP to become an ordinary parliament with full legislative powers. Although aware of the various initiatives to draft a treaty creating a European union, Genscher and Colombo had chosen to ignore them. Instead of proposing a bold step towards an integrated European political system, they had charged their diplomats with drafting a 'Single Act' that was almost exclusively geared towards strengthening EC intergovernmentalism. But even the most beautiful girl could only give what it had, Spinelli said in an analogy that did not yet seem completely out of place at the time. Diplomats could only come up with a practical plan to address pressing international issues, not a politically-minded draft constitution for European Union.[108]

---

[106] Ulrich Rosengarten (2008) *Die Genscher-Colombo-Initiative. Baustein für die Europäische Union*, Baden-Baden: Nomos. For a scathing contemporary academic criticism see also Joseph H. H. Weiler (1983) The Genscher-Colombo Draft European Act: The Politics of Indecision, *Journal of European Integration*, 6 (2-3), 129-153.

[107] Hans-Dietrich Genscher (1995) *Erinnerungen*, Berlin: Siedler Verlag, 364.

[108] Manuel Müller (2016) Diplomatie oder Parlamentarismus. Altiero Spinellis Ablehnung des Genscher-Colombo-Plans 1981, in: Rüdiger Hohls and Hartmut Kaelble (eds) *Geschichte der europäischen Integration bis 1989*, Stuttgart: Franz Steiner, 177-184.

As European and foreign minister Roland Dumas (right) promoted the deepening of European integration – here with French President François Mitterrand in the European Parliament on 24 May 1984.

In retrospect, Genscher has remembered the bilateral initiative as a 'rocket' with potential to propel European integration forwards. From Spinelli's perspective, it was a mere balloon filled with too little gas and bound to move very slowly, in an unclear direction driven by the changeable winds of intergovernmentalism. During 1981-82 nothing seemed to indicate that the Genscher-Colombo Plan would result in anything but incremental adjustments to the practices of cooperation among governments in the EC, short of treaty change. Moreover, neither the Council nor the Commission planned to involve the EP in a meaningful way in the discussion about any such changes. In preparation of the Council meeting on 23 November 1982, the Commission advocated that the EP should only be 'associated' with any enquiry regarding the proposed SEA in as much as its own role was affected.[109] By 1983, however, when the Institutional Affairs Committee was deliberating the components of the future DTEU, the domestic political contexts in Germany and France were beginning to change, paving the way for at least the possibility of a somewhat more meaningful reform. In Germany, the federal elections in March 1983 confirmed the new coalition, headed by Kohl, between the CDU/CSU and Genscher's Free Democrats. Unlike his predecessor Helmut Schmidt - the social democrat who in foreign relations had focused on his self-ascribed position of chief executive officer of the global economy and the Western alliance - Kohl was inclined to focus more narrowly on Franco-German relations and European integration in the tradition of Adenauer's policy of Western integration.

Even more importantly, President Mitterrand and the French government changed their closely related policy preferences on the economy and Europe quite fundamentally in 1983-84. After his election victory in 1981, Mitterrand and the new socialist majority in the Aseemblée Nationale initiated the 'Union of the Left' policy of cooperation with communists and started a left-socialist socio-economic experiment. This included, inter alia, the nationalization of French banks, insurance companies and the defence industry as well as a reduction in working hours and a rise in salaries. With foreign trust in French economic policy waning, the policy experiment resulted in severe

---

[109] Note d'information pour Monsieur le President Thorn, Objet: Conseil du 23 novembre – point de l'ordre du jour concernant l'initiative germane-italienne (plan Genscher-Colombo), 22 November 1982, ECHA, BAC 408/1991/43.

friction within the European Monetary System (EMS) established in 1979 and led to the re-imposition of currency controls on the French border to avoid a flight out of the French franc. During 1983-84, the French government paddled back under the strong influence of Jacques Delors, the economics and finance minister until the formation of a new government of Prime Minister Laurent Fabius in 1984. This led to the resignation of all communist ministers and facilitated Delors' appointment as Commission president too.

The economic policy change in the French Socialist Party and government in 1983-84 towards a moderately liberal agenda of privatization and liberalization impacted on Mitterrand's European policy and on the French socialists in the EP who became more pro-integration during this period. The appointment of Roland Dumas (who was close to Mitterrand) to the position of Minister for European Affairs in December 1983 signaled the President's much greater interest in the EC and its reform. It now appeared that something might come out of the Solemn Declaration after all. In it, the governments had at least proclaimed that in future the EC Presidency would seek the opinion of the EP's Enlarged Bureau before appointing a new Commission president. The EP reminded the governments of this commitment in a resolution dated 29 March 1984, calling for such consultation to take place 'in good time'.[110] In fact, at a meeting with the Enlarged Bureau on 25 July 1984, Garret FitzGerald, the Irish Prime Minister and Council President, sought the opinion of Delors, who enjoyed wide support across the party spectrum.[111] Delors subsequently made the point of meeting with the Enlarged Bureau to discuss the membership and allocation of portfolios in his Delors I Commission, and later also with the Political Affairs Committee on 27 November 1984.[112] Although the EP still had no say in the actual selection of the Commission president, Delors, as a former MEP during 1979-81, took pains to upgrade symbolically once more the importance for the Commission of relations with the EP.

While from the EP's perspective the governments were at best making the tiniest of steps towards enhanced cooperation, MEPs focused increasingly on defining and drawing together key components of the future DTEU – a drawn-out process that eventually resulted in the EP debate in September 1983 about the Institutional Affairs Committee's substantive proposals for a new treaty. The MEPs felt emboldened by opinion polls that indicated growing support for accelerated integration among EC citizens during the 1980s. According to Eurobarometer data, by 1987 roughly one third of EC citizens preferred the status quo and a tiny percentage the EC's dissolution, but just under two-thirds wanted deeper European integration. Some member states like Germany had strong support for the creation of a United States of Europe, with 62 per cent of German citizens wanting the EC to develop in this direction 'faster' than hitherto.[113] In other member states, however, support for deeper political integration was far more limited, especially in Denmark which had mainly joined the EC in 1973 to secure the benefits of the CAP. Danish MEPs, who were opposed to their country's membership in the EC, even called the Institutional Affairs Committee's drafting of the DTEU a declaration of 'war' against the member states' 'legal representatives' in the Council.[114]

Against this background, the Institutional Affairs Committee in 1982 instructed Spinelli as 'coordinating rapporteur' to oversee the production of six working documents which created the basis for sections of the later DTEU: by the Italian Christian democrat Zecchino on institutions; the

---

[110] For a short introduction see Alexandra Devantier (2014) Appointment of the Commission: Parliament's role before 1995, EPRS European Union History Series Briefing, PE 538.878, 5.

[111] Minutes of the Enlarged Bureau meeting on 25 July 1984, HAEP, PE2 OD PV/BURE BUEL-198407250010.

[112] Summary by the Political Affairs Committee of a statement by Jacques Delors, HAEP, PE2 P1 223/RICM RICM-1984-020 0180.

[113] See Woyke, *Die Europäische Gemeinschaft*, 19.

[114] Unbeirrt kämpft Spinelli für eine europäische Union, *Frankfurter Rundschau*, 16 September 1983.

Dutch liberal Karel de Gucht on the treaty's legal structure; the French socialist Jacques P. Moreau – a close friend of Delors – on economic union; the French Gaullist Michel Junot on Union finances; the German Christian democrat Pfennig on policies for society; and the British Conservative Derek Prag on the EC's international relations. The rapporteurs were assisted by the four officials from the secretariat of the Institutional Affairs Committee: its head, the Frenchman Jean-Guy Giraud, the Italian Andrea Pierucci as well as the British Richard Corbett and the German Dietmar Nickel, who both kept in close touch with the European Studies academic community and began to publish widely on the topic of institutional reform. Throughout 1982-83 the team was in touch with experts from academia, too, including from law, political science, and economics, and from the Council and Commission.

The role of 'coordinating rapporteur' was invented for Spinelli to reflect his role as instigator of the entire DTEU process. At the same time, having been elected on the Italian Communist Party list he was marginal to day-to-day decision-making in the EP and not supposed to be more than primus inter pares. For a variety of reasons the political groups were keen to retain control over the drafting process. In an internal memorandum dated 22 March 1983, a Commission official observed that Spinelli and the six rapporteurs had been unable to agree a 'single comprehensive document' before the meeting of the Institutional Affairs Committee. As a result, the submitted draft included text on the different sections, with comments by Spinelli in the margins. Some of the rapporteurs clearly felt that Spinelli, who interpreted his role quite liberally, had 'overstepped the limits of his function as coordinator'.[115] The arrangement with seven rapporteurs including Spinelli nevertheless resulted in very close collaboration within this restricted group, to iron out differences and produce an integrated text that could eventually be adopted by a large majority of the EP. The Commission in any case concluded that the draft resolution in the form in which it existed in late March 1983 was very largely 'the product of this restricted caucus'. Other committee members remained marginal to the drafting process. Differences over the content of the draft resolution remained, however.[116]

In fact, Zecchino initially planned to replace the Council of Ministers with a Senate where the member states would be represented by the same number of delegates as they had votes. During the preparation of the draft coordinated report, however, Zecchino had to make major concessions. Thus, the members could be recalled in case of a change in the national government, the national delegations had to exercise their vote as a bloc and they could consist of experts headed by the minister responsible for European affairs, not just politicians. The draft continued to provide that the delegations would not be bound by government instructions, however. This was something that several committee members (including the German social democrat Hänsch, later President of the EP in the 1990s, as well as Moreau and Prag) believed was both ineffective as a system for committing national governments to intergovernmental decision-making and unrealistic politically.[117]

From July 1982 to the summer of 1983 the Institutional Affairs Committee discussed the content of the six working documents and the integrated draft report seven times. Dividing up the work between themes and MEPs of different nationality and political persuasion naturally resulted in inconsistencies across the working documents. The diverse approaches became more apparent at the stage of their necessary integration into one document, which the committee eventually submitted to the EP. Evaluating the committee's work from the outside, the Commission observed,

---

[115] Commission of the European Communities, European Parliament Committee on Institutional Affairs, Summary record, 22 March 1983, SP(83)1327, ECHA, BAC 408/1991/44.

[116] Commission of the European Communities, European Parliament, Note to Members of the Commission, 29 March 1983, SP(83) 1404/2, ECHA, BAC 408/1991/43.

[117] Ibid.

for example, that the working document by de Gucht used the German federal model as a template for establishing different forms of competence, including policy fields for which the EC and the member states would in future have concurrent responsibility. In contrast, in his working document, Moreau, whose thinking was informed by the French constitutional model and experience of a highly-centralized nation state, came up from scratch with a kind of parallel competence of the EC and the member states for short-term economic policy measures, which was incompatible with de Gucht's constitutional scheme.[118] According to the Commission, Spinelli as coordinator was aware of these inconsistencies, but was also keen to avoid fundamental constitutional and legal debates in the committee as he did not want to endanger the timeline for submitting the integrated document to the EP.[119]

Substantially, Prag's working document on EPC caused little controversy in the committee. After all, even political parties like the French Gaullists and the British Conservatives, who shared a preference for a more intergovernmental institutional design and practices for the EC, were keen to deepen foreign policy cooperation although differences persisted at the time between France and the United Kingdom over the degree of independence of such cooperation from the United States and NATO. The more controversial institutional issues of foreign policy cooperation were in any case dealt with by Zecchino in his working document. Not surprisingly, however, questions of fiscal, economic and monetary integration created sharp controversy within the committee. Thus, the EPP (and German MEPs across the party spectrum in particular) were highly critical of Moreau's heavy emphasis on future monetary integration at the expense of economic policy co-ordination and convergence – a conflict that essentially mirrored the debate between so-called monetarists and economists over the best approach to achieving monetary union, which had been raging in the EC since at least the 1970 Werner Report that had laid out a ten year plan for monetary convergence and integration.[120] Among other measures, Moreau envisaged that the EC member states would quickly transfer a substantial part of their currency reserves to a soon to be created European Monetary Fund.

Similarly, Hans-Joachim Seeler, a German social democrat who had taken over responsibility for the working document on Union finances after Junot had left the EP in January 1983, introduced the notion of a financial compensation mechanism among EC regions into his working document. This idea, too, was borrowed from Germany's system of *Länderfinanzausgleich*, or financial equalization mechanism among the federal states. It was geared towards supporting federal states with greater structural economic problems and lower tax income, to allow them to create 'equal living conditions' which the German Basic Law stipulated as a constitutional objective. In the much more economically heterogeneous and politically less integrated EC, however, it was clear that introducing such a mechanism could cause severe political friction among member states and regions.[121]

By April 1983, the committee had not even discussed Spinelli's own hobby horse, namely the ratification of the future DTEU by national parliaments and the entry into force of the treaty once it was ratified in six out of (in 1983) ten member states. Spinelli suggested this method, which raised complex legal issues about the future of the existing treaties, to put political pressure on the

---

[118] Commission des Communautés Européennes, Secrétariat général, Préparation de la rencontre avec la Commission Institutionelle du Parlement Européen, 13.4.1983, 7 April 1983, SP(83)1543, ECHA, BAC 408/1991/44.

[119] Ibid.

[120] See Emmanuel Mourlon-Druol (2012) *A Europe Made of Money: The Emergence of the European Monetary System*, Ithaca/NC: Cornell University Press.

[121] Commission des Communautés Européennes, Secrétariat général, Préparation de la rencontre avec la Commission Institutionelle du Parlement Européen, 13.4.1983, 7 April 1983, SP(83)1543, ECHA, BAC 408/1991/44.

governments, who had in the past negotiated the treaties and their revision and, if necessary, to bypass them. In his view, as he had already told Genscher in November 1981, such intergovernmental negotiations were bound to be dominated by diplomats from foreign ministries, who would not give up their influence over European affairs as foreign policy, and thus to result in minimalistic change. Spinelli's preference for his proposed new form of treaty ratification together with his interest in the planned new legislative procedure outweighed most of his other interests in the DTEU. As a result, he supported other concessions during the drafting of the integrated report to assuage concerns about Zecchino's originally heavily federalist institutional design and secure the broadest possible support for the report and the DTEU in the EP.

Most importantly, in the spring of 1983 the Institutional Affairs Committee inserted the idea of a transition period into paragraph 124 of the draft DTEU. This paragraph would have legally recognized the notion of the 1966 Luxembourg Compromise of a national 'veto' in the Council when a 'vital national interest' was at stake.[122] Such a 'veto' would have been tolerated for a transition period of ten years after the coming into force of the DTEU. This concession was clearly made to enhance the report's appeal to mildly Eurosceptic MEPs, especially French socialists, and British Conservatives and socialists (Interview Corbett), who were not dogmatically committed to an entirely intergovernmental structure in the long run. The Commission was not happy, however, that the EP would even contemplate such a dramatic break with the Commission's established legal opinion that the Luxembourg Compromise was a mere gentlemen's agreement without legal force, as the EEC treaty had not been changed at the time. In an internal memorandum for their fellow commissioners, Thorn and Dutch Commissioner Frans Andriessen recalled that many previous institutional reform proposals, including the Commission-initiated 1972 Vedel Report and the 1979 Three Wise Men Report, had highlighted the need to overcome the problem of blockages in the Council. This was to be effected by eradicating the veto practice and thus enhancing the EC's decision-making efficiency with which the Commission was so preoccupied. From this perspective, legalizing the existing veto practice in the Council through a new treaty – if only for a ten year transition period – would mark a dangerous step back from the existing legal provisions of the EEC treaty for majority voting. This was certainly not something that the Secretariat General of the Commission had expected the EP to suggest as part of an EC reform package,[123] although the Legal Service under the direction of Claus-Dieter Ehlermann understood the provision's political rationale (Interview Jacqué).

When the final version of the watered-down resolution on the future DTEU was discussed in the Institutional Affairs Committee, only four MEPs voted against: a Danish socialist, a French communist, an Irish Fianna Fáil member, and a Flemish nationalist.[124] As with Spinelli's original initiative, the resolution and the final version of the DTEU continued to cause the greatest internal friction in the Socialist Group. At a Socialist Group recess in Montpellier in the beginning of September 1983, Lucien Radoux, the veteran Belgian socialist who chaired the Institutional Affairs Working Party set up on Glinne's initiative in 1981, expressed his 'hope that the majority of members of the Group would be able to vote for the Resolution'. However, some socialist MEPs from the United Kingdom, Denmark and Greece stated that, independent of the success of any Socialist Group amendments to the text, they 'would not under any circumstances feel able to vote for this

---

[122] On the 'Empty Chair' crisis and the Luxembourg Compromise see Bajon, *Europapolitik „am Abgrund"*.

[123] Sécrétariat général, Communication de M. le Président Thorn et M. Andriessen concernant la proposition de resolution de la commission institutionelle du Parlement européen relative au contenu de l'avant-project de Traité instuant l'Union européenne, SP(83)2748/3, 23 July 1983, ECHA, BAC 408/1991/44.

[124] See also Debatte über neue Verfassung für Europa in Strasbourg, *Frankfurter Allgemeine Zeitung*, 13 September 1983.

resolution and proposed a free vote'.[125] Three days later, at the end of the recess, Glinne was adamant that the Group had to 'avoid taking up a minority position within the Parliament'. However, he would allow MEPs to draw on the 'conscience clause' and vote against or abstain.[126]

By early 1984, as the EP was moving towards the final vote on the actual DTEU, the Socialist Group had reached a state of collective exhaustion over the institutional question. All MEPs had made up their mind and were well acquainted with all of the arguments. It was perfectly clear that a substantial majority would also vote for the DTEU, regardless of the success of any amendments at this late stage. Nonetheless, the Danish socialist Eggert Petersen proposed that the group abstain. This was followed by another long debate along (by now) familiar lines with contributions from the German MEPs Arndt, Hänsch and Katharina Focke, as well as Moreau and Mauro Ferri, the Italian chair of the Institutional Affairs Committee, van Miert, the Eurosceptic Welshman Allan Rogers and the Greek Spyridon Plaskovitis.[127]

The EP adopted the formally titled *Resolution on the Substance of the preliminary draft Treaty establishing the European Union* on 14 September 1983 by 202 votes for, 37 against with 71 abstentions.[128] The 100 absences out of a total membership of 434 after the accession of Greece in 1981 to some extent masked support among MEPs for the proposals who did not wish to be seen as deviating publicly from their group's more critical official line. Thus, the British Conservative MEP Prag ended up defending the resolution in his role as rapporteur in September 1983, but, as spokesperson for the EDG had to strike a more critical tone after an intervention by the British Prime Minister behind the scenes. Whereas the majority of Conservative MEPs supported the DTEU, most did not turn up to vote to avoid antagonizing Thatcher and the Tory headquarters in London. Similarly, after the deeply divided British Labour Party group within the Socialist Group had decided by just two votes to oppose the treaty, only one of their MEPs, John Hume from the Northern Irish Social Democratic Labour Party, nonetheless voted in favour while most other DTEU supporters did not take part in the vote.[129]

The EPP and the Liberals, who had contributed their own programmes for constitutionalizing the EC to the work of the Institutional Affairs Committee in 1982, were united in supporting the proposals. By nationality, there was unanimous support for the 1983 resolution from the founding member states Germany, Belgium, Luxembourg, the Netherlands and Italy. Many French MEPs either supported the DTEU or abstained tactically to avoid getting into conflict with their respective party leadership. Once the EP had voted on the substance of the treaty, Spinelli and the Institutional Affairs Committee worked closely with four leading European lawyers, with whom they had already cooperated for some time, to turn the political language of the resolution into a text of sufficient legal quality. They were Francesco Capotorti, a law professor in Rome and former Advocate General at the European Court of Justice between 1976 and 1982; Meinhard Hilf, a professor of European and international law at the University of Bielefeld, who had previously worked for the Legal Service of the European Commission; Francis Jacobs form King's College London, who was later Advocate General at the European Court of Justice between 1988 and 2006; and Jean-Paul Jacqué, then President of the University of Strasbourg and later Director of the Legal Service of the Council of the

---

[125] Draft Summary Report of the meeting of the Socialist Group held in Montpellier, 5 September 1983, PE/GS/235/83, HAEU, GSPE-73.

[126] Draft Summary Report of the meeting of the Socialist Group held in Montpellier, 8 September 1983, PE/GS/235/83, HAEU, GSPE-73.

[127] Draft summary report of the meeting of the Socialist Group held in Brussels on 8-9 February 1984, Brussels, 9 February 1984, HAEU, PE/GS/46/84, GSPE-73.

[128] European Parliament, OJ 1983 C277/95.

[129] Lodge, European Union and the First Elected European Parliament, 380.

European Union between 1992 and 2008. After the vote on the substance of the treaty in September 1983, the decision on the legally phrased DTEU on 14 February 1984 was a formality. At this point, 237 MEPs voted for the DTEU, 31 voted against and 43 abstained.

The DTEU as it was adopted by the EP consists of a Preamble and six parts of 87 Articles in total.[130] The Preamble sets out the objective of pursuing the unification of Europe through more efficient and democratic institutions. It refers to the principles of pluralistic democracy, respect for human rights and the rule of law, which the EP had already formulated as membership conditions in the early 1960s. The Preamble also mentions the principle of subsidiarity which is further explained in Article 12(2). Originally derived from Catholic social teaching, the politicized notion of subsidiarity in federal systems means that the federal (or, in the case of the EC, the European) level can only act to complete the tasks ascribed to it in the Treaty.

Part one of the DTEU then sets out key guiding principles. They include, in Article 2, that any democratic European state may become a member of the future EU; and, in Article 4, that the EU will protect the fundamental rights and freedoms derived from the principles of the member state constitutions and from the European Convention for the Protection of Human Rights and Fundamental Freedoms that had been drafted in the Council of Europe and come into force in 1953. This point formalized a Joint Declaration by the EP, the Council and the Commission from 5 April 1977. However, the DTEU also specifies that the EU will draft and adopt its own declaration of fundamental rights within five years after the entry into force of the treaty. In Article 44, the DTEU also envisages sanctions to be applied to member states that persistently violate democratic principles or fundamental rights. The question of whether to draft a separate list of fundamental rights for the EC had proved to be controversial in the Institutional Affairs Committee – especially whether, and with what implications, to include social rights. The committee and the political groups therefore decided to leave this thorny issue to be sorted out at a later stage.

Part two of the DTEU sets out the EU's objectives in the social and economic sphere and in international relations. It also creates the distinction between 'common action' by EU institutions and 'cooperation' by the member states in the framework of the European Council. Two types of competence are foreseen for 'common action': 'exclusive competence' of the EU, for example in trade policy, and 'concurrent competence' when the EU and the member states can act – a distinction that already existed in the EC. For political initiatives and legislation under concurrent competence the EU has priority over the member states, if it wants to act. This provision could potentially lead to ever greater centralization of policy-making at EU level. Safeguards against over-centralization are therefore built into the DTEU. Alongside the general principle of subsidiarity, they include the need for the Council to act with a special two-thirds majority in cases where it wants to extend EU legislation into a new area of concurrent legislation. What precisely constitutes such a 'new' field could of course be contested politically and legally. At the time, it would certainly have seemed likely that the ECJ as ultimate legal arbiter would generously interpret the rights of the EU to develop initiatives to meet new policy challenges.

Changes in the set-up and powers of the EU institutions are laid out in part three of the DTEU. It regulates the existing institutions and in addition incorporates the European Council summitry at the level of the French President and the heads of government into the treaty. The treaty formalizes the European Council's practice of nominating the Commission president, too. For the Council, the treaty avoids Zecchino's term 'Senate', derived from the federalist terminology of the 1953 EPC treaty. However, it retains the provision that each national delegation be led by a minister who

---

[130] For a detailed discussion of the DTEU see Roland Bieber, Jean-Paul Jacqué and Joseph Weiler (1985) *An Ever Closer Union: A Critical Analysis of the Draft Treaty Establishing the European Union*, Luxembourg: Office for Official Publications of the European Communities.

would be responsible for EU affairs, but that it could otherwise consist of specialized ministers and officials. The idea behind this innovation was plainly to avoid lack of coordination within member states governments and even openly contradictory positions taken up by ministers with responsibility for specific portfolios and resulting agendas, from different political parties in coalition governments or with links to pressure groups working towards particular policy solutions. Instead of moving all resulting problems upwards to a European Council increasingly overburdened with details of policy-making, the EU Minister, or so the EP and its Institutional Affairs Committee hoped, would guarantee that member state governments could take decisions rapidly. As mentioned above, the DTEU formalizes the Luxembourg Compromise but makes the use of a veto subject to two conditions. The first had been incorporated after pressure from the Commission, namely that the Commission had to recognize that a vital interest was indeed at stake, with the grounds for asking for a postponement of a decision having to be made public. The second condition was that the veto would be phased out after a transition period of ten years.

The DTEU seeks to strengthen the role of the Commission considerably. Its term of office is extended to five years to coincide with that of the EP. Having been designated by the European Council, the new Commission president can put together his or her team of commissioners. A vote of confidence by the EP would then allow the new Commission to take office, something that the EP had demanded for some time (including in the 1980 Rey Report).[131] It anticipated that in future the member state governments would only nominate a Commission president who could be expected to have majority EP support and that this nominee would be able to put together a better quality team whose selection would not be informed mainly by intra-party or coalition politics in the member states.

In contrast with the Council and the Commission, the DTEU did not change the structure and composition of the EP at all. It only foresaw a uniform electoral system, something that the EP had demanded and worked on internally for some time. However, the compulsory requirement of EP approval for the new Commission strengthened the former's position in inter-institutional relations significantly, so that contemporary observers concluded that it would in future occupy a 'central position in the European political system', especially as a result of its very much strengthened role in European legislation.[132]

The changes to the legislative procedure and the power to issue regulations in Title II of part three are far-reaching. Replacing regulations and directives, the DTEU adopts a single type of Community measure to be adopted by the Council and the EP as equal partners. If the Commission fails to respond to a request for draft legislation from the two institutions, they can proceed to take the initiative, something that would have significantly curtailed the Commission's sole right to initiative under the EEC treaty. Once the Commission has produced a draft, it is transferred to the Council and the EP with a deadline – a provision introduced to prevent the Council from delaying its response, or even never acting on a proposal, which the EP thought had happened far too often in the past. If the two institutions disagree they have to follow a conciliation procedure to reach agreement within three months. If conciliation fails, the EP can approve the text as adopted by the Council. Alternatively, it can adopt amendments proposed by the Commission by an absolute majority but not amend the text itself. This text can in turn be rejected by the Council by qualified majority. The Institutional Affairs Committee came up with this complex legislative procedure as an effective way

---

[131] European Parliament, OJ 1980 C 117.

[132] Gianfranco Pasquino and Luciano Bardi (1985) *The Institutions and the Decision-Making Process in the Draft Treaty*, EUI Working Paper 85/153, Florence: European University Institute, 26.

for the Council and the EP to cooperate and reach consensus.[133] Moreover, while the Commission's sole right of initiative is curtailed, it becomes the sole executive institution, with strong influence over the legislative process through its role in the conciliation process and its right to put amendments to a vote at any time. It also gains greater independence in the implementation of EU law through regulations and decisions.

Part four of the DTEU covers the EU's policies. It makes references, inter alia, to some policy areas like consumer protection, education and research, and monetary cooperation more explicitly than the EEC treaty. In social and economic policy, the EU has sole competence only for issues for which the EC is already responsible under the EEC treaty, such as trade. Part five goes on to discuss financial and budgetary matters, which build on the existing provisions for own resources introduced with the 1970 Luxembourg Treaty. However, the distinction between compulsory and non-compulsory expenditure is abolished in favour of a single budgetary procedure. Should the expansion of EU policies and resulting obligations require it, a majority of two thirds in the Council and the EP can increase expenditure above the existing budgetary ceiling, doing away with the national veto on extending EC resources. Moreover, the financial equalization system among regions uploads the German model to the EU, and several articles demand long-term financial programmes, which in turn serve as a basis for determining the EU's budget.

Part six, finally, contains various general provisions and also specifies the controversial procedure for the entry into force of the DTEU via direct ratification in the member state parliaments mentioned above, without the intermediate step of any further intergovernmental negotiations – a procedure that legal observers at the time judged as marking the truly 'revolutionary nature' of the DTEU.[134] Once ratified, the DTEU would incorporate existing Community legislation - commonly referred to as the 'acquis communautaire' and called 'Community patrimony' in the DTEU. While this provision guarantees that the transition to the new treaty framework does not result in a legal and political void, the DTEU has nothing to say about what happens to EC member states whose parliaments fail to ratify the treaty in a timely manner. Crucially, the DTEU is deliberately silent on this point – not just because the legal implications and political ramifications of such a break-up of the existing EC were equally unclear and potentially far-reaching.[135] Rather, the Institutional Affairs Committee hoped to exert sufficient pressure with the proposed ratification procedure to ensure that all EC member states would actually make the transition to the EU, thus avoiding these thorny legal issues and potential economic and political consequences altogether (Interview Corbett).

With these core features, the DTEU provided for a high degree of continuity with the EC in terms of the future institutional set-up and coverage of policy areas. Had it been ratified and come into force, it would have resulted in a kind of 'federalism without federation'.[136] The role of the member states through the European Council and the Council would have diminished, but remained crucial to the functioning of the EU. At the same time, the existing supranational elements would have been strengthened further, especially through the new role of the EP as co-legislator and the possibility that the EU could take measures against member states not in compliance with the basic membership conditions such as respect for human rights. Overall, however, the DTEU reflected

---

[133] For more detail on the legislative procedure see also Dietmar Nickel and Richard Corbett (1984) The draft Treaty establishing the European Union, *The Yearbook of European Law*, 4 (1), 79-121, 85-86.

[134] See Joseph Weiler and James Modrall (1985) *The creation of the European Union and its relation to the EEC treaties*, EUI Working Paper 85/154, Florence: European University Institute.

[135] See also David Freestone and Scott Davidson (1986) The EUT: Legal Problems, in: Juliet Lodge (ed.), *European Union: The European Community in Search of a Future,* London: Macmillan, 125-150, 145.

[136] Michael Burgess, Altiero Spinelli, Federalism and the EUT, in: Juliet Lodge (ed.) *European Union: The European Community in Search of a Future,* London: Macmillan, 174-185, here 183. See also Juliet Lodge (1986) Introduction, in: Juliet Lodge (ed.) *European Union: The European Community in Search of a Future,* London: Macmillan, 1-14, here 10.

Spinelli's federalist conception of European integration only to a very limited extent. It largely constituted a 'compromise'.[137] This compromise was designed to appease the more Eurosceptic member states and national political parties that were opposed to fully-fledged federalism but acknowledged the urgent need to enhance the EC's effectiveness and allow it to become active in addressing urgent transnational challenges. They included, for example, the abolition of non-tariff barriers to create a real internal market or to develop a European level environmental policy to deal with air and river pollution and acid rain, or climate change.[138]

The DTEU's compromise character was especially obvious in its provisions for financial, economic and monetary cooperation and integration – a policy area that has proven to be especially contentious to the present day. The DTEU in some ways laid out the path for a more centralized EU financial and economic policy - for example, through the possibility of lifting budgetary ceilings by qualified majority vote, the financial equalization system for budgetary redistribution among regions in the EU, and the possibility of aligned or uniform taxation.[139] At a time when Thatcher's economic policies were informed by neo-liberalism and Reaganomics, liberal economic thinking had a weak foothold in the EP. There, notions from the 1970s of European economic convergence through fiscal redistribution via regional and structural policy and the proposed financial equalization system remained strong among the two largest political groups, the socialists and the EPP. At the same time, the DTEU included safeguards against overspending, such as the subsidiarity principle and the special qualified majority required for the lifting of the budget ceiling. Moreover, the DTEU referred to the existing EMS only in Article 52. It stipulated that monetary union should be 'progressively' achieved but included no timetable or conditions, and it did not even mention a single European currency as a final objective. In this regard, the EP was far more careful in the DTEU than it had been in its strong advocacy of monetary integration during the 1970s –[140] a downgrading of this policy probably due to the fact that the EMS was still in an informal trial phase and the long-term policy objectives highly politically contested, with Spinelli also lacking technical knowledge of and political interest in monetary union (Interview Jacqué).

In developing and passing the DTEU the EP fulfilled its crucial system developing function. It submitted a new treaty to be ratified by a revolutionary procedure with the direct involvement of national parliaments, bypassing the member state governments. Many of its features built on earlier constitutional debates and proposals while others were innovated by the Institutional Affairs Committee, such as the legal formalization of membership criteria and the possibility of sanctions against member states in breach of these criteria, such as respect for human rights. In the end, however, the EP entirely depended on the cooperation of national parliaments to ratify the DTEU. But there, parliamentary majorities supported their own national government that in turn sought to retain executive control over EC reform; or even worse, from the EP's perspective, the national parliament was characterized by strong cross-party opposition to more federalist forms of integration as in Denmark.

---

[137] Otto Schmuck, Anlage zum Protokoll der Sitzung des Direktoriums des Instituts für Europäische Politik am 10.10.1983, Zusammenfassung der Kurzbeiträge und der Aussprache zum Thema "Vorentwurf eines Vertrags zur Gründung der Europäischen Union", ECHA, BAC 391/2003/75.

[138] On the EC and environmental protection see in the broader context of international organizations Wolfram Kaiser and Jan-Henrik Meyer (2017) (eds) *International Organizations and Environmental Protection. Conservation and Globalization in the Twentieth Century*, New York: Berghahn.

[139] Cf. John Pinder (1986) Economic Union and the Draft Treaty, in: Juliet Lodge (ed.) *European Union: The European Community in Search of a Future,* London: Macmillan, 70-87, here 84.

[140] Francis Brendan Jacobs (1991) The European Parliament and Economic and Monetary Union, *Common Market Law Review*, 28, 361-382, here 365.

Chapter 3: Running out of patience: Towards the Single European Act and beyond, 1984-1989

When the EP passed the DTEU in February 1984, most of its supporters realized that, if they decided to proceed with EC reform, the member states would probably take recourse to the established legal mechanism for treaty reform: convening an IGC. They did hope, however, that the DTEU, despite its compromise character, would push the boundaries of thinkable constitutional options for the EC, and that the threat of its possible ratification by national parliaments would exert pressure on the governments. After all, EC constitutionalization was an 'unpredictable process'.[141] Changing structural circumstances such as national election outcomes and shifting member state preferences, for example, could conceivably create a window of opportunity for more far-reaching reform. Moreover, the EP majority expected pressure on the member states to grow during the forthcoming campaign for the second direct elections in June 1984 which pro-integration parties would fight under the DTEU banner.

Here in conversation with Piet Dankert, President of the European Parliament, François Mitterrand endorsed the objectives of the Draft Treaty on European Union in broad terms in his speech to the EP on 24 May 1984.

They were to be deeply disappointed in this expectation, however. Just like the first direct elections, those in 1984, like many local or regional elections, turned out to be second order elections used by citizens to vote on national matters and, frequently, to punish national governments in the middle of their term in office. While a clear majority of EC citizens supported further European integration and a strengthening of the EP in a general way, this did not translate into active political engagement and mobilization for the DTEU beyond the agitation of European federalists. Even pro-integration national parties, who had strongly supported the DTEU in the EP, did not forcefully propagate the treaty let alone focus their election campaign on it. In the end, fewer citizens bothered to vote and voter turnout across the EC went down from 62 per cent in 1979 to 59 per cent in 1984. While this participation level was still significantly above the most recent low point of 43 per cent in the 2014 EP elections in the EU of 28 member states, it was far from a ringing endorsement for the DTEU. Moreover, in some countries, anti-EC political parties on the far-left and far-right were elected to the EP for the first time, like the Greens in Germany and the Front National in France.

The alliance in the EP for the DTEU as a result sought to strengthen its agenda-setting role by investing more time in networking with other EC institutions and actors. The EP majority did this

---

[141] Christiansen and Reh, *Constitutionalizing the European Union*, 147.

mainly through a much more pro-active role in the constitutionalization process adopted by the Christian Democrat Pierre Pflimlin, the new EP President and former mayor of Strasbourg, and by inserting MEPs and their collaborators into emerging institutional forums for debating EC reform. This new approach marked a shift from the declamatory politics of the DTEU to the nuts and bolts of trying to influence the member states to adopt at least part of the EP reform agenda.

The EP at least scored a procedural victory (albeit with unpredictable consequences) when the member states decided at the Fontainebleau summit in June 1984 to set up a committee to discuss EC reform. At his press conference, Mitterrand explained that the committee would work 'in close cooperation with the Commission, which will participate in its work', and in consultation with the EP which 'will be informed continuously through the intermediary of its president and Bureau'.[142] This committee was commonly referred to as the Dooge Committee, named after Irish senator James Dooge, who chaired it when it started its work during the Irish EC presidency. It was also sometimes called Spaak II in an allusion to the committee named after the Belgian foreign minister Paul-Henri Spaak, which had discussed proposals for further sector integration and a customs union in 1955 in preparation of the intergovernmental negotiations that then led to the signing of the Rome treaties in March 1957. In 1984, Mitterrand's initiative for such a committee composed of personal representatives of the member state heads of state and government formed an essential part of a larger compromise which included the decision on the British budget rebate.

Irish senator James Dooge meeting with Pierre Pflimlin, the President of the European Parliament, on 18 April 1985 to discuss the Dooge Committee's progress.

In the run-up to the Fontainebleau summit, Mitterrand had set forth a clear reform agenda in his speech to the EP on 24 May 1984, which was now much more in line with the preferences of the EP majority than at the start of his presidency. In his speech he sharply criticized the unanimity practice in the Council which should be limited to exceptional issues as a first step, while the presidency would normally call a vote, just as the French government had already suggested in October 1981.[143] Mitterrand also demanded the expansion of the EC into several new policy domains. Crucially from

---

[142] Compte rendu de la Conférence de presse du Président Mitterrand à Fontainebleau le 26 Juin 19h00, HAEP, PE1 P2 221/RICS 0CON-1982-040 0020.

[143] Réunion du groupe de réflexion union européenne du jeudi 18-2-1982 à 15 heures – salle 13B, Le problème du vote. Note établie par le service juridique en liaison avec le secrétariat général, 16 février 1982, ECHA, BAC 408/1991/43.

the EP's perspective, moreover, he endorsed the need for a new treaty and mentioned the DTEU in this context. Before his speech Mitterrand had met and consulted with Spinelli during his visit to Paris, together with Dankert and Ferri, on 16 April 1984 and he continued to do so during the preparation for the summit. Reinforcing the ongoing European policy reorientation of the French Socialist Party, Spinelli was able to act as a corrective to the 'Gaullist' influence of the Quai d'Orsay, the French foreign ministry, which under the leadership of Claude Cheysson initially remained more cautious on EC reform and on abandoning the Luxembourg 'veto' compromise that had been negotiated in January 1966.

The Dooge Committee met four times until the submission of its interim report to the Dublin summit in December 1984 and a further six times until the Brussels summit on 29-30 March 1985 where the final version was discussed. It had several members with close connections to the EP who endorsed many key aspects of the DTEU. Most strikingly, the socialist Italian Prime Minister Bettino Craxi appointed Mauro Ferri, the outgoing chair of the Institutional Affairs Committee. He was supported by Virgilio Dastoli, Spinelli's assistant in the EP who stayed in close touch with the committee now chaired by Spinelli, and with the European Movement, which was deeply embedded in the European policy-making circles of all major Italian political parties. In Belgium, the Christian democratic Prime Minister Winfried Martens nominated Fernand Herman, a French-speaking Christian democrat MEP who at the time was serving on the Committee on Economic and Monetary Affairs and Industrial Policy and later became heavily involved in the EP's drive for EC institutional reform. In France, finally, Mitterrand chose Maurice Faure as his personal representative who had already negotiated and signed the Rome Treaties on behalf of the French government in 1957. His experience and Mitterrand's backing practically guaranteed that he became the committee's rapporteur.

At the same time, Commission President Thorn nominated the Dutch Christian democratic Vice-President Frans Andriessen, a political heavyweight responsible for relations with the EP alongside competition policy. Moreover, the six founding member states and the Commission were now joined by the Irish government in propagating reform. Fine Gael, which was a member party of the EPP, had come to power in November 1982 with a more strongly pro-integration agenda than its main nationalist domestic rival, Fianna Fáil. Similarly, Thatcher appointed Malcolm Rifkind, a moderate Conservative MP from Scotland and Minister of State for Europe in the Foreign Office since 1983. He supported significant reforms, including greater foreign policy cooperation. Rifkind made a point of visiting the EP after the submission of the Dooge Committee report. On 18 April 1985 he spent an entire day in meetings with Pflimlin, the chairs of the Political Affairs and Institutional Affairs committees, the Italian Roberto Formigoni from the DC and Spinelli, Klepsch, who had become leader of the EPP Group once more, and Conservative MEPs in the EDG.

Under the strong influence of its members with close connections to the EP or otherwise pro-integration preferences, the Dooge Committee worked independently of the governments. It had its own small secretariat, which included a member of FitzGerald's private office, who chaired the European Movement in Ireland, and one official each from the Council and the Commission, who had been responsible for following the work of the EP's Institutional Affairs Committee before. The Dooge Committee invited Pflimlin and Spinelli to two of its four meetings before the Dublin summit, reinforcing the strong links with the EP. It became clear during the meetings that the committee majority and the EP majority strongly agreed on many substantial questions such as the need to overcome unanimity and give the EP much greater powers. Spinelli's assistant Dastoli also recalls an exchange between Faure and Spinelli, however, which focused on the process of achieving actual results. Mitterrand's representative argued that Spinelli, with his revolutionary demand for ratification by national parliaments, was 'putting too much on the boat' which could sink it. Spinelli in turn countered this with the prediction that relying on the existing treaty mechanism for reform

of convening an IGC was bound to result in the Dooge Committee's work ending up in the Council archives (Interview Dastoli).

Spinelli also met with FitzGerald, and he and Dastoli kept in close touch with the French government, especially Dumas. Pflimlin also had a number of meetings with national governments to keep the pressure up to include as many elements of the DTEU as possible in the final report. In January 1985, for example, he travelled to Bonn where he met Kohl and Genscher. As a coalition compromise, Kohl had appointed the career diplomat Jürgen Ruhfus, who served as state secretary in the foreign ministry under Genscher but was a member of the CDU, to the Dooge Committee.[144]

Moreover, the groups in the EP also sought to influence the Dooge Committee's work from the outside. They did so first of all through their direct links with committee members who were politically affiliated with them like – in the case of the socialists - Ferri and the Greek former MEP, Ioannis Papantoniou (1981-84) and – in the case of the EPP – Herman and Andriessen. Or, they tried to sustain pressure on the committee through group resolutions and public declarations. Thus, the Liberals put out a major policy statement on problems of the EC's institutional reform in Strasbourg on 13 February 1985, during the last drafting stages of the final report. In it they highlighted the urgent need to overcome the blockages in the EC decision-making process 'which is nearly totally paralysed', and to create a more appropriate 'equilibrium of power' at the EC level. The Liberals supported the provisional conclusions of the Dooge Committee in its interim report, but reserved their position until the final version was published. They also demanded that an IGC had to follow the committee's work, just as in the case of the Spaak Committee which had preceded the formal negotiation of the Rome treaties. It was crucial that the EP be 'associated' with such an IGC and that it engaged in an 'active dialogue' with national parliaments and political parties to create sustained pressure on national governments to press ahead with EC reform. In the end, the EP would have to acquire full legislative and budgetary powers, the Commission had to become a 'veritable executive', and unanimity in the Council would be limited to extensions of EC powers.[145]

In essence, the Dooge Committee majority accepted the EP's implicit conclusion in the DTEU that not all member states might be willing to go along with treaty reform but that they should not be allowed to prevent it either. The representatives of the six founding EEC states acknowledged as much by holding a private meeting before the official first committee meeting to coordinate their position. The interim report was adopted by majority and sidelined British, Danish and Greek reservations. The Danish representative even expressed an overall reservation against the entire future report. The interim report endorsed the DTEU's idea of the need for a new 'European Union' treaty, called for an IGC to negotiate it, and demanded that it be guided 'by the spirit and the method underlying' the DTEU. It was very similar to the DTEU on many important points. They included, for example, parallels in the document structure, limiting unanimity in the Council to the extension of EC policy areas, allowing the European Council to focus on big political issues, strengthening the role of the Commission and expanding the powers of the EP. The section on the EP adopted the DTEU proposal of legislative co-decision with the Council, for example.

In revising the interim report, the Dooge Committee held another meeting with Spinelli and Formigoni. Its objective was to achieve greater cohesion than at the interim report stage, but the fundamental split between the six founding member states, the Commission, the Irish - who were only concerned about greater foreign policy integration - and the rest over the constitutional future

---

[144] See in the wider context of Genscher's foreign policy Agnes Bresselau von Bressensdorf (2015) *Frieden durch Kommunikation. Das System Genscher und die Entspannungspolitik im Zweiten Kalten Krieg 1979-1982/3*, Berlin: de Gruyter, 43.

[145] Declaration du Groupe Libéral et Démocratique sur les problèmes de la réforme institutionnelle, Strasbourg, le 13 février 1985, HAEU, ADLE 805.

of the EC remained stark. In the end the report actually spelled out the different views on majority voting in the Council. It included more detail on what was now called 'joint decision-making' between the EP and the Council, specifying that a Commission proposal would first be discussed in the EP and then in the Council based on the version adopted by the EP, and that conciliation based on a new Commission proposal would take place in the case of disagreements between the two institutions. Moreover, the report also detailed the prospective IGC procedure which should include Spain and Portugal and the Commission and associate the EP with its work. It also included the EP's demand for the submission of the final outcome to the EP without, however, making its support an essential legal requirement for its subsequent ratification by national parliaments.

Not just Pflimlin, Spinelli and Formigoni, but also the EP as a whole followed the Dooge Committee's work closely until the submission of its report. On 12 December 1984 it passed a first resolution drafted by the Institutional Affairs Committee. This resolution called for an IGC to be convened no later than June 1985. It also demanded a suitable procedure for cooperation between the IGC and the EP to agree on a treaty text. The EP, in other words, accepted the need for intergovernmental negotiations but it requested its association with them and the possibility to exert real influence on the final outcome before its ratification.

On 17 April 1985 the EP then adopted a resolution based on the Croux Report which analysed the final Dooge Committee outcome and compared it with the DTEU.[146] The report was written by the Belgian Christian democrat MEP Lambert Croux, who was vice-chair of the Institutional Affairs Committee and member of the Political Affairs Committee. The report reiterated that the existing institutional set-up was not fit for purpose anymore and the EC practically paralysed. Moreover, by now it was clear that Spain and Portugal would join the EC at the start of 1986. Its further expansion to include twelve member states or even more in the future would complicate decision-making in the Council even more and add to the democratic deficit. In these circumstances, the EP reiterated its demand that the governments speedily convene an IGC no later than June 1985, the date of the forthcoming Milan summit; that the result of the negotiations would have to be a 'veritable judicial project, concrete and precise', which would have to be based on the DTEU and the results of the Dooge Committee's work; and that the outcome would have to be submitted to and accepted by the EP before the treaty could then be ratified by national parliaments.[147]

By now, the EP had given up on the ratification of the DTEU by national parliaments. Spinelli had understood all along that this was an unlikely outcome and rather constituted a negotiating tool. Instead the EP now began to focus on preserving as many important points as possible from the DTEU during a possible IGC. In the spring of 1985 it was far from clear, however, that such an IGC would actually be called or what its results might be. The British government made noises that the Dooge Committee report and even more so the DTEU were dead in the water. Danish reticence seemed as great as ever under pressure from widespread and loudly articulated Euroscepticism in the parliament and from the public. Furthermore, the maverick socialist Greek Prime Minister Andreas Papandreou could safely be expected to ask for a high price for his support for any treaty change. More alarmingly, the policies of the six founding member states did not always match their pro-integration rhetoric, especially in the case of Germany. In the Dooge Committee, for example, Ruhfus already insisted on strict convergence criteria for monetary union, which represented a further hardening of the established German 'economist' position which demanded economic convergence as a precondition for monetary cooperation and integration later. Moreover, while

---

[146] Résolution sur la position du Parlement européen à l'égard des travaux du Conseil européen concernant l'Union européenne (Rapport Lambert Croux – Adopté par le Parlament européen le 17.4.1985), ECHA, BAC 408/1991/227.

[147] Ibid. Parlement Européen, Nouvelle étape pour l'Union européenne, May 1985, ECHA, BAC 408/1991/227.

publicly demanding an end to the veto culture in the Council, the German government itself informally vetoed the lowering of the support price for wheat in the run-up to the Milan summit.[148]

By this time political debate in the EC increasingly focused on another issue altogether, the completion of the internal market, and functionalist proposals for institutional reform as an instrument to achieve this economic goal. Support for the abolition of border controls and of non-tariff barriers like national technical standards that often had protectionist aims or at least implications was politically and institutionally embedded in the EP too. In 1979, the German CDU MEP Karl von Wogau and the British Conservative MEP Basil de Ferranti together with others had created the Kangaroo Group as a cross-party network to support the completion of the common market. Von Wogau and Moreau drafted an EP report about the completion of the internal market in 1984.

Arguably, however, other factors were more important in advancing the internal market agenda. Prominent among them was the renewed interest among European industry leaders, loosely organized in the European Round Table of Industrialists, to complete the internal market to allow economies of scale and make European industry more competitive and technologically innovative once more in relation to US and Japanese producers.[149] Rifkind and the British Conservative Commissioner Lord Cockfield also fostered the internal market agenda which chimed so well with their national government's preference for deregulation, privatization, and liberalization which Thatcher was keen to roll out to the EC.[150] Collusion between European industrialists and Cockfield eventually fed into the Commission's 1985 White Paper on the internal market.

---

[148] Delors fordert Konferenz zur Schaffung einer politischen Union, *Frankfurter Allgemeine Zeitung*, 27 June 1985.

[149] See Sigfrido M. Ramírez Pérez (2010) The European Committee for Economic and Social Progress: Business Networks between Atlantic and European Communities, in: Wolfram Kaiser, Brigitte Leucht and Michael Gehler (eds) *Transnational Networks in Regional Integration. Governing Europe 1945-83*, Basingstoke: Palgrave Macmillan, 61-84. Green Cowles, Setting the Agenda.

[150] N.J. Crowson (2007) *The Conservative Party and European Integration since 1945*, Abingdon: Routledge, 50-53.

Lobbying for greater European integration at the Milan summit in 1985: European federalists still exercised influence through tight political networks, especially in Italian politics, which they used to lobby for a European constitution.

Crucially, Delors, on becoming Commission President, quickly connected the demand for further economic integration to proposals for institutional reform and especially majority voting to prevent blockages in the Council that could impede the abolition of non-tariff barriers. As a chair of the EP's Committee on Economic and Monetary Affairs during 1979-81 and French Economics and Finance Minster during 1981-84, Delors was acutely aware of the growing importance of non-tariff barriers for impeding trade in the EC and creating obstacles for European competitiveness on a global scale. Unlike Spinelli and most federalist-inclined members of the Crocodile Club, he shared a strongly functionalist approach to institutional reform in the tradition of Monnet which was focused on facilitating substantive integration and achieving moderate institutional reforms through connecting political with economic integration in a 'package deal'.[151] This was a fundamental difference, not so much in terms of possible reform outcomes, but at the level of ideas of Europe and strategies for implementing them, which goes a long way to explaining why Spinelli had 'very bad' relations with Delors (Interview Dastoli). Not surprisingly, Delors' approach was also supported by Monnet's long-time collaborator Max Kohnstamm, who was principally open towards a new variable geometry of integration, with only some countries forging ahead, but also wanted to preserve the legal integrity of the Rome treaties.[152]

Delors succeeded in bringing the British government on board through establishing the connection between economic and political integration, however. He recognized the need for the Commission to work more closely with the EP once more, as it had done during the Hallstein presidency in the 1960s, for example, by improving the communication of its initiatives to the EP and by evaluating

---

[151] Moravcsik, Negotiating the Single European Act, 38.

[152] Max Kohnstamm, La Communauté européenne après Stuttgart, July 1983, HAEP, PE1 P2 221/RICS 0CON-1982-020 0035.

EP amendments in a manner that was more transparent than in the past.[153] Delors also admitted in a meeting of Commissioners in preparation of the Milan summit that the DTEU proposed an institutional structure that was 'powerful and logical' whereas the Dooge Committee report 'remained too vague on important points like the question of a veto right'.[154] In the run-up to Milan, Delors also proposed that alongside the Commission White Papers on the internal market and technology community, the heads of state and government should focus on 'the broad questions of institutional reform'.[155] He publicly demanded that they base their deliberations on the Dooge Committee report. Delors did not defend the DTEU in public, however. He felt that it was so far-reaching in its demands for EC constitutionalization that it could actually thwart an otherwise possible agreement on more limited institutional reform combined with further economic integration.[156]

When the heads of state and government met in Milan on 28-29 June 1985, the EPP had already convened its own political party summit in Rome on 10 June 1985 to prepare for it. One day before the EC summit, moreover, the EP president, vice presidents and group leaders came together in Milan to keep up the pressure on the governments to act. This Enlarged Bureau adopted a resolution in which they reiterated the EP demand for 'better and stronger institutions capable of taking decisions' effectively. They also demanded that the future IGC should 'largely' take its inspiration from the DTEU, and that the powers of the EP be strengthened significantly.[157] After the summit the Institutional Affairs Committee drafted a resolution that complained about the inability of the governments to agree on a 'veritable European relaunch'. At least they had decided by majority to convene an IGC, but it was essential that the EP be associated with it 'on the basis of equality'.[158] In fact, Craxi, a former MEP between 1979 and 1983 when he had become Italian Prime Minister, had surprised his more reticent colleagues from Britain, Denmark and Greece by calling a vote on the issue of an IGC and taking majority support as sufficient for convening it.[159] Unusual and audacious as it seemed, this decision meant, however, that it was far from clear whether this IGC would actually lead to any meaningful treaty reform in view of the need for unanimity.

The governments created two working parties, one on the reform of the EEC treaty and one on European Political Cooperation, which began to meet almost weekly from the start of September. By the deadline of mid-October they had received more than 30 proposals from the Commission and the member states. These proposals covered most of the DTEU content, which the EP could claim as a symbolic success, but the required unanimity made agreement on many of these points extremely unlikely. In fact, when the working parties began to report to the foreign ministers, who met six times until the Luxembourg summit on 2-3 December 1985 and once in a conclave, progress proved to be very slow.[160] The heads of state and government ended up deliberating the remaining

---

[153] Groupe Union européenne UE(85)78, Principales "concessions" faites au Parlement par la Commission, Bruxelles, 31 May 1985, ECHA, BAC 193/2001/20.

[154] Réunion informelle de la Commission, Villers-le-Temple (31 mai – 1 juin 1985), Débat institutionnel (préparation du Conseil européen), Bruxelles, le 14 juin 1985, ECHA, BAC 408/1991/306.

[155] Delors urges Treaty of Rome changes to speed decisions, *Financial Times*, 27 June 1985.

[156] See also Delors fordert Konferenz zur Schaffung einer politischen Union, *Frankfurter Allgemeine Zeitung*, 27 June 1985.

[157] Resolution du Bureau Elargi adoptee le 27 juin 1985 à Milan, HAEP, PE2 P1 221/RICS 0CON-1984-020 0130.

[158] Commission institutionnelle, Rapport sur les suites du Sommet de Milan en matière d'une Union européenne, 3 July 1985, HAEP, PE2 P1 221/RICS 0CON-1984-020 0090.

[159] Otto Schmuck and Wolfgang Wessels (1985) Die Mailänder Tagung des Europäischen Rats - Weder Fehlschlag noch Durchbruch zur Europäischen Union, *Integration,* 8 (3), 95-102.

[160] For a chronology of the negotiations and a discussion of the most important controversies see Richard Corbett (1987) The 1985 Intergovernmental Conference and the Single European Act, in: Roy Pryce (ed.) *The Dynamics of European Union*, London: Croom Helm, 238-272.

divisive issues for 21 hours and another meeting by foreign ministers on 16-17 December 1985 was required to finalize the reform treaty.

Not surprisingly, the scope of the SEA signed on 17-28 February 1986, which entered into force on 1 July 1987, was far more limited than the DTEU and severely disappointed Spinelli and the pro-integration EP majority. The SEA set a target date of 1992 for the abolition of non-tariff barriers in trade in industrial products and services. It introduced majority voting for laws required to achieve the internal market. Even the British government supported the move to limited majority voting as it feared that more protectionist-minded member states would otherwise prevent effective market liberalization, for example in air and sea transport. The SEA also codified existing policies and brought other areas into the treaty. It included the EMS, which had been operational since 1979, but made only weak references to the objective of monetary union in the preamble. It specified the contribution of structural funds to increasing social cohesion across the EU and highlighted the need for increased funding in the light of the accession of Spain and Portugal. The SEA also brought environmental policy and technological research into the remit of the treaty, the former formalizing EC policy activism in this field, which had started with the 1973 Environmental Action Programme, and the latter initiating multiannual framework programmes for EC funding for transnationally organized research.

The EP was keenly interested in how such policies would be decided in future and in its own role in the institutional triangle with the Commission and the Council. The Commission's role was only marginally changed by the SEA through a modification of Article 145 to give it greater implementation powers in cooperation with the Council. The member states agreed to change the EP's name formally from Assembly to Parliament, the name that it had already informally adopted for itself in 1962. More importantly, the SEA included a new cooperation procedure for legislation that applied to ten articles related to the internal market. In this two-stage procedure the Commission proposal would first be submitted to the EP, which could give its opinion and suggest amendments. The Council could then take a common position by majority vote. At the second reading, the EP could approve the text or remain silent, in which case the Council could adopt the text; or it could reject the text, which would then fail unless Council overruled the EP unanimously; or it could propose more amendments that, if supported by the Commission would then be incorporated into a revised proposal that Council could only modify unanimously.[161]

The new cooperation procedure nevertheless seemed a far cry from the generalized co-decision with the Council laid down in the DTEU, a proposal that the Italian government took up and initially supported during the early stages of the IGC. The governments could not even agree on the more ambitious Commission proposal for a wider application and different organization of the cooperation procedure with a stronger role for the EP, which was mainly supported by Italy and Belgium. In the end, they adopted a limited compromise formula drafted by the Luxembourg presidency. According to this compromise, it was entirely left to the Commission to decide which EP amendments to transmit to the Council for the second reading. The presidency compromise also limited the new assent procedure to Articles 237 and 238 about EC accession and association. Henceforth, no third country could join or become associated with the EC without the explicit consent of the EP.

Starting immediately after the Milan summit, the EP had tried different avenues to achieve an IGC outcome more in line with the DTEU and the Dooge Committee report. They included lobbying by

---

[161] For a brief introduction see Richard Corbett and Otto Schmuck (1992) The new Procedures of the European Community after the Single European Act. Efficiency and Legitimacy in the Light of Experience, in: Christian Engel and Wolfgang Wessels (eds) *From Luxembourg to Maastricht: Institutional change in the European Community after the Single European Act,* Bonn: Europa Union Verlag, 33-49, here 35.

Pflimlin, Spinelli and others as well as attempts by the EP groups - especially the EPP, which remained the most cohesive on institutional reform - to influence the member state preferences and negotiating strategies. The overriding procedural objective was to get the member states to accept conciliation with the EP to agree a common treaty text, which would have given it an informal veto over the outcome. In a letter to Pflimlin dated 9 October 1985, however, Jacques Poos, the Luxembourg foreign minister and Council President, suggested that the member states would merely 'submit' the IGC results to the EP, without mentioning any consultation let alone negotiation. Pflimlin immediately contacted those governments that he expected to be more forthcoming in supporting the EP. On 15 October 1985, for example, he wrote to Genscher reiterating the EP demand for 'concertation'. At this point he began to moderate the EP position somewhat by suggesting that such a process would allow the member states and the EP 'as far as possible' to achieve 'common results'.[162]

In the run-up to the Luxembourg summit, Pflimlin was able to defend the EP position on EC constitutionalization three times during meetings with the foreign ministers. At the first meeting, on 22 October 1985, he agreed with the general plan for the IGC prepared by Poos, but also demanded that the DTEU form the basis of discussions and not simply be 'taken into consideration'. Moreover, informal contacts with the EP President were insufficient, as he could not speak for or bind the EP. Instead, it was essential for draft texts to be submitted to the EP and to allow it to amend them during a conciliation process. On the substance of the future treaty, Pflimlin repeated EP support for the creation of the internal market and majority voting, giving the Commission full implementation powers, increasing EC competences to include new policy areas like the environment, research, consumer protection, health and others, and strengthening EP powers. In this regard Pflimlim now deviated for the first time from the far-reaching DTEU demands. He referred to a possible combination of proposals submitted by the Commission, and the Italian, German and French governments, which could point a way forward out of the impasse over EP powers.[163]

At the next meeting in mid-November Pflimlin was accompanied by Spinelli.[164] It became clear that, due to continued strong opposition to a more powerful EP from the British and Danish governments, the introduction of the cooperation procedure with limited scope would most likely constitute the lowest common denominator among the ten governments and that they would not be willing to give the EP any say on the treaty text. At this point Giulio Andreotti, the Italian foreign minister, put the last federalist trump card on the negotiating table. For the Italian government, he declared, the draft text was insufficient, especially with regards the powers of the EP. If the EP rejected the final text, then Italy would not ratify the treaty. Giving the EP an informal veto via the Italian government and parliament in this way was a hollow threat, however. Once the treaty was finalized, it was always unlikely that Andreotti would get the coalition government or a parliamentary majority to jeopardize the limited SEA achievements, especially the internal market and more majority voting in the Council, and isolate Italy among the member states.

The EP majority feared the same. After the Luxembourg summit in December 1985, the EP passed a resolution stating that it was 'unable to accept' the treaty, but the amended version was sufficiently

---

[162] Pflimlin to Genscher, 15 October 1985, HAEP, PE2 P1 241/EXEM EXEM-1982-395 0030.

[163] EP, Cabinet du Président, Note à l'attention de Monsieur le Président, Objet: Conférence intergouvernementale du 22 octobre 1985, Schema d'intervention de M. le Président, no date, HAEP, CIG CIG1985 2010/REPE REPE-010 0010.

[164] EP, Cabinet du Président, Jean-Guy Giraud, Note à l'attention de Monsieur le Président, Bruxelles, 19 Novembre 1985, Rencontre avec la Conférence intergouvernementale, 15.11.1985, HAEP, CIG CIG1985 2010/REPE REPE-010 0050. See also *La Libre Belgique*, 26 November 1985.

positive to allow broad support, including from the British Conservatives.[165] The governments and their majorities in the national parliaments then began to exert pressure on the MEPs not to risk the agreed reforms. In their resolution passed on 19 January 1986, the EP as a result added more constructively that more far-reaching reform remained necessary and that in the meantime it would 'exploit to the very limit the possibilities offered by the Single Act – if it is ratified'.[166] Reluctantly accepting that the SEA was the most it could get at that stage, the EP approved the ambiguously worded consensus resolution by 209 to 61, with 42 abstentions, after rejecting three amendments that would have led to the rejection of the SEA as either not going far enough or going too far in awarding EC institutions more powers.[167] Once the centre-right Danish government obtained 56 per cent support for the SEA in a referendum to secure the backing of a parliamentary majority, the Italian government's threat was not tested and it also signed the SEA.

For Spinelli and many other DTEU supporters the SEA marked not a milestone in European integration, but the most meagre of results. In his view, the IGC had been doomed to fail from the start, as he put it in his foreword for an academic book about the European Union published shortly after the conclusion of the negotiations, 'because the negotiators are the national diplomats, who are psychologically inclined to protect national sovereignties to the full'.[168] The rationale of intergovernmental bargaining had led the governments to limit the involvement of the EP to informal consultations with its president, who was only able to repeat the well-established demands of the EP majority. As an institution it was shut out from the search for compromises in the final stages of the negotiations. As a result, Spinelli was sure that the limited SEA reform 'will almost certainly have proven its ineffectiveness within two years'.[169] He did not live to see his prediction come true, however, dying in Rome on 23 May 1986.

As a matter of fact, the SEA had surprising effects, even before it entered into force on 1 July 1987. First of all, to some extent at least it broke up the 'consensual instinct'[170] in the Council and led to the use of more explicit majority voting. A study of decision-making in the Council found 93 instances of decisions taken by majority vote in 1986 alone.[171] Of these, 61 fell into the policy field of agriculture and fisheries, where meaningful reform had been effectively blocked by a combination of national and European level farmers unions and some national governments ever since the Commission's first Mansholt reform proposal in 1968. In this policy area the end of the informal veto culture finally paved the way towards the first major 1992 MacSharry reform.[172] Then, in 1987, the Council took 96 majority votes before the start of most single market-related legislation. Even more importantly, the threat of the possible use of majority voting began to act as an effective incentive for the more efficient search for compromises among the member states.

---

[165] Bainbridge to Reid, 19 December 1985, Conservative Party Archives (CPA), CCO 508/2/4. See also Lodge, *The Single European Act*, 219-221.

[166] Resolution of January 16, 1986, European Parliament, OJ, 1986 (86/C 36).

[167] Minutes EP, 16 January 1986.

[168] Altiero Spinelli (1986), Foreword, in: Juliet Lodge (ed.) *European Union: The European Community in Search of a Future*, London: Macmillan, xiii-xviii, here xviii.

[169] Quoted in Robert O. Keohane and Stanley Hoffmann (1991) *The New European Community: Decisionmaking and Institutional Change*, Boulder: Westview Press, 3.

[170] Westlake, *A Modern Guide*, 137.

[171] Wessels, The Institutional Debate, 26.

[172] See Carine Germond (2013) Preventing Reform: Farm Interest Groups and the Common Agricultural Policy, in: Wolfram Kaiser and Jan-Henrik Meyer (2013) (eds) *Societal Actors in European Integration. Polity-Building and Policy-Making 1958-1992*, Basingstoke: Palgrave Macmillan, 106-128.

Fernand Herman, the Belgian Christian democratic MEP who drafted reports demanding more far-reaching institutional reforms following the Single European Act, here speaking in the European Parliament.

Moreover, the EP did manage to exploit to the very limit the possibilities offered by the SEA. The Delors I Commission, which had far greater political ambitions to shape the EC's general direction, saw the greater EP involvement in the cooperation procedure as a means to achieve its policy objectives and enhance its own institutional legitimacy. The traditional bipolar Commission-Council relationship in the legislative process, in which previous Commissions since the 1966 Luxembourg Compromise had often appeared content to act as the administrative arm of an overbearing but ineffective Council, became more and more transformed into a triangular relationship. In this changing inter-institutional climate, the EP was quite successful at influencing the legislative process under the cooperation procedure. According to internal figures from the EP, during the first three years after 1 July 1987 the EP approved 32 of 125 proposals and amended the 93 others. The Commission accepted 63 per cent of EP amendments and modified its proposals to the Council accordingly. The Council in turn accepted 46 per cent of EP amendments. In the second reading, the EP approved nearly half of the Council's common positions without further amendments. In the other 70 cases, it adopted 357 amendments of which the Commission supported 55 per cent and Council 26 per cent. In one case, the EP rejected a common position and the text fell as the Council failed to overrule it by unanimity within three months. [173]

The EP also made use of the new assent procedure to assert its position in the institutional triangle. The first twelve months after 1 July 1987 saw 26 such procedures for association treaties. In December 1987 the EP delayed two agreements with Turkey which included financial protocols, over concerns about the human rights situation there and the arrest of some opposition leaders. The decision was highly symbolic as the EP withdrew its opposition in January 1988 and approved the agreements. [174] Nonetheless, it showed that it could potentially use this new treaty provision in situations of greater economic and political importance to EU citizens, such as during the Brexit

---

[173] See Corbett and Schmuck, The new Procedures, 40-41.

[174] Richard Corbett (1989) Die neuen Verfahren nach der Einheitlichen Europäischen Akte: Mehr Einfluß für das Europäische Parlament, in: Otto Schmuck and Wolfgang Wessels (eds) *Das Europäische Parlament im dynamischen Integrationsprozess. Auf der Suche nach einem zeitgemäßen Leitbild*, Bonn: Europa Union Verlag, 185-198, here 185; Richard Corbett (1989) Testing the New Procedures: The European Parliament's First Experiences with its New 'Single Act' Powers, *Journal of Common Market Studies*, 27 (4), 359-372, here 359-360.

negotiations with the United Kingdom much later, for example. The EP also made strides to make the work of its Legal Affairs Committee more efficient and gain better external legal advice, which helped it to make convincing cases before the ECJ for legislation to come under the cooperation procedure, something that member states in turn sometimes contested in order to preserve unanimity for a particular policy issue. Involving the ECJ, given its own strong preference for EC constitutionalization since its path-breaking 1963-64 judgements about direct effect and primacy of European over national law - often led to the extension of majority voting and EP involvement in the coordination procedure from levels of radioactivity permitted in foodstuffs to emissions standards for cars – much to the annoyance of Thatcher, who, unlike Delors, had not anticipated that more supranational forms of governance could result from functional integration in the form of the internal market.

Following the SEA, the three political institutions also sought to improve their cooperation practices. In an inter-institutional agreement reached on 1 July 1988, the Commission, the Council and the EP created a new framework for cooperation, which limited severe friction over the budget as had occurred in the past and in general improved the relationship between the EP and the Council in particular.[175] Problems remained, from the EP's perspective, of course. In April 1989 the Institutional Affairs Committee found, for example, that the Council often did not provide detailed enough information on why it accepted some EP amendments and not others, which made the inter-institutional dialogue less effective than it could have been.[176] More fundamentally, the EP majority remained dissatisfied with the scope of the SEA despite its much greater impact on inter-institutional relations and the EC more generally than Spinelli had anticipated. After Spinelli's death some 150 MEPs created the Federalist Intergroup to keep up the pressure for further EC constitutionalization in the tradition of the Crocodile Club. The Political Affairs and Institutional Affairs committees also began work on several reports to demonstrate that the SEA was inadequate and that growing socio-economic and political challenges required far-reaching reform that was more in line with the DTEU's demands.[177] Cooperation among the two committees was sometimes difficult, as an internal EPP report found in the autumn of 1986.[178] However, they managed to coordinate their work eventually with the overriding objective to secure a broad EP majority for further EC reform.

In fact, the EP already requested the Institutional Affairs Committee to prepare new proposals in time for the third direct elections in 1989 in its SEA resolution of January 1986. The committee appointed Fernand Herman, the former Belgian member of the Dooge Committee, as rapporteur and asked him to draft an interim report initially. In parallel, the committee would produce a number of reports that would then feed into the final version of the Herman Report. They included the Seeler Report on relations with national parliaments, which sought to assure them that the EP was only intent on acquiring powers in areas where they had effectively lost control over policy-making. The resulting strengthening of executives was a core problem addressed in the Toussaint Report about the democratic deficit. It argued that the loss of powers by national parliaments had 'not so far been offset by any transfer of those powers to the [European] Parliament'.[179] This report also criticized the secretive and inefficient decision-making in the Council as another core element of the EC's democratic deficit. Crucially, several national parliaments (including the Italian, Irish, and Dutch) also engaged in the debate about the SEA and the continued democratic deficit. In November 1986, for

---

[175] Ibid.

[176] See Ungerer, Die neuen Verfahren, 101.

[177] Corbett, Jacobs and Shackleton, *The European Parliament*, 336.

[178] Giovanni Giavazzi, Travaux futurs de la Commission Institutionelle, no date [October 1986], ACDP, 09-001-1269/1.

[179] EP minutes of 17 June 1988, European Parliament, OJ C187 (18 July 1988), 229.

example, the Dutch parliament reconfirmed its support for the DTEU and called the SEA 'inadequate' in meeting the EC's 'real requirements'.[180]

The EP did not exclusively focus on institutional matters, however. The success of Delors' functionalist approach to further integration also influenced its own post-SEA strategy. With the Commission president arguing that by the end of the 1990s some 80 per cent of economic legislation might well be decided at the EC level, the EP sought to make the case of the cost of 'non-Europe' in the Catherwood Report, borrowing a term originally coined in a 1983 report commissioned by the EP. The report was prepared by the Conservative MEP Fred Catherwood, formerly chairman of the UK's national Economic Development Council, to demonstrate the financial costs of non-completion of the single market and the continued existence of national currencies, national arms procurement, inability to reform the CAP and other problems. Catherwood came up with the somewhat arbitrary figure of ECU 120 billion per annum and argued for a major institutional overhaul. Commenting on the Council, for example, he pointed out sarcastically that no one should 'have set up a final decision-making body which has a different chairman every six months, has powers of veto without responsibility for suggesting alternatives, is composed of members who can only give it 10% of their time and whose most pressing work [on which their job depends] is at home'.[181] The EP resolution endorsing the report emphasized the practical perspective that reform was necessary to increase the welfare of citizens.[182]

The Institutional Affairs Committee also devoted much time to discussing the protection of fundamental rights in the EC. As rapporteur, the Flemish Liberal MEP Karel De Gucht supported by Nickel from the secretariat drew up what the committee called a White Paper.[183] The lawyers Jacqué, Hilf and Joseph Weiler worked closely with the committee in drafting a Declaration on Fundamental Rights and Freedoms, which could become an EC Bill of Rights. Jacqué in particular guaranteed a great degree of continuity in legal thinking from the DTEU to the Declaration and beyond. Although all member states were signatories of the Council of Europe's European Convention on Human Rights, this was of course located outside of the EC treaty. To federalists, it seemed an essential missing link in the process of constitutionalization of the EC for it to devise its own system for the protection of fundamental rights, although the practical legal need for this became less urgent when the powerful German constitutional court, the *Bundesverfassungsgericht*, modified its jurisprudence in its 1986 Solange II decision in which it recognized that the EC broadly did protect its citizens' rights.

The EP adopted the interim Herman Resolution, along with some sectoral reports, in June 1987 and the final Herman resolution on 16 February 1989, in good time before the third direct elections.[184] At this point, the EP was a much more effective parliament than after the first direct elections. Back in 1980, a Swiss observer found no 'revolutionary zeal' in the EP which seemed to lack sufficient public backing for a larger role.[185] In the same year, the leading French newspaper *Le Monde* noted that 'the European Parliament has a tendency to discuss all problems of the world. It enjoys

---

[180] See Richard Corbett (1998) *The European Parliament's role in closer EU integration*, Basingstoke: Palgrave, 278.

[181] Report on the Institutional Consequences of the Cost of Non-Europe, rapporteur: Sir Fred Catherwood, EP Session Documents A2-39/88.

[182] Resolution on the Institutional Consequences of the Cost of non-Europe of 17 June 988, European Parliament, OJ No C187, 18 July 1988, 244.

[183] White Paper on the Fundamental Rights and Freedoms of European Citizens, Committee on Institutional Affairs, European Parliament, 1988, Doc PE 115.227/fin.

[184] Resolution on Parliament's strategy for achieving European Union (Herman Report); Minutes EP, 16 February 1989.

[185] *Baseler Zeitung*, 17 June 1980.

practicing a disorganized cosmopolitanism.'[186] Since the early days of dramatic symbolic action like the rejection of the 1980 budget, the EP had developed more effective internal structures and a sharper focus on key policy issues. The EP groups became more cohesive, too, in order to influence major initiatives like the DTEU. The introduction of the cooperation procedure acted as a major incentive for greater cohesion. It also facilitated closer collaboration after 1989 between the two largest groups, the socialists and the EPP, to influence EC reform and legislation effectively.

As we will see below, the EP became more astute at networking with national and transnationally constituted political actors and institutions too. Having learned from the experience of the DTEU, the Dooge Committee, and the IGC leading up to the SEA, it was more acutely aware of the need to influence both national parliaments and member state policy-making on EC constitutionalization early on. In the process leading up to the Maastricht Treaty, it did so successfully through the 1990 Martin Reports, which very clearly set out the EP's reform agenda and the assizes that it organized together with national parliaments which then endorsed the EP demands and made it much more difficult for governments to ignore them.[187]

Moreover, in the ten years since the first direct elections, the EP had succeeded in establishing a cohesive reform agenda for EC constitutionalization. In its search for a more effective and democratic institutional set-up for the EC it borrowed many ideas, like co-decision, which in some cases had already featured prominently in the reform agenda since the Ad Hoc Assembly first drafted the EPC treaty in 1953. Drawing on debates within the EP and its political groups, suggestions by the Commission, and ideas that circulated in the wider political public or were propagated by groups like the European federalists, for example, the EP also devised new principles and institutional solutions, however. They included the notion and principle of subsidiarity, for example, to offset the greater centralization of policy-making, the formalization of accession conditions and the possibility of sanctions against member states that violated accession criteria. The DTEU marked an important intermediate step in this process of constitutional agenda-setting. Crucially, the EP made a major contribution to setting the reform agenda. In the long-term, it succeeded in fostering EC constitutionalization, even during the first two parliamentary terms.

By the time of the 1989 EP elections the reform debate had begun to shift. In 1988 the Delors Report already set out an agenda for Economic and Monetary Union, which the DTEU had not actually prioritized. Momentous structural change in the European and global political environment then created a huge window of opportunity for EC constitutionalization during 1989-90 – from the partially free elections in Poland to the end of the communist regime in Hungary, the opening of borders, the fall of the Berlin Wall and the prospect of German unification. At this point, policy-makers were able to draw on and combine elements of ideas, reports and blue-prints like the DTEU in their search for durable institutional reform to meet the new economic and political challenges of the 1990s and beyond.

---

[186] *Le Monde*, 2 August 1980.

[187] Cf. Richard Corbett (1992) The Intergovernmental Conference on Political Union, *Journal of Common Market Studies,* 30 (3), 271-298.

3. Internal dynamics: Actors in the European Parliament

Chapter 1: What 'finalité politique'? Political groups pushing for constitutional reform

In contributing to the EP's post-SEA reform proposals for the EC, the Catherwood Report about the costs of 'non-Europe' was sarcastic about the role of the Council of Ministers whose members allegedly spent as little as ten per cent of their time on deliberating and deciding European matters. Not long before the same had been true of the unelected EP until 1979, of course. Its delegated members were also elected nationally and spent only a relatively small amount of their time on understanding and discussing EC matters. In the absence of more far-reaching powers for the EP this nevertheless did not prevent them from having at least tangential impact on European integration and legislation.

The EP majority always advocated further integration in a broadly federalist direction. It continuously reinforced its demands with initiative reports about its own direct elections – as foreseen in the EEC treaty – and a uniform electoral system for it, and a variety of other reforms, including budgetary and legislative procedures. The EP majority also worked with actors in other institutions who were similarly keen to strengthen the EC's 'finalité politique' like the federalist Commission President Walter Hallstein. In 1965, Hallstein somewhat provocatively – at least from de Gaulle's perspective – presented the Commission's ambitious package deal for the completion of the CAP, EEC own resources and increased powers for the EP to the EP first, not the member states, to enhance the proposal's democratic legitimacy.[188] Finally, as historians have shown, individual MEPs could sometimes act as efficient policy entrepreneurs influencing new policy fields or promoting entirely new EC initiatives, like the German CDU MEP Arved Deringer, whose strong background in European and competition law allowed him to influence the Commission's development of EEC competition policy in the 1960s, or (from the same party) Hans Edgar Jahn, who promoted EC level protection of migrant birds in the lead-up to the 1979 EC Birds Directive.[189]

Not everything changed with the first direct elections of the EP. For instance, the MEPs had sat in transnational political groups from the very beginning. Crucially, however, the dual mandate quickly came to an end. In the case of the above mentioned German CDU/CSU, for example, 17 of 42 MEPs elected in 1979 initially held a dual mandate, but only two after the 1980 national elections and none at all after the 1983 elections.[190] For MEPs, the end of the dual mandate meant that the EP was no longer an additional institutional setting for federalist agitation or riding political hobby horses like bird protection. It was now the only playground in town if they were interested in more than a good salary and European travel. As a result, the EP majority now had a much stronger institutional incentive than before for requesting EC reform and more powers for itself than before 1979, when reform demands were relatively more driven by ideological commitments than institutional self-interest.

The growing institutional self-interest in maximizing EP influence within the existing treaty framework and in extending its powers as a core element of any EC reform also necessitated that

---

[188]   Bajon, *Europapolitik „am Abgrund"*, 66.

[189]   Jan-Henrik Meyer (2012) A Good European. Hans Edgar Jahn, Anti-Bolshevist, Cold-Warrior, Environmentalist, in: Ann-Christina L. Knudsen and Karen Gram-Skjoldager (eds) *Living Political Biography: Narrating 20th Century European Lives*, Aarhus: University of Aarhus Press, 137–59.

[190]   Horst-Dieter Westerhoff (1985) Die parlamentarische Zusammenarbeit von Bundestagsfraktion und Europaabgeordneten: Das Beispiel CDU/CSU, *Zeitschrift für Parlamentsfragen*, 16 (3), 372-382.

the political groups were more professionally organized. The groups became much more concerned with their internal cohesion and their competition and cooperation with other groups. To enhance their impact within the EP and on EC politics they needed to act more strategically than in the past. They focused not just on the allocation of posts in the EP from its presidency to the chairs of the committees. They also needed to form majorities to take bold decisions such as the rejection of the 1980 budget or to impress the member states as over EC reform and greater powers for the EP. In these changing circumstances after the direct elections, institutional reform, alongside policy concerns with which it often became connected as in the case of the internal market, contributed to shaping the behaviour of the political groups and their functions in EC institutional reform.

The institutional reform debate in the EP exerted direct and almost continuous pressure on the political groups during the first two terms after 1979 to define their own position and to engage effectively with other groups in finding compromises on reports, resolutions, and the DTEU. As later studies of group cohesion and behaviour in the EP have found, such pressure was felt much less by those on the margins of EP decision-making.[191] Regarding institutional reform, the Rainbow Group (formed in 1984) was deeply split, for example. It was dominated by seven members of the German Greens who had surpassed the five per cent threshold in force in Germany for the first time. In those days, the Greens followed a policy of resigning their mandates halfway through the parliamentary term to make room for the next candidates on the list in an attempt to avoid the professionalization of their political work – something they feared would turn them into an 'established' political party disconnected from the concerns of citizens. The resulting turnover in MEPs to begin with made it incredibly difficult to enhance the group's internal cohesion and stabilize its preferences on institutional reform or, for that matter, any political question.

Additionally, the members of the Rainbow Group were deeply split on the issue of the EC and its future development. To begin with, the group included members of the Danish People's Movement against the EC, first founded as a cross-party group in 1972 to oppose Danish membership. They demanded national 'self-determination' and Danish exit from the EC. In their political programme for the 1984 EP elections, the German Greens portrayed the EC in a traditional extreme left way as 'the submission of Western Europe to the political and military global strategy of the US in the form of NATO'. They opposed the 'EC of bureaucrats, bombs and butter mountains'.[192] The Greens also agitated against the alleged capitalist nature of the integration project. As Wolfgang von Nostitz, who became an MEP through the practice of 'rotation' in 1987, put it, the Greens rejected the EC's all-pervasive 'ideology of quantitative growth'. Finally, they believed that more supranationalism would actually reinforce the EC's more deplorable features. Majority voting in the Council would merely 'strengthen the position of the powerful at the expense of the weak'.[193]

The Rainbow Group also included Belgian members from Agalev-Ecolo, with a far more reformist pro-European agenda, however. Thus, François Roelants du Vivier from Wallonia was keen to start an intellectual exchange with other groups about ideas for institutional reform. In April 1985 he suggested inviting Spinelli to a Rainbow Group meeting to find out more about his motivation for the DTEU –[194] a desperate attempt at shifting the debate in the group at a time when the German

---

[191] Simon Hix, Abdul Noury and Gérard Roland (2005) Power to the Parties: Cohesion and Competition in the European Parliament, 1979–2001, *British Journal of Political Science*, 35 (2), 209-234, here 226.

[192] Die Grünen, Global denken – vor Ort handeln. Erklärung der Grünen zur Europawahl am 17. Juni 1984, verabschiedet auf der außerordentlichen Bundesversammlung am 3./4. März 1984 in Karlsruhe, Archiv Grünes Gedächtnis der Heinrich-Böll-Stiftung e.V. (AGG), B.IV.2, 231.

[193] Wolfgang von Nostitz, Europagruppe der Grünen, Die Grünen und die Europäischen Gemeinschaften, 21 May 1985, AGG, B.IV.2, 231.

[194] François Roelants du Vivier an den Vorstand des GRAEL, Strasbourg, 18 April 1985, AGG, B.IV.2, 222.

Green MEPs still saw the Spinelli Plan as a mechanism for the 'Europeanisation of US NATO policy'.[195] In any case, the Rainbow Group as a whole could not really be bothered too much with institutional reform. They spent far more time during their first parliamentary term debating issues such as the second international congress of prostitutes, the plight of the Navajo in the United States, and the independence movement in Polynesia.

At the other end of the political spectrum, the EDG was heavily dominated by British Conservatives. It also included some Danish members and – from 1987 to 1989 – Spanish MEPs from the Allianza Popular before it defected to the EPP. For the British Conservatives, the group's internal cohesion on institutional issues already mattered far more than for the Rainbow Group. After all, its behaviour was closely scrutinized by Conservative headquarters back in Britain, where the party was in power during the entire two EP parliamentary terms. With the party not yet as split over Europe as it was to become from the 1990s onwards, Tory MEPs on the whole supported deeper integration more than the national party and government. They shared a strong preference for limiting EC level spending and for rolling out Thatcher's policy of economic deregulation and liberalization to the EC, however. It was not for nothing that the Tory MEP Basil de Ferranti co-founded the Kangaroo Group in 1979 to work for the completion of the single market. When push came to shove, however, the British Conservatives, like their colleagues from the Labour Party, used absence from EP votes or abstention to avoid openly undermining the EDG's voting cohesion. Thus, Conservative enthusiasts for more supranational integration abstained as 'a neutral way of respecting their consciences and the British government … simultaneously'. Labour Party supporters of continued EC membership and deeper integration also frequently chose this option for votes on institutional reform while the anti-marketeers still formed a majority of their national group in the EP.[196]

Group cohesion mattered most for the three groups at the centre of political contestation and majority formation in the EP, however: the Socialists, the EPP, and the smaller Liberals. Both institutional and ideological factors influenced their relative cohesion. After the German Free Democrats failed to get above the five per cent threshold in 1984, the Liberal Group elected Veil as their new leader. After EC enlargement it had nine MEPs from Portugal alone, where the Social Democratic Party was to the right of most liberal parties in Western Europe and had little experience with EC politics and policy-making. Moreover, centrist forces were in opposition in France after 1981. As a result, the Liberals were nationally fragmented, had no easy access to government policy-making in larger member states and were ideologically quite disparate because of the 'heterogeneity of the social foundation of its member parties'.[197] The Liberals nevertheless boasted a high level of voting cohesion on institutional matters.[198] They were less federalist than the EPP, however. According to Jacqué, who played a leading role in the drafting of the DTEU legal text, Bangemann, their leader between 1979 and 1984, even called Spinelli a 'féderaste' in a French linguistic allusion to homosexuals going back to 1960s Gaullist denunciations of European federalists, which would surely have cost him his job 30 years later (Interview Jacqué). According to Dastoli, Bangemann was also willing to some extent to protect Genscher's reform initiative in the Council from competition by the EP (Interview Dastoli).

For the two largest groups, the Socialists and the EPP, a comprehensive study of their voting behaviour recorded a steep rise in their cohesion to around 90 per cent of EP votes without dissent

---

[195] Frieder Otto Wolf, Bericht der Grünen im Europaparlament, Rome, 2 December 1985, AGG, B.IV.2, 223.

[196] Martin Westlake (1994) *Britain's emerging Euro-Elite? The British in the directly-elected European Parliament, 1979-1992*, Aldershot: Dartmouth, 266.

[197] Fulvio Attiná (1990) The voting behaviour of the European Parliament members and the problem of the Europarties, *European Journal of Political Research,* 18, 557-579, here 577.

[198] Ibid., 573.

after the Maastricht Treaty came into force – something that the authors put down to the size of the two groups and their ability to influence votes in the EP as a key institutional incentive for effective organization.[199] The rise in cohesion was far more spectacular in the case of the Socialists, however, who actually featured a lower voting cohesion in the second parliamentary term than the Rainbow Group.[200] The difference with the EPP becomes clearer when one looks at voting on institutional issues in the 1980s only. Here, the EPP voted cohesively in 82.8 per cent of all cases, while the Socialists only managed 54 per cent.[201] The EPP was also the only group in the EP to support the Spinelli Resolution and the DTEU wholeheartedly after it had come around in the spring of 1981 to accepting the formation of the new Institutional Affairs Committee and Spinelli's leadership role in coordinating the drafting of working documents to feed into the DTEU process.

In contrast with the EPP, the Socialists were much more interested in policy issues than 'institutional progress' (Interview Hänsch). Dankert, for example, was 'afraid … at a time of tremendous unemployment … [and] the huge risk of missing out on modern technology … of missing out on the future' (Interview Toornstra). Spinelli in turn argued that it was essential to strengthen the EP precisely to address such common European challenges more effectively (Interview Toornstra).

The socialists also remained deeply split over institutional reform during the first two parliamentary terms. The internal confusion and dissent was so pronounced that Glinne, the group leader, had a study prepared in May 1982 which summarized the national member party positions on the EC and its institutional reform in an attempt to understand the divergences better and to create a basis for more cohesion in the future.[202] The group's greatest problem was, and remained, the deep split in the French and British national groups, which largely corresponded to the divisions at the national level. They continued during the second parliamentary term and largely disappeared only as a result of these parties' greater pro-integration orientation after the end of the Cold War. But even the German contingent, while united behind the principle of EC reform, was divided over the best strategy to achieve it. Thus, Klaus Hänsch desired a stronger focus on actual policy solutions to demonstrate to EC citizens the benefits of European integration. Katharina Focke in turn was opposed to the EC's too rapid constitutionalization, something that Spinelli put down to a historical conflict in the European federalist movement (Interview Dastoli).

In a 1980 paper on institutional questions, the German MEP, Rudi Arndt, who was vice chair of the Socialist Group between 1979-84 and became its leader during 1984-89, demanded in the section about 'Powers of the European Parliament' that at the very least no member should be allowed to ask for the repatriation of EC powers to the national level. 'Whereas this view can be tolerated in a national sister party,' he argued, 'for the Socialist Group it is unacceptable'. Hence, the group should 'decide what measures it intends to take to strengthen Parliament's political position within the scheme of the Treaty of Rome'.[203] The watered-down consensus paper approved by the group's bureau merely demanded that the group needed 'a common vision of Europe' and should 'try to reach a common position' without making substantial recommendations as to its desirable nature, however.[204]

---

[199] Hix, Noury and Roland, Power to the Parties, 226.

[200] Simon Hix and Christopher Lord (1998) A Model Transnational Party? The Party of European Socialists, in: David S. Bell and Christopher Lord (eds) *Transnational parties in the European Union,* Aldershot: Ashgate, 88-101, here 96.

[201] Attiná, The voting behaviour, 561.

[202] Note for the attention of the members of the socialist group, Subject: Institutional Reform, Brussels, 3 May 1982, HAEU, GSPE-72.

[203] Paper on the position of the Socialist Group in the European Parliament, Draft by Rudi Arndt, 25 August 1980, HAEU, GSPE-69.

[204] Note for the attention of members of the Socialist Group, 5 September 1980, PE/GS/2007/80, HAEU, GSPE-69.

To paper over the continuing schism over institutional reform, the Socialist Group used two main strategies. The first was to suppress debate, which could easily turn nasty. Thus, on 15 February 1984, the Italian MEP Georgio Strehler, who had only enjoyed the group's lively controversies over institutional reform since entering the EP in September 1983 and was still ready for a fight, criticized fellow socialist MEPs for having attacked 'members who were in favour of European Union' during the final EP debate about the DTEU. The group 'decided not to re-open the debate',[205] however, which seemed to be futile, as the different ideological positions were irreconcilable. Moreover, the group's leadership carefully made sure that the dissenting Eurosceptic socialists were given enough space in EP debates. The pro-integration majority occupied all key institutional positions and was thus able to present a somewhat more united front through speaking first, and longer. Thus, for the debate about the DTEU Glinne had ten minutes, Moreau and Seeler as co-rapporteurs, nine each, Radoux as group coordinator, eight, and Ferri as chair of the Institutional Affairs Committee, ten. All of them strongly supported the DTEU, but those opposed were then allocated less time later on in the EP debate to articulate their dissenting views.[206]

Lack of internal cohesion over the crucial question of institutional reform constituted a major challenge for the socialists in their competition with the EPP. Despite being the largest group, they seemed to be less than effective in shaping agendas and forming majorities in the EP. In June 1980 several Italian MEPs complained in a memorandum that 'the group has as yet failed to act, within Parliament, in a manner commensurate with its political importance …. All too often, instead of taking the initiative, we have passively followed the lead given by the other groups.' From the perspective of the pro-integrationist Italian socialists it was essential for the group to adopt an 'unequivocal position at least on three fundamental questions': the 'extent and nature of the Community', the relationship among the institutions which had been fundamentally changed by the emergence of the European Council, and the question of a uniform EC electoral law.[207] In August 1980 Glinne demanded 'cracking the rightist bloc, which is far too compact at the moment'. In his view the Socialist Group had to encourage 'true Christian Democrats in the EPP Group and the left-wing liberals to move closer to socialist thinking'.[208]

The pro-integration group majority had to recognize, however, that the 'true Christian Democrats' in the EPP in particular, who were more to the left on socio-economic issues, nevertheless supported a strongly federalist agenda. They were equally appalled by the belief of left-socialists in a strong state and the (often overlapping with it) aggressive Euroscepticism of a substantial minority of the Socialist Group. Glinne and his successor Arndt understood that the group's deep divisions over the future of the EC limited its ability to play a more central role in EP politics. 'The most fundamental problem, and where the group is deeply split', Glinne pointed out, 'is that of building Europe itself. There is no point closing our eyes to the problems raised by the divergence between those who want to see a stronger Community and the construction of a political Europe and those whose aim is the dilution of the European Community. We cannot remain divided on this point.'[209] In a

---

[205] Draft summary report of the meeting of the Socialist Group on 15 February 1984 in Strasbourg, Strasbourg, 16 February 1984, PE/GS/58/84, HAEU, GSPE-74.

[206] Draft summary report of the meeting of the Socialist Group held in Brussels on 8-9 February, 1984, Brussels, 9 February 1984, PE/GS/46/84, HAEU, GSPE-74. For this repetitive practice see also Draft Summary Report of the meeting of the Socialist Group held in Montpellier, no date [September 1983], PE/GS/235/83, HAEU, GSPE-73.

[207] Italian Group Members, Memorandum, 5 June 1980, HAEU, GSPE-69.

[208] Note by Mr. Glinne, Updating the Group's Strategy, 25 August 1980, PE/GS/208/80, HAEU, GSPE-69.

[209] Ibid.

discussion about institutional issues two years later, Glinne once more argued that 'the Group [must] not abandon the initiative in this field to the right-wing groups in the Parliament'.[210]

In this way the issue of institutional reform impacted not only on the competition between the EP groups, but also on their potential for cooperation. The first two parliamentary terms after 1979 were characterized by close centre-right cooperation. The British Conservatives sought to work selectively with the EPP, such as in 1981, for example, when they organized a joint study day to discuss institutional problems and agriculture.[211] The Dutch socialist Dankert was only elected as EP president against the EPP candidate Klepsch for the second half of the first parliamentary term as a result of the EDG not withdrawing its candidate in the third round. After the 1984 elections the cooperation between the EPP, the EDG, and the Liberals worked more smoothly, however, when the presidency was shared between Pflimlin and the British Conservative Lord Plumb.

It was only after the 1986 southern enlargement that 'grand coalition' cooperation between the Socialist Group and the EPP intensified.[212] It resulted not only from the institutional pressure to form majorities in the now more fragmented EP, but also from the socialists' ideological moderation following Arndt's rhetorical question: 'Does the majority of the group want Parliament to be a debating club for world affairs or does it view Parliament more as a forum in which realistic socialist demands should be put forward and carried?'[213]

The slow shift in the European policies of the French and British socialists towards a more positive attitude to the EC and to institutional reform as a means to check the social impact of the internal market and to develop more 'progressive' policies in fields like the environment and social affairs, for example, made it much easier for the Socialist Group to work with the EPP. Moreover, both groups had a large German contingent of MEPs. They dominated the EPP together with Italian Christian democrats and formed the largest national pro-integration section in the Socialist Group. As a result of their concentration in the two largest political groups, German MEPs were able to yield substantially greater power in the EP than the French, Italian and British contingents of the same size.[214] Their dominance was symbolized by the simultaneous group leadership of Arndt and Klepsch who worked more and more closely together during 1984-89. Attitudes to EC constitutionalization did not fundamentally divide the German social democrats and Christian democrats. This greatly facilitated the growing convergence between the two groups over institutional reform which was to prove so crucial in the Maastricht Treaty negotiations a few years later.

Spinelli's federalist activism and constitutionalization imperative not only asked the political groups hard questions about their internal cohesion, their role in the EP, and their willingness and ability to cooperate across party divides to form majorities. It also allowed the groups to fulfill more than before key functions in deepening European integration. The first of these was to create a reservoir of constitutional concepts and ideas that governments, political parties, legal networks, and other EC actors could draw upon once it became clear that the DTEU would not be ratified. Of all the

---

[210] Draft summary report of the meeting of the Socialist Group held in Bradford on 8-11 June, 1982, Bradford, 9 June 1982, PE/GS/161/82, HAEU, GSPE-72.

[211] Study Days / Group Meetings Abroad: Questions which should be asked in advance of further planning of subjects, dates and sites, EDG Secretariat, 23 February 1981, CPA, CCO 508/2/3.

[212] See Corbett and Jacobs, Aktivitäten und Arbeitsstrukturen, 175.

[213] Paper on the position of the Socialist Group in the European Parliament, Draft by Rudi Arndt, 25 August 1980, HAEU, GSPE-69.

[214] Eckart Bomsdorf (1980) Die Kräfteverteilung im Europa-Parlament nach Fraktionen und Ländern, *Zeitschrift für Parlamentsfragen*, 11, 396-403, here 402; Linda Fowler, Pieter Polhuis and Scott C. Paine (1983) Changing Patterns of Voting Strength in the European Parliament, *Comparative Politics*, 15 (2), 159-175, here 172.

groups the EPP articulated a cohesive constitutional vision most clearly. Its federalist vocation had its immediate post-war origins in informal transnational contacts in the Geneva Circle and the Nouvelles Equipes Internationales in the late 1940s and early 1950s.[215] François de Menthon, a French politician from the Mouvement Républicain Populaire, was the first to write a draft constitution for the European Movement in 1948. Leading Christian democrats like Pierre-Henri Teitgen and Heinrich von Brentano shaped the work of the Ad Hoc Committee of the ECSC Common Assembly to a great degree which led to the EPC treaty. Immediately afterwards, it was once more Christian democrats like Teitgen and Margarete Klompé who pushed the idea of further integration in the ECSC Common Assembly to support moves by Monnet and some member states to pursue sectoral or horizontal economic integration after the failure of the EDC.[216] Throughout the 1960s and 1970s the Christian democrats continued to advocate a broadly federalist 'finalité politique'. In 1972, their CD Group proposed a resolution that explicitly demanded the creation in steps of a 'Community "sui generis" with a federal character' with a European government whose legitimacy would be based on majority support within a directly elected EP that in turn would acquire far greater legislative, budgetary, and control powers.[217]

This well-established Christian democratic agenda to a large extent shaped the EP majority's views on EC constitutionalization and was reproduced in the Bertrand Report, for example, long before Spinelli started his DTEU initiative in 1980.[218] The EPP also developed a powerful narrative about its own role in European politics and in the EP as the initiator of 'core Europe' integration – a narrative that focused on the role of the Christian democratic 'founding fathers' Adenauer, De Gasperi, Schuman and others. This narrative became an important means for the otherwise more heterogeneous EPP in terms of its socio-economic policy preferences for creating a cohesive image of itself and positioning it in EC politics. This narrative and image made it temporarily difficult for the EPP to accept the leadership of Spinelli, an Italian socialist, in taking the federalist agenda further. But it also bound the EPP discursively to support such an initiative, as the Dutch Christian democrat Sjouke Jonker argued in an internal paper in early 1981: 'As a group we cannot oppose the creation of an institutional committee because a) we have a federalist political programme; b) we are the heirs of the fathers of Europe, which binds us politically; c) we have just reiterated all of this at our most recent EPP congress.'[219]

Support for federalism was not limited to the EPP, of course. It was especially strong on the Italian political left, too, which was heavily influenced by Spinelli and connected with the European Movement there. The DTEU process also facilitated the articulation of alternative visions for Europe, however, which also contributed to filling the reservoir of constitutional concepts and ideas. One of these was the British Conservatives' focus on market integration, which was still informed to some extent by the experience of the European Free Trade Association (EFTA) and a preference for freer trade combined with demands for limiting spending at EC level. Thus, before the EDG or the British government could support extra spending, they should ask themselves 'Is the function or activity

---

[215] See Wolfram Kaiser (2007) *Christian Democracy and the Origins of European Union*, Cambridge: Cambridge University Press; Michael Gehler and Wolfram Kaiser (2004) (eds) *Transnationale Parteienkooperation der europäischen Christdemokraten. Dokumente 1945-1965*, Munich: K.G. Saur.

[216] See also Christian Salm (2017) *Impact of the ECSC Common Assembly on the politics, negotiation and content of the Rome Treaties*, EPRS European Parliament History Series PE 563.518.

[217] Entschließung der Arbeitsgruppe UEDC-CD-Fraktion des Europäischen Parlaments zur konstitutionellen und institutionellen Fortentwicklung der Europäischen Gemeinschaft, Luxembourg, 4 April 1972, ACDP, 09-001-110/4.

[218] Christlich-demokratische Fraktion, EP, Alfred Bertrand, Bericht über die Weiterentwicklung des institutionellen Aufbaus der Europäischen Gemeinschaft zur Europäischen Union (Politische Union), September 1973, Doc/679/73, ACDP, 09-001-110/4.

[219] Sjouke Jonker, Persönliche Anmerkungen zu einigen aktuellen institutionellen und politischen Fragen, n.d. [Spring 1981], ACDP, 09-001-354.

which gives rise to the spending really one which requires to be done on a European basis? Or are we just being asked to pay for the privilege of showing a European "interest"?[220]

The EDG moreover had a more intergovernmental approach to European integration than the EPP or the Liberals, but it was more supportive than the national party and government of some majority voting to make the Council more effective and facilitate market integration. In fact, the most pro-integration Conservative MEPs like Geoffrey Rippon, the group's leader during 1977-79 and formerly responsible for the accession negotiations in the early 1970s, even advocated fostering 'a European patriotism', arguing that 'a European passport for all European citizens would seem to be one of the best ways of emphasizing that we all belong to the same community'.[221] In a broad-ranging 1980 paper on British Conservatism and European integration, MEP Robert Jackson highlighted the need to strengthen the EP too: 'For Conservatives looking at the European institutions in the perspective of British traditions of representative democracy and accountable government [the] development of parliamentary institutions at the Community level must be of central importance.'[222]

Even the Greens in the Rainbow Group were stimulated by Spinelli's federalist activism to realize that the repetitive stereotypical denunciation of the EC as the European extension of raw US capitalism and militarism sounded like hyperbolic Soviet propaganda enriched by cannabis consumption - it hardly constituted a positive vision for Western Europe's economic and political future. While their 1984 election programme was stuck in antagonistic language, the Greens began to develop the concept of 'eco regions' as a counter model for European integration during 1984-85. Petra Kelly, co-founder of the German Greens and a former official in the Commission, who kept in close touch with Spinelli, talked about a Europe of such eco regions in the Bundestag just before the 1985 Milan summit, for example.[223] The Rainbow Group then charged Santiago Villanova from Barcelona and Alfred Horn from Bonn with drafting a political strategy for institutional reform that sought to operationalize the notion of a Europe of regions only mentioned in passing in the 1984 election programme as an 'organisational-institutional model'.[224]

According to this model, the dissolution of nation states in Europe would be followed by the unification of eco regions as an 'ecological alternative to the centralist-repressive models for the future of Europe'. At the European level decisions would be taken by a directly elected European Parliament and a European Senate consisting of around 50 newly formed regions. For the parties in the Rainbow Group such a construction would also allow the greater use of direct democracy at the regional level, which in turn would create what one MEP called a 'democracy closer to the people' at a group meeting in Terschelling in September 1986.[225]

By thus stimulating the search for entirely new forms of EC constitutionalization like a Europe of eco regions and fueling the debate about Europe's future, the DTEU initiative also contributed to the greater politicization of the EP in which the groups had a second key function. Joseph Weiler's

---

[220] Fred Warner to James Scott-Hopkins, 5 December 1979, Telex, CPA, CCO 508/1/4.

[221] Our European Future. Speech to the Conference of European Democrat Students at the Europehouse, Bemelen, Holland, on 26 September 1977, ECG, Our European Future. Speeches on Europe by the Rt. Hon. Geoffrey Rippon, QC MP, CPA, CCO 508/8/12.

[222] Robert Jackson M.E.P., Tradition and Reality. Conservative Philosophy and European Integration, EDG, London, n.d. [1980], CPA, CCO 509/9/1.

[223] Petra K. Kelly, Für ein entmilitarisiertes und dezentrales Europa der ökologischen Regionen! Gegen eine europäische Atomstreitmacht und eine ausbeuterische Gemeinschaft, Redebeitrag, Bundestag, 27 June 1985, AGG, B.IV.2, 231.

[224] Santiago Villanova, Barcelona, Alfred Horn, Bonn/Mainhausen, Für eine Konföderation der Öko-Regionen Europas, Politische Strategie der Grün-Alternativen für Europa. Ein Diskussionsbeitrag im Auftrag des GRAEL im Europäischen Parlament, August 1985, AGG, B.IV.2, 221.

[225] Protokoll der GRAEL-Sitzung vom 4.9.1986 in Terschelling, 18 September 1986, AGG, B.IV.2, 224.

notion that 'the political class in Europe' regarded European integration as 'ideologically neutral regarding, or ideologically transcendent over, normal debates on the Left-Right spectrum' is only true to a limited extent even for the 1960s and 1970s.[226] The 1980s in any case saw much greater confrontation over concepts and ideas for EC constitutionalization. This debate increasingly pitted traditional French communist and 'alternative' left-wing as well as new right-wing opposition to the EC - as from the French Front National which won 10 seats in the 1984 elections - against a heterogeneous centrist alliance for a broadly federalist evolution. These divisions would reflect the outlines of the much more fundamental schism that has developed since the 2000s between more cosmopolitan elites, social groups and political parties that support a strong EU to protect the European model and influence in times of globalization, and radicals on the left and right of the political spectrum who advocate withdrawal from the Euro, or from the EU, or the EU's dissolution.
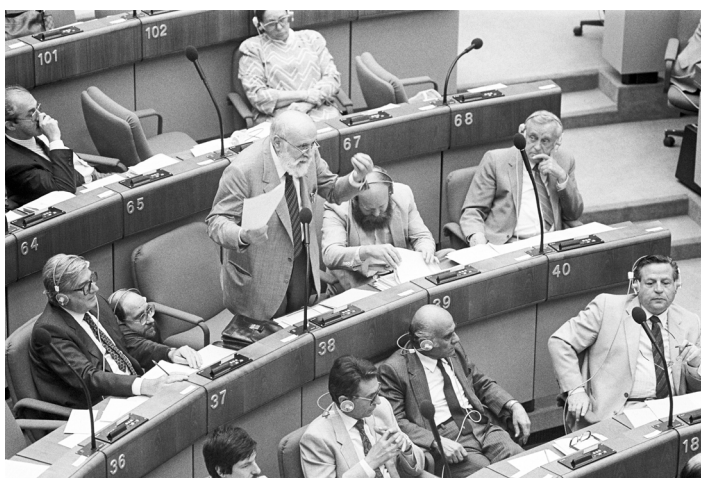
Throwing himself into the battle, Altiero Spinelli was a powerful speaker in the European Parliament, but he also succeeded in uniting MEPs across the party divide behind his agenda for the European Community's constitutionalization.

Even within the heterogenous centrist pro-integration majority, however, ideological conflict became enmeshed with institutional concepts and ideas. This was the case in the controversy over the possible inclusion of a reference to the 'social market economy' in the DTEU, which the Liberals and sections of the EPP temporarily pushed and which eventually made its way into the 2007 Lisbon Treaty. Market integration, too, could clash with established cultural norms and policies. Thus, in an interview with the *Cork Examiner*, Liberal Group leader Bangemann claimed that Ireland 'could maintain its contraceptive legislation if the Government proved it was in the interest of public health.' Relating to the renewed drive to create an internal market, however, he also insisted that 'there was no precedent of a country restricting free trade on the basis that this was in the interest of public morals.'[227] In other words, when the EC acquired greater regulatory powers in conjunction with the internal market programme, institutional issues such as majority voting could impact much more directly on controversial issues of social or cultural norms and policies than in the past.

The political groups, finally, also played a third key function in continuously putting out public statements on institutional reform that acted as markers for supranational institutions, national

---

[226] Joseph H.H. Weiler (1992) After Maastricht: Community legitimacy in post-1992 Europe, in: James Adams (ed.) *Singular Europe. Economy and Polity of the European Community after 1992*, Ann Arbor/MI: University of Michigan Press, 11-41. See also Robert Ladrech (1996) Political parties in the European Parliament, in: John Gaffney (ed.) *Political parties and the European Union*, London: Routledge, 290-307.

[227] Contraceptives law 'could be contested', *Cork Examiner*, 8 September 1983.

governments and national political parties. The groups used this kind of rhetorical action in the hope that it would have an impact on the general public by legitimizing reform proposals, and that it would at the very least make it more difficult in intergovernmental negotiations to ignore or sideline the reform demands. The Liberal Group and the DTEU is a case in point. After electing Veil as their leader, the newly constituted group once more 'reaffirmed its support for the Draft Treaty on European Union adopted in Strasbourg on 14 February 1984, and believes that the new Parliament … ought to take all necessary steps to develop an active dialogue with the national Parliaments and Governments, in order to promote ratification of the Draft Treaty.'[228] A few weeks before the European Council in Milan in 1985, the ELD party federation passed a resolution at their congress in Groningen which once more called for 'the rapid achievement of political union and for measures to free the decision-making process from the paralysis which is preventing the Community from responding effectively to the challenges of our society'.[229]
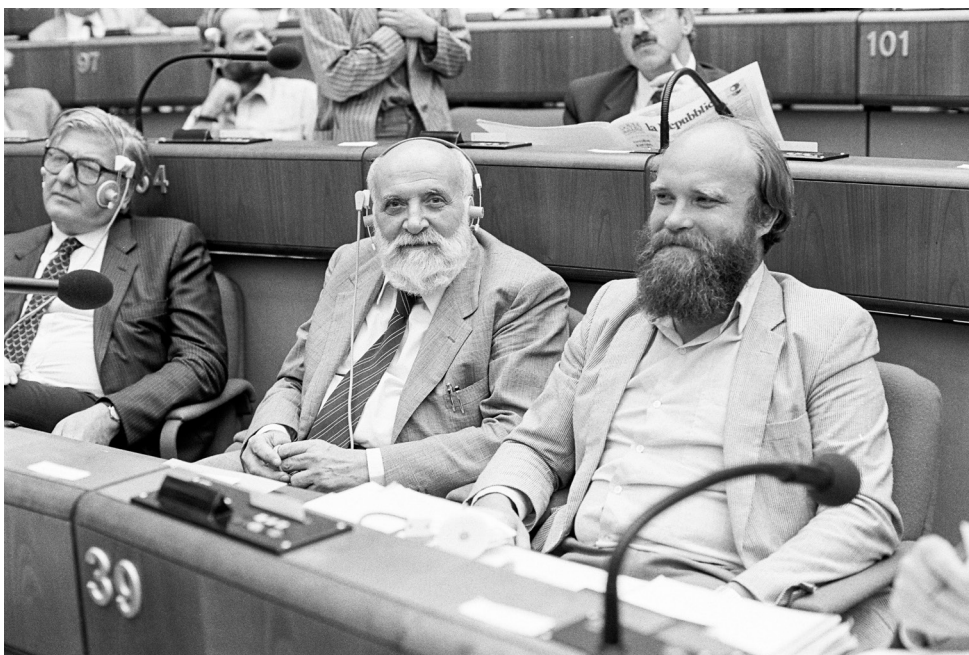
First elected on their list in 1979, Altiero Spinelli sitting with the Italian (and other) communists in the European Parliament.

In these different ways, therefore, the political groups shaped the institutional reform debate within the EP and beyond as much as it affected them in their search for greater internal cohesion, effective competition with other groups and cooperation with them to muster majorities for EC constitutionalization and individual reform ideas and options. Moreover, the political groups were crucial platforms in the EP for entrepreneurial leadership by individual MEPs over institutional reform. As Spinelli found out between 1980 and 1983, however, they could also create barriers to such leadership when they feared that their own identity and role in the EP could be adversely affected, even when they agreed on the content of an initiative.

---

[228] Summary Record of the Group Meeting on 18 July 1984, Brussels, 18 July 1984, 220/84/36/YT/md, Resolution, 18 July 1984, HAEU, ADLE 236.

[229] European Parliament, Liberal and Democratic Reformist Group, Activity Report 1985-1986, Luxembourg, 17 March 1986, MS/YT/bfw, HAEU, ADLE 268.

Chapter 2: Constitution-building: Spinelli and the Institutional Affairs Committee

Several MEPs sought to play a leading role in fostering institutional reform and exercised entrepreneurial leadership in the process. Thus, the Socialist Group leaders Glinne and Arndt worked hard towards minimizing internal divisions over the future of the EC which eventually made their group better able to forge alliances with the centre-right in the EP. As EP President, Pflimlin, who was well-connected in EPP and French policy-making circles, tried to influence the IGC which led to the SEA - although he could not speak for the EP as a whole - and worked with Delors to achieve at least some strengthening of EP powers in the process. During 1984-89 Arndt and Klepsch, as the 'two big Germans' duo (Interview Dastoli), tried to build bridges between the two largest groups which prepared the ground for the 'grand coalition' politics after 1989 built on a new consensus between the groups around EC constitutionalization.

Ultimately, however, Spinelli was the most extraordinary of political entrepreneurs in the institutional reform debate and federalist activism. When he died on 23 May 1986, the leaders of the two largest political groups went out of their way to praise the unorthodox Italian federalist. Klepsch expressed his regret that Spinelli would not see the light of the 'united Europe' in line with his DTEU agenda, a Europe that tomorrow 'will be our children's fatherland'. Arndt in turn drew attention to Spinelli's anti-fascist and federalist credentials and called him the 'father of European Union'.[230]

When he was elected as MEP in 1979 Spinelli was an equally well-known and well-connected individual in EC politics. As a political prisoner of the fascist Mussolini regime in Italy, he had famously authored with Ernesto Rossi and Eugenio Colorni the Manifesto of Ventotene, *Per un'Europa libera e unita,* in 1941, written on cigarette paper, smuggled out of the prison in a fried chicken, and then copied and distributed in Rome. The manifesto identified the nation states and traditional notions of sovereignty as a core evil that had led to the rise of totalitarian ideologies and regimes and made war possible. After the war it would have to be replaced with a federal European entity shaped by socialist and communist socio-economic ideas. In August 1943 Spinelli organized a meeting of anti-fascists in Milan where they created the Movimento Federalista Europeo and he continued to play a leading role in the European federalist movement created in 1946 until his death. Having broken with orthodox communism over Stalinist crimes in the 1930s, Spinelli had no formal party affiliation. In 1965 he founded and initially directed the Istituto Affari Internazionali, a think-tank in Rome. From 1970 to 1976 he was one of two Italian members of the Commission, where he became increasingly frustrated with the growing intergovernmentalism reflected in the informal creation of the European Council in 1974. In 1976 he was elected to the Italian parliament as an independent on the communist list and became a member of the EP before being directly elected in 1979.[231]

---

[230] Europäisches Parlament, Vorschau, Generaldirektion Information und Öffentlichkeitsarbeit, Tagungswoche vom 10.-14. Juni 1986, Tod Spinellis in Klinik in Rom, AGG, B.IV.2, 172.

[231] On Spinelli's post-war political activism and career see Piero S. Graglia (2008) *Altiero Spinelli*, Bologna: Mulino. For a short biographical sketch see Richard Corbett (1986) Altiero Spinelli: Man of vision and action, *Courrier du Parlement*, 476, 11-12.

A key power broker in the European Parliament, Egon Klepsch, the long-time leader of the European People's Party Group, helped Altiero Spinelli overcome resistance to his role among Christian Democrats.

Ever since the Manifesto of Ventotene, Spinelli had advocated a constitutional vision for a united Europe, not a functionalist one, which goes some way towards explaining his bad relationship with Delors. Largely inspired by the American historical experience, Spinelli wanted a constituent assembly to draw up a constitution for a united Europe. To him the ECSC was way too influenced by functionalist thinking and only had a largely powerless Common Assembly. He convinced De Gasperi to push for the EPC solution, which was never realized, however. Spinelli was perhaps somewhat blue-eyed in his view of the US constitution, which did not foreclose domestic conflict entirely and could not prevent the 1860s Civil War.[232] After his death it also became clear that he underestimated the potential for greater political integration within the existing EC treaty framework, when the SEA turned out to have far greater repercussions than the EP majority – or Thatcher – had anticipated. In any case, when he was elected in 1979, Spinelli already had a clear vision how to transform the EP into a constituent assembly that would draw up a constitution of sorts for the future European Union. This vision built on plans that he and others had developed throughout the post-war period and in the 1970s in particular. Had the *Financial Times* asked its rhetorical question earlier, which it only posed in 1992, 'Where are our European Madisons and Jeffersons?',[233] Spinelli would certainly have seen himself as a suitable candidate for the position and volunteered.

In 1979 it seemed highly unlikely, however, that Spinelli would be able to transform the EP into a constituent assembly or get it to draw up a constitution of sorts. Although some EC level political groups, especially the EPP and the Liberals, had included institutional reform in their programmes and electoral campaigns, neither he nor the newly-elected EP in its entirety had an electoral mandate for drawing up a constitution. The EP had no federalist majority in Spinelli's constitutionalist tradition either. And Spinelli himself was peripheral to the centre of politics and policy-making in the EP which stretched from the Socialist Group on the left to the EDG on the right. To a degree he was even isolated in his own group, as not all Italian Eurocommunists supported

---

[232] See also Andrew Glencross (2010) Altiero Spinelli and the Idea of the U.S. Constitution as a Model for Europe. The Promises and Pitfalls of an Analogy, in: Andrew Glencross and Alexander H. Trechsel (eds) *EU Federalism and Constitutionalism: The Legacy of Altiero Spinelli*, Lanham: Lexington Books.

[233] Larry Siedentop, Where are our Madisons?, *Financial Times*, 16 October 1992.

federalism and the French orthodox communists still shared the established Soviet communist view of the EC.

To exercise entrepreneurial leadership in these circumstances, Spinelli had to focus on his 'transactional' capacities. In other words, he had to translate among different national and political cultures and to bring MEPs together from across the political spectrum. At the same time, he aimed for 'transformational' impact.[234] In other words, he was keen for the EP to go beyond debating institutional reform and to draft a constitution with some perspective of its actual ratification. This in turn required that he was either able to convince the EP majority to opt for a new process of constitutional transformation or get others, especially the member states, to adopt his ideas and institutional solutions using the IGC as the established treaty mechanism for reform. Given this situation, Spinelli had to push the boundaries of the EP's established practices. He had to use and influence what Fred Greenstein in his interactionist approach to understanding political leadership[235] has called 'the situational context within and outside' of the EP; to create a new institutional trajectory to facilitate constitution-building in the EP; and to draw on his personal qualities to create a large EP majority and support the entire process through personal networking.

The situational context beyond the EP at least facilitated some kind of treaty reform. The constant litany about 'Eurosclerosis' since the 1973 oil crisis and continuous complaints about blockages in an inefficient Council were so pervasive in public discourse in Western Europe that something clearly had to be done about it or the EC and its member states would at best become a museum in a globalizing world. Spinelli and the emerging EP majority for the DTEU adopted and continuously repeated this narrative in every statement in the plenary or to the media as the main source of legitimacy for their project alongside their claim to represent the will of the people following the direct elections.

The situational context in the EP initially was less propitious for EC constitutionalization, however. In the absence of additional powers after the direct elections, the political groups focused strongly on jockeying for positions in the presidency and the committee structure, and protecting their influence there, as well as using the EP's existing powers (as in its rejection of the 1980 budget). Spinelli strongly believed that the objective of federating Europe should override party divisions. He even suggested that the political groups were 'anachronisms'.[236] Political parties as organizational forms for integrating people of broadly similar ideological views, articulating their political preferences and representing them in electoral campaigns and in parliament, were a core feature of representative democracy as it had developed in Europe since the nineteenth century, however. In fact, some federalists were keen to form a federalist party and EP group, like the Italian MEP Bruno Visentini from the Republican Party (Interview Dastoli), who was one of eight colleagues to attend the first dinner in the Crocodile restaurant.[237]

In contrast, Spinelli pragmatically recognized the robustness of the party system and refrained from calling the Crocodile 'Club' a 'group' to avoid confusion with the political groups. He understood that he needed to create a pro-integration consensus across the party divide by working with the political groups including participating in some of their meetings (Interview Mahling). In this respect his main challenge was the EPP, precisely because it saw itself as the party of Europe and did not

---

[234] Adopted for understanding the role of Commission presidents in Ingeborg Tömmel (2013) The Presidents of the European Commission: Transactional or Transforming Leaders? *Journal of Common Market Studies*, 51 (4), 789-805.

[235] Fred I. Greenstein (1992) Can personality and politics be studied systematically?, *Political Psychology*, 13 (1), 105-128.

[236] Machen's „Krokodile" möglich?, *EGmagazin*, February 1981.

[237] See Jean-Marie Palayret (2010) François Mitterrand and the Spinelli Treaty of 1984, in: Andrew Glencross and Alexander H. Trechsel (eds) *EU Federalism and Constitutionalism: The Legacy of Altiero Spinelli*, Lanham: Lexington Books.

want to surrender its leadership over institutional reform, but also because it had traditionally exercised tight control over the Political Affairs Committee.[238] After 1979 this was headed by the Italian Mariano Rumor who had been, inter alia, prime minister five times during 1968-70 and 1973-4 and leader of the European Union of Christian Democrats from 1965 to 1973. Spinelli and the DC were basically united behind the objective of a federal Europe, but the facility of their cooperation was influenced by domestic politics when the communists – after the DC under Giulio Andreotti had governed with their tacit support during the 'historic compromise' from 1976 to March 1979 – withdrew once more into opposition to the DC. In these circumstances, the EPP refused to back the Crocodile Club's demand for an ad hoc committee to draft a constitution in February 1981. In a press statement, the EPP said that while it supported the objective, it was of the opinion that any proposals ought to be prepared 'in the context of the Political Affairs Committee'.[239]

The EPP's position created much tension within the group and with Spinelli and the Crocodile Club. Spinelli sought from the start to tackle this crucial issue at the highest level by working hard to convince the group leader Klepsch to agree to a face-saving compromise while at the same time trying to bring the DC to support him in the EPP Group (Interview Dastoli).[240] In a letter to Klepsch at the start of 1981 he addressed the EPP's possible concerns directly.[241] Spinelli, whose wife was German, was acutely aware that the CDU/CSU had a strongly anti-communist and anti-socialist identity and political strategy, which was informed by the experience of communism in East Germany and its domestic political competition with the social democrats. In the light of this he highlighted his close cooperation in the past, as a 'European federalist', with Christian democrats like De Gasperi as well as socialists like Paul-Henri Spaak and Pietro Nenni. He also emphasized his work as Commissioner and his political independence from the Italian communists, although he was 'proud of their [Eurocommunist] European development', too. He, Spinelli, did not 'pursue party politics, but a policy for Europe'.

Spinelli also emphasized the early support by CDU/CSU MEPs like Hans-August Lücker, the CD Group leader from 1970 to 1975, and Karl von Wogau, the co-founder of the Kangaroo Group, which underlined the cross-party character of his initiative. Moreover, his demand for a new institutional trajectory only resulted from the fact that the Political Affairs Committee was completely overworked and might be tempted to either drop the initiative or formulate a new resolution, which would at the very least delay the entire process. The new committee instead would 'open a new and important field of activity for the EP, … which would be beyond all normal routines' and focus completely on drawing up a constitution for the EC. In conclusion, Spinelli said that he hoped that the EPP as the 'party of Schuman, Adenauer, De Gasperi' was not becoming a brake on, instead of a motor for, further European integration.

Spinelli eventually convinced Klepsch in private conversations to bring the EPP behind his initiative and to agree to the creation of the new Institutional Affairs Committee, although due to EPP and Liberal Group pressure it was delayed until the start of 1982, halfway through the parliamentary term, to avoid upsetting the careful balance in the positions of chairs, vice-chairs and rapporteurs across the entire EP committee structure. Once the Institutional Affairs Committee was operational, the revamped internal Working Party A was responsible for institutional questions in the EPP Group among other issues. At a meeting of this Working Party in March 1982 it became clear that

---

[238] In fact, with the exception of two-and-a-half years during 1992-94 the EPP has held the chairmanship of the Political Affairs Committee from 1979 to 2019.

[239] EPP, Press statement, 10 February 1981, cited in Krokodile am Werk, *Das Parlament*, 25 April 1981.

[240] Spinelli to Piccoli, DC, Rome, 2 January 1981, HAEU, AS-037.

[241] Spinelli to Klepsch, 2 January 1981, HAEU, AS-037.

differences between the EPP and Spinelli persisted.[242] The German CDU MEP Jochen van Aerssen explained that 'two schools' existed in the committee. Spinelli represented 'the pure doctrine' and was only keen on preparing the draft constitution. In contrast, the EPP also wanted to explore all options for moving towards European union in smaller steps. Klepsch was not even aware, until it was confirmed by Jonker at this meeting, that the EPP had supported making Spinelli the coordinating rapporteur of the reports that would feed into the draft constitution. Erik Blumenfeld, who like Jonker was also a member of the committee, complained that its secretariat consisted of 'socialists only'. At the next meeting of Working Party A in April 1982, the MEPs further argued that the EPP should have responsibility not for any two of the reports, but for the two most important ones, namely institutions and economic and monetary policy, although they later had to relent and leave the latter topic to the socialist Moreau.[243]

Spinelli did manage to keep the EPP on board, however. In the end they mutually depended on each other. Without the EPP Spinelli could not muster a sufficiently impressive majority for the DTEU. At the same time, not supporting Spinelli would have required that the EPP vote with French communists and Gaullists against European union, which would have been totally incompatible with its own political beliefs and identity, as Spinelli pointed out in an interview with *La Libre Belgique* in May 1984.[244]

Setting up the new Institutional Affairs Committee for Spinelli constituted the first building bloc in creating an institutional trajectory for EU – a process for which he was keen to get 'people on board by stages' (Interview Corbett). In view of the 'melancholic history of the decline of the Commission' which has 'practically given up on its institutional role as motor of supranational integration' as he put it in the first Crocodile letter to members of the Club,[245] the EP with such a committee could take up the baton of EC constitutionalization. Once set up it was crucial to motivate political heavyweights and committed federalists to join it and help Spinelli advance his agenda. Indeed, of the 37 full members, more than half were members of the Political Affairs and Legal Affairs committees – crucial partners in the EP in terms of drafting the DTEU content, shaping its legal form, and organizing a large majority for it. In addition, three group chairmen and four chairmen of other committees also joined the Institutional Affairs Committee.[246] Several committee members were influential in their group and in the EP as whole, such as Hans Nord, a Dutch member of the Liberal Group, who had been president of the Dutch European Movement during 1958-63 and Secretary General of the EP during 1963-79, so that he knew the institution inside-out.

Moreover, analysing the committee's work from the outside, the Commission concluded in March 1983 that Spinelli was so effective in advancing his DTEU agenda because he had created a core group of six so-called permanent rapporteurs - headed by him as coordinating rapporteur - who at the time were preparing the first complete text for the debate and vote in the EP.[247] What the Commission called a 'sort of enlarged bureau' met several times in restricted meetings during 1982-83 to coordinate the six working documents with a view to merging them successfully into one single text. This 'enlarged bureau' experienced some tensions. Moreau and Prag, although on the Europhile wings of the French socialists and British Conservatives, were opposed to elements of the

---

[242] Protokoll Nr. 1 der Sitzung des Arbeitskreises A vom Mittwoch, 3. März 82 in Kopenhagen, ACDP, 09-001-222.

[243] Protokoll Nr. 2 der Sitzung des Arbeitskreises A vom Mittwoch, 14. April 1982 in Brüssel; Protokoll Nr. 3 der Sitzung des Arbeitsgruppe A vom Mittwoch, 5. Mai 1982, in Brüssel, ACDP, 09-001-222.

[244] Altiero Spinelli, un Italien enthousiaste et sage, *La Libre Belgique*, 24 May 1984.

[245] Crocodile, Lettre aux Membres du Parlement Européen, Nr. 1, HAEU, AS-358.

[246] Cardozo and Corbett, The Crocodile Initiative, 25.

[247] Commission of the European Communities, European Parliament, Note to Members of the Commission, 29 March 1983, SP(83)1404/2, ECHA, BAC 408/1991/43.

coordinated report, especially Zecchino's federalist input on institutions. Overall, however, Spinelli managed to control the drafting process efficiently by shutting out dissenting voices from the process. This was helped very much by the fact that, as the Commission official also observed, the political groups 'apparently have sent members into the committee who are particularly interested in institutional affairs and in favour of strengthening the community but who are not necessarily representative of the prevailing tendency of their groups'. The resulting text therefore might well be 'above the level of constitutional progress which the majority of the European Parliament had in mind when it voted the resolution of 6 July 1982'.[248]

Spinelli's entrepreneurial leadership was further facilitated by four other factors. The first was his close cooperation with Ferri, the committee chair, who was a trained lawyer. Spinelli's ideas how to achieve politically acceptable compromises for the DTEU sometimes 'threatened to weaken the legal coherence of the text', as his close collaborator Dastoli recalls (Interview Dastoli). Ferri helped to retain the DTEU's legal coherence throughout the committee's deliberations during 1982-3 before Spinelli started to work with external advisors to put the DTEU into its final legal shape.

Second, the committee secretariat operated in a slightly different way from other committee secretariats. These generally consisted of between four and six officials. As the EP had no legislative powers until the SEA, lobbying and expert advice by business and civil society groups was still very limited. This made it more difficult for Spinelli to create public pressure for empowering the EP. It also gave the officials more leverage than in contemporary EU politics (Interview Shackleton). With the EP's slow politicization after 1979, however, some MEPs as rapporteurs occasionally treated officials with suspicion. They either did not trust the quality of their technical and scientific expertise or their political orientation. These MEPs as a result sometimes preferred to draft the reports in close cooperation with their personal staff, political group staff, and actors from outside of the EP, with little substantive input from the officials in the secretariat.

In the case of institutional reform, however, the officials did not need specific technical or scientific policy expertise, but only general knowledge about EC politics and legal-institutional matters. The four officials – Jean-Guy Giraud, who joined the office of President Pflimlin in 1984, Andrea Pierucci, Richard Corbett, and Dietmar Nickel – were mainly selected for their strong commitment to the objective of European union and their coverage of the four largest EC member states to provide additional knowledge about their national constitutional traditions and politics. From this perspective their political orientation did not matter nearly as much as Blumenfeld's complaints in the EPP Working Group might suggest. In fact, even the German Social Democrat Hänsch, who did not fully share Spinelli's federalist agenda, recalls that the officials because of their 'Spinellian' preferences 'looked at me skeptically, is he even for Europe' (Interview Hänsch). The four officials worked closely with Spinelli, and they sometimes participated in the restricted meetings of the rapporteurs, too (Interview Nickel).

The third factor, over which Spinelli had far less influence, consisted of the internal set-up in the core, predominantly pro-integration, political groups. As we have seen, in the Socialist Group the post that involved engagement with institutional reform issues were held without exception by supporters of some form of EC constitutionalization. The same was true, although politically less important because of the group's overall cohesion, of the EPP. Working Party A was headed by Lambert Croux from the Flemish Christian People's Party. The internal rapporteur for institutional questions was the Frenchman Jean Seitlinger, who had already been heavily involved in Christian democratic transnational party cooperation in the 1950s and had strongly federalist convictions.

---

[248] Ibid.

Lastly, when it came to putting the draft DTEU into its final legal form, Spinelli selected four law professors who once more came from the four largest member states to work with him. He had met Jean-Paul Jacqué from Strasbourg, who was a specialist in EC institutional law, at a conference in Padua in Italy. Jacqué already worked closely with Spinelli on developing the first full draft text (Interview Jacqué). In addition, the Italian Francesco Capotorti, a well-known professor of human rights, the German Meinhard Hilf from the University of Bielefeld, who had worked for the Legal Service of the Council in the 1970s, and Francis Jacobs, who directed the Centre for European Law at King's College, London, were part of the team. Before their appointment informal links already existed between these professors and some secretariat officials. Thus, Nickel knew both Jacqué and Hilf from his research work at the European University Institute in Florence during 1976-8 (Interview Nickel). As Jacqué recalls, both Hilf and Jacobs took a back seat, leaving most of the fine-tuning of the DTEU text to him and Capotorti assisted by Giraud from the secretariat. At this stage of the process, the precise legal phrasing could still make a major difference, a fact which MEPs without a strong legal background were often oblivious to. Jacqué recalls, for example, discussing the best definition of the subsidiarity principle with Spinelli at length (Interview Jacqué), which was to have a lasting impact when it became comprehensively enshrined in the 1992 Maastricht Treaty.

Creating this institutional trajectory towards the DTEU, Spinelli's work was greatly facilitated by key personal qualities that he possessed. The first was his ability, which he had already proven in the federalist movement, of motivating people to work hard towards a political goal that lay, to say the least, in the distant future at a time when it seemed unlikely that the Danish government for once would be able or willing to agree to changing a single phrase in the existing treaty framework. Although his position and the institutional environment differed greatly, his preferred informal and non-hierarchical working method, which focused on bringing together individual people, resembles very much that of Jean Monnet in the High Authority.[249] It helped break down all sorts of barriers created by bureaucratic rules and practices. They included hierarchical barriers between what Martin Westlake has called 'exceptional' MEPs,[250] who had strong influence in their groups and in the EP, and young officials in the secretariat, for example, whom Spinelli sometimes invited to his private flat to draft the working documents and the DTEU (Interviews Corbett and Nickel). Through role play officials from the secretariat actually convinced him together with Jacqué to change his original idea for the DTEU legislative process, which they believed would end in numerous blockages between the EP and the Council (Interview Nickel).

There were horizontal barriers in the EP between the political groups as a result of ideological cleavages and their competition for posts and political outcomes too. Spinelli claimed that he was not a party politician and was able to work successfully with individuals from across the political spectrum. This was not always easy, and Spinelli sometimes 'broke pencils, but he always controlled his feelings' (Interview Nickel) to build bridges across the groups including to the centre-right in the EP. His clean break with orthodox communism in the 1930s and his work in constructing and working for the cross-party European Movement gave him additional legitimacy, despite his election on the Italian Communist Party list which would otherwise have created huge problems for his DTEU work. His identity as an exceptional actor in the EP also predestined him to help socialize new MEPs into particular ways of thinking about Europe, which was the reason, for example, why the reformist Belgian MEP François Roelants du Vivier was keen to invite him to the Rainbow Group

[249] Dusan Sidjanski (1987) Du projet de traité d'union du Parlement européen à l'Acte unique européen, *Journal of European Integration,* 10 (2-3), 109-134, here 110. On Monnet see e.g. François Duchêne (1994) *Jean Monnet. The first statesman of interdependence*, New York: Norton.

[250] Westlake, *Britain's emerging Euro-Elite?*, 264.

to overcome the prevailing traditional extreme left conceptions of the EC there, especially among the German Greens.[251]

Spinelli not only translated in the EP between MEPs and officials and between left and right, but also across political and cultural divides within the EC at large. He mainly did this through direct personal contact with and appeals to leading politicians like Mitterrand, for example, or Brandt, who was instrumental in motivating many social democrats to join his initiative in 1981. He got access to these politicians not because of any formal status, as his coordinating rapporteur position in the EP's Institutional Affairs Committee counted for very little in the national capitals. Rather, his identity as an exceptional MEP with 'transactional' capacities made him an interesting and useful interlocutor who could assist Mitterrand, for example, in shifting the debate about Europe in the French Socialist Party, sidelining the more Gaullist thinking in the French foreign ministry, and using the threat of EP majority support for the much more far-reaching DTEU as a means to extract substantial reforms in the IGC about the SEA from the most reluctant member states.

In this sense, then, Spinelli's entrepreneurial leadership in the EP and through the work of the Institutional Affairs Committee was not either 'transactional' or 'transformational', as studies of the role of Commission presidents in EU politics and policy-making have suggested. Due to his very limited formal powers as an individual MEP, it absolutely had to be transactional in nature, but always with the clear objective of being transformational in terms of its long-term impact on European integration and the aim of creating a federal EU – even if this did not come about as a direct result of the DTEU.

---

[251] François Roelants du Vivier an den Vorstand des GRAEL, Strasbourg, 18 April 1985, AGG, B.IV.2, 222.

4. External dynamics: The European Parliament as a networking institution

Chapter 1: What kind of relationship? Working with national parties and parliaments

As we have seen, getting the EP majority to work towards EC constitutionalization in close cross-party cooperation was a major challenge already. Alongside these internal dynamics, however, the EP had to consider and influence external dynamics in its quest for European union. More recently, the deparliamentarization of politics and policy-making in democratic states has been lamented as a phenomenon that affects parliaments at all levels of what has become known as the EU's 'multilevel governance'.[252] In these circumstances, some have argued that 'the EP and national parliaments play distinct roles within the EU, yet both contribute to enhancing the democratic legitimacy of the Union'.[253] Recognizing this notion, the EP has developed a language of cooperation with national parliaments. In 2007, for example, EP President Hans-Gert Pöttering claimed that 'the European Parliament and national parliaments are partners. Our work is complementary. Together we have the task of creating a democratic Europe.'[254] In fact, their cooperation is now much more institutionalized, most notably in the Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union (COSAC) as a platform for cooperation with the EP, which held its first meeting in November 1989, and the more recent meetings of specialized parliamentary committees.

After the EP's first direct elections, national level political parties and parliaments seemed natural partners for the MEPs active in the institutional reform debate. As it turned out, however, they were faced with strong tension between their ideological predisposition and priorities and actual functional dependencies which complicated this cooperation significantly. To begin with, as we have already seen, the EP majority believed that consensus-oriented intergovernmental cooperation and opaque decision-making in the European Council and the Council of Ministers was strengthening national executives at the expense of national parliaments; that this problem would be further aggravated by the EC's expansion into new policy domains; and that national parliaments as a result would be less able in the future to provide the EC with indirect legitimacy via effectively controlled governments. The EP majority had a simple answer for addressing this growing democratic deficit: to compensate for the loss of powers by national parliaments by empowering the EP. Thus, the EPP agreed at a meeting about institutional reform with members of its national parliamentary parties in Luxembourg on 30 June 1982 that the EC's lack of 'democratic legitimacy' could only be addressed by strengthening the EP 'not for its own sake, but because the EP is the only democratically legitimized body that is capable of taking majority decisions'.[255]

It was by no means clear however that this was the only possible or most appropriate answer to the challenge of the democratic deficit.[256] Indeed, self-empowerment by national parliaments to control

---

[252] Cf. Berthold Rittberger (2005) *Building Europe's Parliament. Democratic Representation Beyond the Nation State*, Oxford: Oxford University Press, 198-99. For the concept of multi-level governance see e.g. Liesbet Hooghe and Gary Marks (2001) *Multi-level governance and European integration*, Lanham: Rowman & Littlefield.

[253] David Judge and David Earnshaw (2008) *The European Parliament,* 2nd edition, Basingstoke: Palgrave Macmillan, 274.

[254] Cited in ibid., 274.

[255] Cf. Friedrich Fugmann, Die Debatte über die institutionelle Frage, 13 July 1982, ACDP, 09-001-082/2.

[256] See G. Scoffoni (1992) Les relations entre le Parlement européen et les parlements nationaux et le renforcement de la légitimité démocratique de la Communauté, *Cahier de droit européen*, 28 (1-2), 22-41.

executive decision-making in the EC could be another strategy which could reinforce the strengthening of the EP or conceivably make it superfluous. Thus, at a meeting of presidents of the national parliaments of the EC in Luxembourg in July 1981, the Speaker of the Danish Folketing, the Social Democrat Knud Børge Andersen, reminded his colleagues of the need to improve national parliamentary control mechanisms.[257] He also recommended following the example of Denmark, which had devised an effective proactive system of parliamentary scrutiny in conjunction with EC accession in 1973 – a system that has been copied and adjusted to national circumstances in many other EU countries since then, including Sweden and Estonia, for example. In the early 1980s, parliamentary scrutiny of EC policy-making by national governments was almost non-existent in Mediterranean member states. In the United Kingdom it was effectively located in the unelected House of Lords, which held great expertise in EC matters, whereas the House of Commons was generally clueless about the legal and institutional structures and policy-making in 'Brussels'. In fact, concerns about the inefficiency of national parliamentary scrutiny has led to a tightening of these mechanisms and to the inclusion of the early warning system about legal transgressions and disregard for the subsidiarity principle in the Lisbon Treaty, while the more far-reaching proposal for an EU level chamber of national parliamentarians, which has sometimes also been propagated, has not been included in treaty changes since the SEA.

The tension between the EP majority's reform vision and the realities of national politics also extended to the role of EC level party federations in bridging the divide between the EC and national political parties and between the EP and national parliaments. In fact, EC level party cooperation did have important informal functions and impact, for example, creating trust in transnational relations, fostering networking across borders, and supporting intergovernmental cooperation.[258] The party federations also facilitated deliberation beyond the member states about the future of European integration and the EC. Thus, the EPP and the Liberals had already clarified their attitude to EC constitutionalization in their programmes for the 1979 elections, which made it easier for them to connect to Spinelli's DTEU agenda. The vast majority of German candidates for the first direct EP elections at least professed when pressed that they would support the European party federation in any conflict with their own national party.[259]

In practice, however, the party federations seemed a bit like sandpits for Euro-enthusiasts, who were allowed to build their own federalist dream castles. These 'European specialists' were neither representative of, nor always very influential in, their national parties. One study found them to play 'little part in the formulation of policy' at national level.[260] Moreover, they were frequently ignored by ministers from the same party when in government. Thus, Lothar Mahling, press spokesperson for the Liberal Group in the EP from 1979 to 1985, remembers vividly that Genscher never contributed much to or, as foreign minister between 1974 and 1992, cared about the European Liberals' programmatic commitments, in particular when developing his own 1981 reform initiative, which was extremely moderate and heavily intergovernmental (Interview Mahling). Similarly, Ulrich Irmer and Mechthild von Alemann, two German MEPs from Genscher's liberal Free Democrats

---

[257] Marc Dandelot, Projet de compte rendu de la Conférence des Présidents des Parlements des Etats Membres de la Communauté et du Parlement Européen, Luxembourg, 3-4 July 1981, HAEP, PE1 P1 230/PARL PARL-19810704 0060.

[258] See e.g. Kaiser, *Christian Democracy*; for the socialists Salm, *Transnational Socialist Networks*; and in relation to the EC's southern enlargement Wolfram Kaiser and Christian Salm (2009) Transition und Europäisierung in Spanien und Portugal. Sozial- und christdemokratische Netzwerke im Übergang von der Diktatur zur parlamentarischen Demokratie, *Archiv für Sozialgeschichte*, 49, 259-282.

[259] Karlheinz Reif, Hermann Schmitt and Klaus Schubert (1979) Wer sind und was wollen die Deutschen im Europäischen Parlament? *Zeitschrift für Parlamentsfragen,* 10 (3), 332-354, here 349.

[260] Karlheinz Reif and Oskar Niedermayer (1987) The European parliament and the political parties, *Journal of European Integration,* 10 (2-3), 157-172, here 163-164.

during 1979-84, recall not being taken very seriously by Genscher or liberal MPs in the Bundestag (Interviews von Alemann, Irmer). As von Alemann put it: 'We were kind of deported to Brussels and Strasbourg, as the Europeans'. According to her, even Bangemann, who had been FDP secretary general during 1974-5 and regional party leader in Baden-Württemberg during 1974-8, 'had little influence in the national party on European matters' (Interview von Alemann).

The discrepancy between the MEPs' European vocation and the realities of their social and political life and the importance of their political ideas in the national realm constituted a third source of tension in the EP's multilevel connections. MEPs cared about institutional reform and worked hard to empower the EP. Most of them did this not for lack of having anything better to do but because the EP majority's demands for institutional reform grew out of their strongly held ideological convictions. Their social and political practices to a large extent remained informed by the centrality of the member states and national networks, however. Thus, in his contemporary study of the EP, Rinus van Schendelen found that most MEPs' primary contacts and networks were still predominantly national, and that more often than not they actually acted as 'national spokespersons' within their groups and in the EP, even when they held strongly pro-integration political views.[261]

Moreover, their belief in the political importance of the EC and, more specifically, its institutional reform was not widely shared at national level. Studies conducted at the time showed that the national level parties were preoccupied with national and local political issues, and regional politics in federated or decentralized member states, and that European issues came 'in last place with all the parties' even in the case of Germany with its allegedly strongly pro-European allegiance in the wake of the experience of Nazi Germany and the post-war division and Cold War.[262] A wider poll conducted in 1981 similarly showed that three quarters of MEPs from across the EC expected that 'national party interests' would continue to dominate in EC politics –[263] even in cases where the same MEPs professed to prefer their European federation over their national party in the case of a conflict.

These tensions between the EC and national levels of political parties and parliaments limited the scope and effectiveness of the actual cooperation during the first two terms of the directly elected EP. Institutional contacts between the EP and national parliaments were first forged in 1963 when EP President Gaetano Martino hosted a first joint conference, a tradition that was relaunched in 1975. At the time the EP and national parliaments were still closely connected by the dual mandate. Its demise after 1979 led to the 1981 conference that subsequently turned into a biannual event during the 1980s.[264]

Developing further formalized institutional contacts proved to be difficult, however. Most importantly, the committee structures differed enormously across the EC and between the national and the EC level. To begin with, some national parliaments had separate EC affairs committees. In other member states the foreign affairs committee also dealt with EC matters. In the British case, EC competence was largely limited to the unelected House of Lords, which caused legitimacy problems for the EP and member states without such an ancient, undemocratic institution. During the 1980s national parliamentary structures also began to change, such as when the German Bundestag finally created a European Commission in 1983, thus beginning to recognize that EC politics was slowly transforming from a foreign to a domestic policy concern.

---

[261] See Van Schendelen, *Het Europese Parlement*.

[262] See Reif and Niedermayer, The European parliament.

[263] See Georg Kofler (1983) *Das Europäische Parlament und die öffentliche Meinung*, Vienna – Cologne – Graz: Böhlau, 150ff.

[264] Westlake, *A Modern Guide*, 60.

Moreover, regarding institutional reform, the EP's Institutional Affairs Committee with its exclusive focus on EC reform, had no equivalence in the member states and the structures for committees with a particular policy focus also differed widely. Representing the House of Lords, Lady White argued as a result at the 1981 conference, that 'pragmatic solutions' would have to be found for any cooperation among parliamentary committees.[265] In fact, during the 1980s, such cooperation was largely limited to the unsystematic exchange of information and documents about parliamentary proceedings between the EP and member state parliaments.

Even at the level of party groups, or parliamentary parties, the cooperation rules and practices differed widely across political parties and member states. In the well-researched case of the German CDU/CSU, cooperation between its MEPs and MPs was already systematically enhanced despite the dual mandate in March 1970. At this time the CDU/CSU parliamentary party in the Bundestag created the *Koordinierungsausschuß Europapolitik*, or Coordination Committee for EC Politics which included twelve MPs, one from each Working Party with responsibility for a policy field, including Walter Hallstein, the former Commission president, and two deputies each from the EP and the parliamentary assemblies of the Council of Europe and the Western European Union. From 1979 onwards, MEPs holding positions in the EP presidency or the EPP Group had a right to participate in meetings of the Board of the parliamentary party in the Bundestag and ordinary MEPs could take part in Working Party meetings as guests. Furthermore, individual MPs and MEPs were appointed for liaising between the EPP Group and the CDU/CSU parliamentary party. In June 1982 Klepsch concluded that 'this institutional cooperation between the EPP Group and the CDU/CSU parliamentary party has proven itself'.[266] In other member states, however, no such cooperation existed at all. In Italy and Ireland, for example, MEPs could not even participate in the national parliamentary party meetings as guests.

EP presidents, political groups and individual MEPs sought to use all formal and informal channels between the EC and the national level regardless of their limited nature for influencing national parties and parliaments to strengthen their European orientation. They were keen to impress on their counterparts the rapidly growing importance of the EC in times of socio-economic change under conditions of globalization and the increasing need to use the EC as the only suitable governance level for addressing many pressing challenges jointly. This quest for the Europeanisation of Western European politics was especially pronounced in the case of parties that were internally split and of member states that were more or less Eurosceptic.

The interaction between EP actors and the British and French socialist parties is a case in point. The British adventure of socialism in one country took place in opposition only, under the leadership of Michael Foot and Tony Benn after 1979, when together with radicalized trade unions they pushed the Labour Party to advocate what has become known as Brexit since then. This in turn led to the party's split, the creation of the Social Democratic Party and its alliance with the Liberals, and the catastrophic election defeat in 1983, followed by the election of Neil Kinnock to the party leadership. Social democrats in the EP and beyond sought to capitalize on this development by encouraging the Labour Party's return to the fold of moderate centre-left social democracy and its complete conversion (for the first time) to EC membership (Interview Corbett). In fact, Kinnock made a major political point by accepting an invitation to the EP just over two weeks before the leadership vote which he looked certain to win at this stage. In September 1983 he spoke at a meeting of the Socialist Group in Strasbourg. Kinnock, who already knew Dankert well (Interview Toornstra), admitted that 'a great deal of serious re-thinking' was required. He also moderated Labour's position for the first

---

[265] Marc Dandelot, *Projet de compte rendu de la Conférence des Présidents des Parlements des Etat Membres de la Communauté et du Parlement Européen*, Luxembourg, 3-4 July 1981, HAEP, PE1 P1 230/PARL PARL-19810704 0060.

[266] Westerhoff, *Die parlamentarische Zusammenarbeit*, 372-382.

time by advocating that EC 'withdrawal should be regarded as the last resort' approaching the next national elections which would have to take place in 1988 at the latest.[267]

At the same time, pro-integration French socialist MEPs worked closely with Delors to strengthen the European reorientation of their national party after its own socialism in one country experiment in government during 1981-83. In contrast to the Labour Party it had a long legacy of advocating European integration in the late 1920s and again after 1945 on which this reorientation could build.[268] At the end of May 1985, François Lamoureux from the Commission President's cabinet of personal advisers, reported to Delors about a meeting of several socialist MEPs and their assistants in Paris, without the presence of any socialist ministers, where the European programme of the Parti Socialiste (PS) had been redrafted. The new version was coordinated and supported by Lionel Jospin, party leader since Mitterrand's election to the presidency in 1981 and an MEP from 1984 to 1989. It did away with the PS's hostility to the EU project, was critical of the abuse of the notion of a national veto, and demanded institutional reform through the extension of the scope of the Rome Treaties. Included in the new set of PS demands was a much stronger role of the EP in the EC – all of which greatly facilitated French support for institutional reform in the IGC leading up to the SEA and the discussion in outlines of the possibility of EP co-decision at a later stage.[269]

MEPs also used their connections across the EC and national political parties and parliaments to create a larger advocacy alliance for the EC constitutionalization and the DTEU. Pflimlin did so through his contacts as EP president in conjunction with his participation in the conference of the presidents of EC parliaments in Paris which he attended on the invitation of the presidents of the Assemblé Nationale, Louis Mermaz, and the Senate, Alain Poher.[270] In addition, however, the EP organized missions to all member state capitals to propagate the adoption of the DTEU. The EP delegation went to Rome in January 1985 and to Paris in February 1985, for example.[271] These missions helped the EP to motivate national parliamentary committees and parliaments to pass supportive motions for the DTEU. The European Commission of the German Bundestag prepared its motion with a detailed position paper on the DTEU, for example, which was in part based on a public hearing, including experts from academia who agreed on the need to 'overcome the stagnation in EC decision-making'. This position paper also demonstrated, however, that national parliaments had specific agendas for the EC too. They included, in the German case, the insistence on a clearer definition of the subsidiarity principle to protect the powers of the regions and to avoid over-centralization at the EC level, or the conclusion that the time was not yet ripe for monetary union, and that when it was, it could only possibly be tolerated if a European Central Bank were to be as independent of political guidance as the German Bundesbank.[272]

The EP missions to propagate the DTEU marked only the culmination point of lobbying by Spinelli and the Institutional Affairs Committee for EC constitutionalization. They had already sought to

---

[267] Neil Kinnock MP speaking to the Socialist Group at the European Assembly in response to an invitation from the Group at 8.30am on Thursday September 15th 1983 at the European Parliament building in Strasbourg, HAEU, GSPE-73.

[268] On the Parti Socialiste see in long-term perspective Craig Parsons (2006) *A Certain Idea of Europe*, Ithaca/NC: Cornell University Press.

[269] Lamoureux to Delors, Commission des Communautés Européennes, Cabinet du Président, Note pour le dossier, Objet: Projet de declaration du P.S. sur l'Union Européenne, Réunion à Paris du 24 mai, 28 May 1985, ECHA, BAC 408/1991/306.

[270] Pflimlin to Mermaz, 12 December 1984, HAEP, PE2 P1 231/PAEM-1984-130 0030.

[271] Pfimlin to Iotti, 3 January 1985, HAEP, PE2 P1 231/PAEM PAEM-1984-260 0050; Pflimlin to Mermaz, 15 February 1985, HAEP, PE2 P1 231/PAEM-1984-130 0020.

[272] Empfehlung der Europa-Kommission für eine Stellungnahme des Bundestages zum Vertragsentwurf des Europäischen Parlaments zur Gründung der Europäischen Union, Drucksache 10/1423 (no date), HAEP, PE2 P1 231/PAEM PAEM-1984-450 0020.

motivate national parliaments to endorse the process at intermediate steps, thus building support and creating institutional goodwill in parliamentary committees. As a result, Renate Hellwig, chair of the European Commission of the Bundestag, explained in a letter to the newly-elected EP President Pflimlin in July 1984 that she saw its role 'especially in supporting the EP's effort to realize its justified demands for an extension of its powers'.[273] The EP's lobbying thus created a degree of inter-parliamentary solidarity, especially in the national parliaments of the founding member states, and a long-term trajectory which led the Italian and Belgian parliaments to threaten in the early 1990s that they would not ratify the Maastricht Treaty if the EP rejected it. Nevertheless, this solidarity was also fragile and could be overridden by electoral considerations, varying preferences of own national governments in IGCs, and the need to strike compromises with Eurosceptic governments in IGCs and in day-to-day policy-making at the EC level.

Nor was communication between the EP and its political groups and national parliaments and parliamentary parties a one-way affair. When voters ejected the German liberal FDP from the EP in 1984, for example, the national parliamentary party worked hard to maintain links with the Liberal Group directly and via the ELD party organization. At the start of October 1984, the FDP parliamentary party and the Liberal Group agreed how to continue the connection at the level of organization and personnel during a joint study day devoted to environmental policy issues.[274] While the EP and its political groups had an interest in socializing national parties and parliaments into their drive for Europeanization and supporting the DTEU, they also needed such support from the national governance level to stabilize their internal cohesion, maintain networks, and facilitate their policy-making in EC multilevel governance.

At times, moreover, sections of the EP could actually be socialized into European beliefs and practices by national actors rather than the other way round. This was definitely the case for the German Greens within the Rainbow Group. Its Dutch and Belgian members continuously criticized what they regarded as the group's gross political incompetence in the first years after 1984. In an evaluation for his Walloon party Ecolo of the advantages and disadvantages of membership in the Green Alliance within the Rainbow Group in July 1985, Roelants du Vivier highlighted that while the Belgians rejected terrorism, the German Greens still refused to distance themselves from left-wing terrorism. They also regarded the EC as a 'military and technological power financed by multinationals' and the EP as a 'joke', which might explain that one could never find more than two of seven German Green MEPs in the EP at any one time. The Greens were fundamentally skeptical about parliamentary democracy and hence did not support the DTEU either.[275] At a Green Alliance study day in September 1985, the Dutch MEP Herman Verbeek described the climate in the group as inimical to any form of cooperation: 'someone comes, someone else goes, a third MEP reads a newspaper, and a fourth is completely unprepared'.[276] In July 1986, finally, the Flemish MEP Paul Staes complained that 'too many members suffer from the syndrome of … political masturbation'. Important themes such as the future of the EC were regularly not even debated, or debated much too late, and the Rainbow Group was ridiculed by others in the EP as a result.[277]

While the German Green Party MEPs may have been slightly embarrassed by this kind of radical criticism of what they called 'fundamentalist opposition' in their political discourse in Germany, their

---

[273] Hellwig to Pflimlin, 25 July 1984, HAEP, PE2 P1 231/PAEM PAEM-1984-450 0030.

[274] Freie demokratische Korrespondenz, tagesdienst, F.D.P.-Fraktion im Deutschen Bundestag, 2 October 1984, HAEU, ADLE 266.

[275] François Roelants du Vivier, Un choix politique pour ecolo: Faire ou non partie de l'Alliance Verte – Alternative au Parlement Européen, July 1985, AGG, B.IV.2 , 222.

[276] Protokoll der GRAEL-Klausurtagung Kortenbergh, 3 September 1985, AGG, B.IV.2 , 222.

[277] Paul Staes, Vorschläge für die Aussprache über die Bestandsaufnahme im GRAEL, 15 July 1986, AGG, B.IV.2, 224.

group actually became more Europeanized through pressure from below, by the national party leadership in search for new post-Marxist ways of thinking about the EC and developing it into an institutional platform for 'progressive' politics. This was already much more in line with the changing European policy preferences of Joschka Fischer, who had become minister for the environment in the first coalition with the Social Democrats in the federal state of Hesse in 1985. At a meeting of the Greens in the Bundestag and the EP in February 1986, the group still criticized the internal market as it 'will … deepen the regional divide in the EC'. The group also agreed however that it was necessary to check every policy area for potential for international coordination in the EC to foster 'the ecological and social objectives of a Green economic policy', something that they considered was definitely the case for the protection of the environment, which could not be done at the national level.[278]

Hence, relations between the EP and its political groups and national parliaments and political parties could be mutually beneficial. Nevertheless, the EP during the first years after 1979 focused most of the time on its internal politics and its inter-institutional relations with the Commission and the Council, which the day-to-day business of budget negotiations and legislative consultation seemed to demand. The institutionalization of cooperation between the parliaments at EC and national level only took off at the start of the Maastricht Treaty process (Interview Shackleton). At this time, transnational party cooperation also became more intensive, not least to influence the outcome of another IGC which had bigger fish to fry, including the introduction of co-decision for the EP.

---

[278] Ergebnisprotokoll der EG-Diskussion vom 18.2.1986 unter Mitgliedern des AFI, AKI und der Europagrünen, AGG, B.IV.2, 223.

Chapter 2: 'Pretext for doing nothing'? Cooperating and competing with the Commission

The EP's relationship with the Commission was characterized for a long time by routine political language of a shared vision for European integration and common interests in EC politics. Between 1958 and 1967 Hallstein had a genuinely federalist ambition for close cooperation with the EP as the main source of legitimacy for the Commission as a government in the making. While moderating the institution's political ambitions following the 1966 Luxembourg Compromise, his successors nevertheless used their speeches in the EP to reiterate their commitment to the EC's institutional reform and the strengthening of EP powers. In 1981, Thorn injected a little emotional appeal into his first speech when he reminisced about his ten years in the EP as an MEP finding it 'difficult to hide what I feel as I stand in this chamber today'.[279] Four years later Delors similarly went out of his way to praise the EP 'who keep the European flame alive'. He also promised to give 'serious consideration to your resolutions, opinions and pronouncements' and to 'make the essential leap forward which will widen our horizons and reinforce our action'.[280]

Beyond the Commission's habitual rhetorical bows to the MEPs, the EP's contacts with the Commission took place at the level of the presidency, the political groups, and the committees, depending on the issue at stake. The groups usually had closer contact with the commissioners from their political party. In the case of the EPP, for example, they had a formal role in the federation's organizational structure to facilitate contact between EPP members in all three institutions. The Commission in turn had named a commissioner with special additional responsibility for contacts with the EP since 1973. They were Andriessen in the Thorn Commission and Grigoris Varfis in the Delors I Commission.[281] Below this level, a group of Commission officials regularly followed the EP plenaries and activities of its committees. 'Work of the EP' featured as a point on the agenda of every weekly Commission meeting. Most of the time, however, the officials' report was merely noted without any discussion.

Relations between the EP and the Commission were actually quite strained and competitive at times, both regarding their visions for the EC's future and their institutional roles and cultures. The EP majority had a broadly federalist view of the EC's future which was embodied in the DTEU. Most importantly, this comprised its own normalization as a parliament with full legislative as well as budgetary powers. Such a parliament would evidently also have the power to initiate legislation, which any parliament in a democratic state had. The EP understood that this formal power was increasingly being undermined in Western Europe in practice by the de facto policy leadership by governments which could draw on far greater resources, including expertise – a trend that the national parliaments and the EP recognized was actually accelerated by intergovernmental decision-making in the European Council and the Council of Ministers. The EP majority's federalist vision also required that it gave serious thought to the division of powers across different levels of government and how to delineate them constitutionally – as a matter of constitutional principle rather than convenience depending on what the institutions would quite like to do politically at the European, national or regional level.

---

[279] Speech by Gaston Thorn to the European Parliament, 12 January 1981, ECHA, Archive of speeches.

[280] Speech by Jacques Delors to the European Parliament, 14 January 1985, ECHA, Archive of speeches.

[281] See also N. Piers Ludlow (2014) Relations with the European Parliament, in: *The European Commission 1973-1986. History and Memories of an Institution*, Luxembourg: European Commission, 231-241, here 236-7.

Pierre Pflimlin, President of the European Parliament, being interviewed at the Milan summit in 1985 where he lobbied the European Community heads of government and state to adopt key elements of the Draft Treaty on European Union for institutional reform.

In contrast, Hallstein's federalist political objectives and language only disguised the Commission's dominant functionalist vision of the EC's future in the most superficial way. The functionalist approach was steeped in traditions of what Wolfram Kaiser and Johan Schot have termed 'technocratic internationalism', which was pervasive in international organizations since the mid-nineteenth century. This form of internationalism was in essence based on the notion that experts with relevant knowledge were best placed to deliberate transnational policy issues and find common technical solutions to them without the interference of elected parliaments and governments, let alone diplomats in foreign ministries who perpetuated national rivalries.[282] Although he was a generalist himself, Monnet's thinking was closely connected to this tradition. His original plan for the ECSC did not even envisage a parliament. It built instead on the notion of a High Authority run by independent individuals who would be able to take binding decisions.[283]

In the 1980s, Delors' thinking on the reform of the EC was similarly functionalist, which created friction not just with Spinelli. He prioritized the internal market and technology cooperation over EC constitutionalization. Different commissioners held different views. At the informal meeting of the Commission at the end of May 1985 to prepare the Milan summit, Henning Christophersen, formerly the leader of the right-liberal Danish Venstre Party, warned that the Commission and the member states should avoid a 'confrontation with the EP'. The Italian Carlo Ripa di Meana, who had served as a socialist MEP during 1979-84, noted the widespread reticence in several member states regarding the DTEU, but pleaded not to give up institutional reform altogether. Peter Sutherland in turn, who had been nominated by the Irish Fine Gael government, drew attention to changing attitudes in some member states to institutional reform and a growing recognition that it was increasingly inevitable.

---

[282] Wolfram Kaiser and Johan Schot (2014) *Writing the Rules for Europe. Experts, Cartels, and International Organizations*, Basingstoke: Palgrave.

[283] For these long-term continuities see also Wolfram Kaiser (2018), Transnational Practices Governing European Integration: Executive Autonomy and Neo-Corporatist Concertation in the Steel Sector, *Contemporary European History*, 27 (2), 239-257.

At the same time, other commissioners strongly supported the agenda of economic integration over institutional reform. Thus, Karl-Heinz Narjes from the German CDU demanded that the Commission should not make the completion of the internal market in any way dependent on institutional projects. Similarly, Lord Cockfield, a British Conservative, made it crystal clear that in his view achieving agreement on his own internal market project would 'mark a great success'. In the eyes of citizens this would be far more important than institutional questions, especially as the 'chances of an institutional agreement are limited' anyway.[284] Delors himself was cautious regarding institutional reform, too, as had already become clear in his first speech in the EP five months earlier. At the time he argued that, while everyone agreed that institutional reform was inevitable in some form or other, views about the best cure for Eurosclerosis varied widely. As a result, 'I fear that institutional issues could lead to the adoption of diametrically opposed positions which each side could invoke as a pretext for doing nothing'. Delors added that he wanted to work with the EP and that he was in favour of the EU agenda, but then added provocatively whether this was a 'sufficient reason to postpone work on schemes for achieving economic and social progress?'[285]

It was not just the institutional visions that varied between the EP and the Commission, but also their respective institutional identity, culture, and practices. The EP, in the words of a group of British Conservative MEPs, still had not made up its mind completely whether it wanted to be a parliament or a 'pressure-group … a sort of standing conference on European integration'. As a pressure group for European integration, the EP would be tempted to work with the Commission against the member states. If it accepted a more politicized role, however, it would see the Commission more as a bureaucracy 'which it is the Parliament's duty to harry'.[286] The EP majority on the whole saw no contradiction between the two identities and strategies, however. In Spinelli's view, the EP first had to acquire greater powers within a more or less federal polity before it could act as a normal parliament. Until then it had to hope for Commission support for its institutional demands, which was sometimes quite lacklustre, as we have seen above, and pressurize national governments to get them to cede such powers to the EP through the DTEU or the more traditional treaty reform via an IGC.

In its quest for EC constitutionalization and greater powers for itself the EP enjoyed a degree of electoral legitimacy. Voter participation in European elections was not stunning but much higher in 1979 and 1984 than it is nowadays. The EP certainly believed that it had a mandate for demanding institutional reform, although the 1984 elections were hardly a plebiscite for the DTEU as Spinelli had hoped. The Commission did not have such a source of legitimacy, however, as Claus-Dieter Ehlermann, who directed its Legal Service from 1977 to 1987, pointed out at the time. The Commission's prestige, Ehlermann argued, rested entirely on 'its success' which was measured in terms of the legislative output and its contribution to solving transnational issues in the EC. [287] As a result, the Commission's identity was shaped by a strong focus on 'output', not process. Hence, it was latently disinterested in how decisions were made, as long as they were made and implemented Commission proposals that in turn would be recognized by citizens, but minimally by national governments, as 'in the interest of all' as Monnet used to put it.

---

[284] Réunion informelle de la Commission, Villers-le-Temple (31 mai – 1 juin 1985), Débat institutionnel (préparation du Conseil européen), Bruxelles, 14 June 1985, ECHA, BAC 408/1991/306.

[285] Extracts of the Statements made by President Delors to the European Parliament (14 and 16 January 1985) concerning the institutional problems and the European Union, Group European Union UE(85)16(EN), Brussels, February 11, 1985, ECHA, BAC 408/1991/43.

[286] The European Parliament. Problems, Powers, Opportunities. A Conservative View, by Diana Elles MEP, Derek Prag MEP, Christopher Prout MEP, Alan Tyrrell QC, MEP, Michael Welsh MEP, EDG, Brussels 1984, CPA, CCO 508/9/22.

[287] Ehlermann, Das Parlament, 186.

From this fundamentally functionalist perspective, the EP at times seemed to some commissioners like a talking shop which distracted the Commission from getting on with the job. Indeed, commissioners often regarded the travel to the plenary sessions in Strasbourg as an 'unwelcome additional duty in the already busy timetables'.[288] They largely focused on helping national governments strike suitable compromises that did not dilute their original proposal too much. This role as a facilitator of intergovernmental relations, which had increased with the growing blockage in the European Council and the Council of Ministers, also seemed to make it impossible to take sides in a more radical form in the institutional reform debate to avoid antagonizing more Eurosceptic governments which could have negative repercussions for the Commission's ability to get its texts adopted by them.

In April 1983 the Commission held a first informal meeting with MEPs from the Institutional Affairs Committee who were in the process of drawing up their working documents and trying to integrate them into one more coherent text. At this meeting the Commission expressed its general support for the EP initiative. Commissioners were encouraged to enquire about specific points to get clarification on the scope of the changes likely to be proposed by the Institutional Affairs Committee. They included in particular the division of competences between the EC and national levels, the definition and anticipated impact of the principle of subsidiarity, and the Commission's competences in the future institutional system.[289]

Responding to a more formal request by Ferri, chair of the Institutional Affairs Committee, on 8 June 1983 to set out its view on the first integrated version of the DTEU, the Commission once more highlighted the large degree of convergence with its own proposals from the 1970s. Replying for the Commission, the British Commissioner Christopher Tugendhat expressed its 'satisfaction' that the EP shared key principles of the EC's future institutional development including the delineation of competences, the subsidiarity principle, and the objective of economic and monetary union. It was also helpful, Tugendhat argued, that compared to earlier drafts, the Commission's function as initiator of legislation had been strengthened once more.[290] This had been the key point in the debate in the college of Commissioners too. If the Commission no longer had the sole right of initiative under the DTEU, then it would at least have to retain an 'uncontestable preeminence' regarding the initiation of legislation over the Council and the EP. Under no circumstances could the EP submit its own draft laws or the Council might want to do the same.[291]

At the start of September 1983, Thorn's personal advisers prepared a Commission meeting to discuss the Spinelli resolution. They concluded once more that its final shape and content was 'broadly identical' to the Commission's own earlier proposals from the 1970s. As a result, it 'would be difficult for the Commission to distance itself greatly from Spinelli's institutional framework'. Nevertheless, the officials advised that the Commission 'should not … come out with a strong statement on the political significance or timeliness of the initiative … [but] limit itself to comments on aspects of the resolution of special interest to its own work'.[292] The Thorn Commission continued

---

[288] Ludlow, Relations with the European Parliament, 233.

[289] CEE, Secrétariat Général, Procés-verbal de la 688ème reunion de la Commission, 12.4.1983, COM(83) PV688 final, 26 April 1983, ECHA, BAC 259/80/269.

[290] Tugendhat to Ferri, 21 June 1983, ECHA, BAC 391/2003/73.

[291] Sécrétariat général, Communication de M. le Président Thorn et M. Andriessen concernant la proposition de resolution de la commission institutionelle du Parlement européen relative au contenu de l'avant-projet de Traité instaunt l'Union européenne, SP(83)2748/3, 23 July 1983, ECHA, BAC 408/1991/44; Sécrétariat Général, Procès-verbal de la 697ème reunion de la Commission, 15.6.1983, COM(83)PV697 final, 28 June 1983, ECHA, BAC 259/80/272.

[292] Philipp M. Lowe, President's office, to Thorn, Durieux and Schaub, The Spinelli resolution – Points for today's discussions, 6 September 1983, ECHA, BAC 408/1991/44.

to feel constrained by the deep divisions among the national governments over the future of the EC and did not want to risk its working relations with any one of them.

To follow the progress of the Spinelli initiative and the accelerating institutional reform debate more systematically than before the Commission created the *Groupe Union européenne* (also called the Ehlermann Group) in July 1983.[293] Led by the director of the Legal Service it was instructed to analyze the emerging EP proposals. Informally, Ehlermann was in close touch with Spinelli's four lawyers (Interviews Jacqué, Corbett) who helped him draft the final legal version of the DTEU. Jacqué especially remembers long discussions about the definition of the subsidiarity principle. The EP treated subsidiarity as a core principle of any federal polity while the Commission was more concerned that it might inhibit effective EC level political action (Interview Jacqué). At this level, the EP-initiated institutional reform debate deepened existing and created new strong ties among the legal experts of the EC institutions and academic networks in the field of European law. Within these networks, information flows were largely uninhibited by nationality or institutional concerns and preferences.[294]

In this informal way, the DTEU experience also fed into the work that the Ehlermann Group subsequently did to influence the Dooge Committee and the IGC at the end of 1985 – at a time when Delors took charge of the Commission and developed a far more ambitious political approach to EC reform than his predecessor. Thorn had been overshadowed by other commissioners and hardly managed to act as primus inter pares. His Commission had been plagued by socioeconomic problems like the reform of the steel sector and repeated Council blockages. Delors' objectives were not easily compatible with the EP majority's agenda, as we have seen above, and this became crystal clear at a meeting between the Commission President and Pflimlin at the end of May 1985 to prepare the Milan summit, in the presence of Pascal Lamy, Delors' *chef de cabinet*, and Enrico Vinci, the EP's secretary general. At this meeting Delors was pessimistic regarding the prospects of the summit. Craxi and Andreotti were not optimistic about the possibility of calling an IGC, and even Mitterrand and Kohl seemed to be wavering in their support for EC reform via this route. In these circumstances, it was helpful, Delors added, that Pflimlin, in reply to a formal invitation from Andreotti by letter, had once more set out the EP's reform demands to put political pressure on the governments.[295]

Delors once more set out his understanding of the different institutional identities and cultures of the Commission and the EP. In his view the EP was free to make maximalist demands for reform and to aim at creating a long-term trajectory for EC constitutionalization. It could draw on its electoral legitimacy and opinion polls that repeatedly showed broad support for such reform among EC citizens. 'You have the power to threaten', Delors added, 'while I have to convince'. The Commission could not risk its institutional prestige by antagonizing national governments with which it had to work in day-to-day politics. It would be difficult to get every government on board for achieving EC

---

[293] Note pour le Groupe de M. Ehlermann – Réunion du 12 juillet 1983, JUR(83)D/03385-AMC/fg, 8 July 1983, ECHA, BAC 391/2003/73.

[294] Morten Rasmussen (2013) Establishing a Constitutional Practice: The Role of the European Law Associations, in: Wolfram Kaiser and Jan-Henrik Meyer (eds) *Societal Actors in European Integration. Polity-Building and Policy-Making 1958-1992*, Basingstoke: Palgrave Macmillan, 106-128; from a more historical sociological perspective Antoine Vauchez (2015) *Brokering Europe. Euro-Lawyers and the Making of a Transnational Polity*, Cambridge: Cambridge University Press; Antoine Vauchez (2010), The Making of the European Union's Constitutional Foundations: The Brokering Role of Legal Entrepreneurs and Networks, in: Wolfram Kaiser, Brigitte Leucht and Michael Gehler (eds) *Transnational Networks in Regional Integration. Governing Europe 1945-83*, Basingstoke: Palgrave, 108-128.

[295] Entretien de Monsieur le Président Pflimlin avec le Président de la Commission des Communautés européennes, Monsieur Delors, le 29 mai 1985, au siége de la Commission des Communautés, HAEP, PE2 P1 221/RICS 0CON-1984-020 0230.

reform. These difficulties, Delors explained, formed the background to his strategy of linking policy integration to institutional reform. 'I wish to demonstrate', he said to Pflimlin, 'that decisive progress concerning the internal market and technology cooperation requires institutional changes'. From his perspective, linking the two constituted not 'a tactical, but a pedagogical tool'.[296]

In his meeting with Pflimlin, Delors emphasized that the forthcoming Commission proposals for the internal market and technology cooperation were not intended as an alternative to the EU agenda but as a step in this direction. While Delors' declared intentions were later to be corroborated by his actions before and during the Maastricht Treaty negotiations, Pflimlin remained highly skeptical. He insisted that the EP had backed the objective of European union several times and that the Commission had also supported this agenda in its declarations in the EP. Pflimlin saw no contradiction between major institutional reform and new policy initiatives like the completion of the internal market.[297] He was clearly suspicious that Delors was so keen on achieving progress on policy integration that he might be tempted to give up on institutional reform altogether in a forthcoming IGC. Even if this was not the Commission's position, Pflimlin nevertheless asked Delors whether there was not a danger that he gave the heads of government an excuse with the internal market proposals to ditch institutional reform.[298]

The tensions between the two institutions before and after the Milan summit were so palpable that only three days after the meeting between Delors and Pflimlin, the Commission internally drafted a list of 'concessions' that it had made to the EP over the years. The list included the presentation of its working programme to the EP each February, the presentation of policy initiatives to the EP, the transparent evaluation and assessment of each EP amendment to a draft text, and the establishment of direct contacts between the EP committees and the Commission's directorate-generals.[299] The Commission put the term 'concessions' in inverted commas, but listing them as such nevertheless indicates the extent to which it often continued to treat the EP as a nuisance which complicated executive policy concertation between itself and the national governments in the Council of Ministers.

MEPs, if they had been given the document, would have protested that the 'concessions' merely represented the minimum that a directly elected parliament could expect from the Commission as a politicized bureaucracy and that the status quo of inter-institutional cooperation was still a far cry from the working conditions of a normalized parliament at the European level. Ultimately, these differences in institutional identity, culture and practices also induced the EP, once it had been given greater legislative powers in the SEA and the Maastricht Treaty, to seek a closer and more cooperative direct relationship with national governments in the Council – something that the Liberal Group, for example, demanded in an internal strategy paper in 1988 as the Commission still

---

[296] Commission des Communautés Européennes, Cabinet du Président, Chef de Cabinet, Compte rendu de l'entretien avec M. Pflimlin, 28 may 1985, 31 May 1985, ECHA, BAC 193/2001/20. Lamy's minutes claim that the meeting took place on 28 May, not 29 May 1985, as the EP minutes would suggest. They also include more detail and quotes on Delors' perspective.

[297] Entretien de Monsieur le Président Pflimlin avec le Président de la Commission des Communautés européennes, Monsieur Delors, le 29 mai 1985, au siège de la Commission des Communautés, HAEP, PE2 P1 221/RICS 0CON-1984-020 0230.

[298] Commission des Communautés Européennes, Cabinet du Président, Chef de Cabinet, Compte rendu de l'entretien avec M. Pflimlin, 28 may 1985, 31 May 1985, ECHA, BAC 193/2001/20.

[299] Groupe Union européenne UE(85)78, Principales "concessions" faites au Parlement par la Commission, Bruxelles, 31 May 1985, ECHA, BAC 193/2001/20.

tended to side with the Council in the legislative process 'as she knows this is the only way to have a chance to get the adoption of texts she proposes'.[300]

---

[300] Ottavio Lavaggi, Note to the attention of Members of the LDR Group concerning the Parliament's strategy in the implementation of the Single European Act, Brussels, 24 March 1988, HAEU, ADLE 269.

Chapter 3: Threatening a multi-speed Europe: Working against reluctant Member States

Developing a constructive relationship with the European Council and the Council of Ministers was a difficult exercise for the EP during 1979-89. Again and again it resented national governments seemingly paying lip-service only to the distant political goal of European union and to the importance of the directly elected EP in the EC. At best, this lip-service recognized the dual legitimacy in the EC of the Council representing the member states and indirectly drawing on the legitimacy created by domestic democratic processes there, and of the EP as the direct representation of 'the European peoples' as Ehlermann phrased it.[301] The governments' daily attitudes beyond their Sunday speeches from the perspective of the EP were disheartening most of the time, however. This concerned, first of all, the Council's bureaucratic practices of little provision of information of substantial value, especially concerning the motivations for decisions that were always taken behind closed doors at the level of the permanent representatives in Coreper or by the ministers themselves. The secretive character of the Council proceedings, which put a high premium on consensus irrespective of the formal rules even after the SEA and the Maastricht Treaty, provided a stark contrast with the transparency of debate and decision-making in the EP – a contrast that was greater in the EC than at the national level with its comprehensive media scrutiny of decision-making by what were mostly internally fragmented coalition governments.

The MEPs were also frustrated by the low level of diplomatic attention that governments gave them at the highest political level. Throughout the 1980s the member states made symbolic concessions to the EP in this regard. Whenever they upgraded the importance of the EP ever so slightly in terms of contacts and information exchange, however, the new procedures often looked like an empty institutional shell, devoid of political substance from the perspective of the EP. Thus, following a request by the EP the European Council agreed that the rotating presidency would give a report to the EP on the results of each summit. In fact, Thatcher began this practice in December 1981 and the following Belgian presidency repeated it, thus establishing a permanent pattern of reporting to the EP.[302] If anything, however, the practice only reinforced the governments' inclination to present a united front to the EP after they had struck compromises behind closed doors. It allowed the MEPs to question or criticize the presidency and governments, but more to increase their own visibility in the EP whilst the exchanges had little or no effect on the governments, their preferences and behaviour. From 1987 onwards, the EP president was also invited to speak at the opening session of each European Council meeting, with Lord Plumb first addressing the heads of state and government at the Brussels European Council in June 1987.[303] At best, however, this gave the EP president a chance to present the majority view of the EP on pressing matters for tactical use by governments in the following negotiations, who shared its views, but with no direct influence.

Other meetings at the highest political level often turned out to have no priority for national governments either. Thus, when Veil invited the Commission and the Council alongside three leading MEPs to an informal trilateral dinner among representatives of the institutions on 12 May 1981, Thorn, Tugendhat, and Andriessen turned up for the Commission. In contrast, the governments were represented by more junior ministers only - like Nigel Lawson in the case of the United Kingdom who was Financial Secretary to the Treasury. In 1984 the national governments initially did not even consider it necessary to discuss the nomination of the future Commission president with the EP at ministerial level. This led to animated protests from the EPP Group and

---

[301] Ehlermann, Das Parlament, 186.

[302] Palmer, The development, 188.

[303] Westlake, *A Modern Guide*, 33.

others, and a formal representation by the EP Bureau to the European Council. In this case the governments relented, and FitzGerald eventually met with the Enlarged Bureau in July 1984.[304]

The EP presidents found clear words for what they saw as the governments' blatant failure to take cooperation between the institutions more seriously. Thus, at the meeting in November 1981 Veil was reported not to have minced her words. In her view, the concertation procedure was not worthy of the name and the Council systematically disregarded EP proposals. More generally, the Council evaded scrutiny both by the national parliaments and the EP.[305] In the following year her successor Dankert repeated similar criticism in his speech in Strasbourg on the twenty-fifth anniversary of the Treaties of Rome. Finding it difficult to assess the Community's achievements and failures, Dankert nevertheless concluded that it was clear that 'the EC is not well'. The institutions in his view had 'lost some of their legitimacy and their efficiency'. Council decision-making was consensual, and the EP had not acquired any new powers. Worse, the governments in the Council were actually undermining the EP's existing rights. They left no room for negotiations and merely communicated their decisions without even providing a rationale. In short, Dankert concluded, the governments demonstrated a terrible 'arrogance of power' which had nothing to do any more with the intentions of the Community's founding fathers.[306]

In dealing with the Council the EP had to cope with two cleavages between and within the member states, which inhibited its ability to acquire more powers faster or to use its limited existing powers more effectively. The first cleavage was between the, on aggregate, more pro-integration member states and the more Eurosceptic ones. The former essentially comprised the founding member states and also Ireland after Fine Gael came to power there in 1982. In the 1980s the most Eurosceptic countries were the United Kingdom and Denmark. For the most part Thatcher's attitude towards the EP was characterized by benevolent ignorance. As she pointed out in a letter to Pflimlin on 24 December 1984, the EC needed to control its expenditure. Moreover, her government was committed to the 'completion of the internal market for goods and services' and intent on strengthening the 'strategic role of the European Council'.[307] Repeating in this way her government's well-established preferences for intergovernmental decision-making, market integration and capping the budget, Thatcher politely ignored the EP's DTEU agenda and demands for more powers. Her view of the EC, which was not yet as radicalized as during 1989-90, was based on the notion that it was the national 'veto' which created the greatest legitimacy for European integration domestically.[308]

In the British case, such attitudes were strongly shaped by the experience of parliamentary monarchy and the notion of absolute parliamentary 'sovereignty' which was impossible to reconcile with the idea of shared sovereignty; the country's imperial past and resulting obsession with domination and leadership, which was unrealistic in the EC because of the key importance of Franco-German relations combined with the British governments' refusal to invest more political resources to realize their ambitions;[309] its different collective experience of the Second World War;

---

[304] Procès–verbal de la session du mois d'avril de la Commission Politique, Bruxelles, le 2 mai 1984, Secrétariat PF/edd/PV/34, ACDP, 09-001-1270/2.

[305] „Europäische Akte" von Genscher wertet den Gipfel von London auf, *Die Welt*, 20 November 1981.

[306] Pieter Dankert, Vingt-cinq années d'existence des Traités de Rome, allocution, Strasbourg, 25 March 1982, HAEP, PE1 P2 220/RELA RELA-1982-040 0010.

[307] Thatcher to Pflimlin, 24 December 1984, HAEP, PE2 P1 221/RICS 0CON-1984-010 0090.

[308] For this notion see also Joseph H.H. Weiler (1989) Europäisches Parlament, europäische Integration, Demokratie und Legitimität, in: Otto Schmuck and Wolfgang Wessels (eds) *Das Europäische Parlament im dynamischen Integrationsprozess. Auf der Suche nach einem zeitgemäßen Leitbild*, Bonn: Europa Union Verlag, 73-94.

[309] See in a long-term perspective, Wolfram Kaiser (1999) *Using Europe, Abusing the Europeans. Britain and European Integration 1945-1963*, Basingstoke: Macmillan.

and the near-complete absence of a coherent narrative about Britain in Europe beyond the material benefits of membership. In the case of Denmark, in contrast, widespread Euroscepticism was more informed by a pronounced small state nationalism and the notion, on which the political elites had sold EC accession to the Danes in 1972, that membership in essence was designed to secure the fiscal and economic advantages of the CAP with no long-term political implications.[310] The Danish government was actually able to draw on wide support in the parliament for its initial Eurosceptic position of no treaty change, which the Folketing confirmed in a vote in May 1984.[311] In these circumstances, the liberal Swiss *Neue Zürcher Zeitung* quoted an anonymous MEP, who claimed that the EP could call itself lucky if '20 per cent of our reform proposals prove to be acceptable to the member states'. In fact, the newspaper's Brussels correspondent concluded, it was more likely that the DTEU's political resonance in Greece, Denmark and the United Kingdom would be 'practically nought'.[312]

For the EP the fact that some member states might block any institutional reform was not the only problem. Instead, the pervading Euroscepticism in these countries fed into the second cleavage in member state attitudes to EC constitutionalization, namely the great discrepancy between pro-integration rhetoric and governmental practices among some founding member states. This applied to the French president and governments who were generally happy to support industrial and social policy activism at EC level to be financed by Germany, while initially opposing substantial institutional reform, especially the abolition of the informal veto. It equally concerned German governments with their federalist rhetoric but afraid in practice that majority decision-making in the Council and the long-term prospect of EC federation could result in the imposition of new costly policies incompatible with national institutional traditions, as in the case of monetary policy, and difficult to sell to their electorate.

Crucially, these governments could conveniently hide behind the more openly Eurosceptic governments – like Genscher, who with his heavily intergovernmental Genscher-Colombo initiative, completely ignored the ELD's programmatic commitment to transforming the EP into a constituent assembly to draft a European constitution. More generally, the German reform proposals during 1981-85 – especially concerning the EP – constituted 'minimalist reforms in maximalist language'.[313] In fact, the discrepancy between government rhetoric and practice was so great that MEPs from founding member states often had limited trust in their own government's commitment to further European integration. This was actually researched for the case of German EP candidates in 1979 and their attitudes to the social-liberal government led by Chancellor Helmut Schmidt. In fact, the vast majority of candidates of the opposition CDU/CSU, but a similar majority of those standing for the liberal Free Democrats in government and even more than half of social democrats, had serious 'doubts about the European engagement of the federal government'.[314]

In these difficult circumstances, the EP used a two-pronged strategy for trying to force national governments to engage with its agenda for EC constitutionalization. For one, it harassed them almost continuously where it had the legal and procedural means to do so, especially by rejecting the budgets for the following years in both 1979 and 1984. In this way, the EP at least became a terrible nuisance for the national governments that now had to pay some attention in order to

[310] On the accession countries see in comparative perspective Wolfram Kaiser and Jürgen Elvert (2004) (eds). *European Union Enlargement. A Comparative History*, London: Routledge.

[311] Das dänische Parlament gegen eine Europäische Union, *Neue Zürcher Zeitung*, 31 May 1984.

[312] Die Konturen einer Europäischen Union, *Neue Zürcher Zeitung*, 16 September 1983.

[313] Juliet Lodge (1986) The Single European Act: Towards a New Euro-Dynamism? *Journal of Common Market Studies,* 24 (3), 203-223, here 213. On this point see also Schmuck and Wessels, Die Mailänder Tagung, 99.

[314] Reif, Schmitt and Schubert, Wer sind und was wollen die Deutschen, 348.

produce legal budgets, raise budgetary ceilings, subsequently limit spending, and increase the proportion of non-compulsory expenditure, which gave the EP at least some leeway to draft and influence EC level policies and funding instruments.

More importantly, the EP sought to form the broadest possible advocacy coalition across political party divides and all member states to get influential actors to commit publicly to the objective of European union or at least to substantial EC reform including, in particular, the dual aim of majority voting in the Council and proper legislative powers for the EP. The EP, to begin with, worked closely with the most federalist-inclined governments, especially Italy, to foster their agenda. The EP coalesced with these governments to demonstrate publicly their shared commitment to DTEU-type reform. This was the case, for example, when Andreotti spoke in the EP two weeks before the summit in Milan, where Craxi took a vote on the IGC.[315] Here, as in similar cases, the EP sought to lend its support to individual politicians or national governments that were most likely to support its demands strongly and prepared to declare this support publicly.

The EP collectively and individual entrepreneurs like Spinelli and Pflimlin, for example, also specifically targeted the French president and government. After the election of Kohl as the head of the new coalition government between the CDU/CSU and the Free Democrats, who sought to continue Adenauer's policy of Western integration after 1945-49, shifting French discourse and politics on 'Europe' appeared to be key to achieving some form of European union. Thus, in an interview with *Le Soir*, Spinelli insisted at the start of February 1984 that 'the final battle for European union will take place in France'.[316] Consequently, he spent considerable time writing articles for French newspapers like *Le Monde*, for example. He, Pflimlin, and others also invested time into working closely with Mitterrand and pro-integration forces in the French government and the PS. In his meeting with Mitterrand in January 1985, for example, Pflimlin insisted once more on the need to protect core elements of the DTEU in any future intergovernmental negotiations about EC reform.[317] He also got the French president to confirm once more his support in general for 'institutional progress' after the meeting.[318]

In addition, the EP worked with individuals, who enjoyed great public prestige and legitimacy domestically without necessarily having direct influence on European policy-making, to bolster the legitimacy of its DTEU reform agenda. One way of doing this was by inviting them to give speeches in the EP as in the case of the German President Richard von Weizsäcker, for example. Weizsäcker had been mayor of Berlin from 1981 to 1984 before becoming president. In a speech on 8 May 1985, Weizsäcker called the end of the Second World War in 1945 'the day of liberation from the inhuman national-socialist terror regime'. The speech finally put an intellectual and political end to the German debate about 8 May 1945 as defeat or liberation for which Weizsäcker received praise from across the German party spectrum and abroad. In his speech in the EP the German president insisted that the EP's influence was 'insufficient' and needed to be strengthened 'simply because our European Community should not just be a union of democratic states, but also a community of citizens, hence a democratic community'. Weizsäcker also reminded the EP that citizens were not

---

[315] Europäisches Parlament, Die Woche im EP, Tagungswoche vom 10.-14. Juni 1985, AGG, B.IV.2, 159.

[316] Une Europe qui soit davantage un Etat: l'option Spinelli pour assurer l'avenir, *Le Soir*, 9 February 1984.

[317] Vinci to Pflimlin, Note à l'attention de Monsieur le Président, 8 January 1985, HAEP, PE2 P1 221/RICS 0CON-1984-010 0050.

[318] Le président du parlement européen reçu à l'Élysée, *Agence France Presse*, 9 January 1985.

primarily interested in 'questions of institutional power as such', but wanted parliaments to decide, and be allowed to decide, political issues.[319]

Creating the broadest possible advocacy coalition for the DTEU agenda in this and other ways, the EP sought to trap pro-integration national governments into making and repeating rhetorical commitments to European union which would be ever more difficult politically for them to contradict with their own policy-making without risking their credibility and legitimacy. Moreover, using Spinelli's idea of direct DTEU ratification by national parliaments, the EP also fueled the growing debate in the EC about a Europe of two or multiple speeds, or with a variable geometry. In this way the EP together with likeminded actors - like some national governments or political groups - raised the spectre of (self-) exclusion of some member states from further European integration, which might happen without them and entail serious negative consequences. The resulting formation of a 'core Europe', as it was also sometimes called, was inconceivable without France, as the Dutch EPP MEP Jonker phrased a simple Brussels truth in his personal observations about reform issues,[320] but possible without the United Kingdom or Denmark, for example. Among others, at their summit in November 1983, the leaders of the EPP member parties including Martens, Kohl and the Dutchman Ruud Lubbers, threatened explicitly that those member states who wanted to pursue institutional reform would have to consider how to do this best in the circumstances of the persistent refusal by some to make any concessions to their reform agenda.[321]

Why then did governments cede powers to the EP in the SEA and, more comprehensively in the Maastricht Treaty and later treaty revisions? Liberal intergovernmentalism has argued that the SEA resulted from the convergence of national preferences (not least of all the British government) in favour of the internal market programme, which was combined with moderate institutional reform to implement it effectively, facilitated politically by the Delors I Commission.[322] While this argument could potentially explain the transition to majority voting in the Council for internal market legislation, it completely fails to consider the transfer of additional powers, however limited, to the EP in the form of the new cooperation procedure. Indeed, rational choice approaches to understanding member state behaviour in the EC/EU have argued from the so-called principal-agent perspective that national governments delegate functions and associated powers to supranational institutions for their own benefit. These functions include the provision of credible independent expertise and monitoring compliance with treaty obligations among all 'principals', or member states, for example.[323] But this literature has nothing to say about the functions that the EP could fulfill for the member states. Indeed, a directly elected parliament obviously cannot be controlled in a meaningful way and will – as the EP did at the time and has done ever since – develop its own agendas and preferences which only complicate the often consensual member state decision-making in the European Council and the Council of Ministers.

The argument by Berthold Rittberger and others that member states looked for solutions to the democratic deficit and naturally found them in national templates for parliamentary systems is more

---

[319] Ansprache von Bundespräsident Richard von Weizsäcker aus Anlaß seines Besuches beim Europäischen Parlament in Straßburg am 23. Okt. 1985, Bundespräsidialamt, Mitteilungen für die Presse, AGG, B.IV.2, 171.

[320] Sjouke Jonker, Persönliche Anmerkungen zu einigen aktuellen institutionellen und politischen Fragen (no date), ACDP, 09-001-354.

[321] Sommet de la démocratie chrétienne, *La Dernière Heure*, 28 November 1983.

[322] Moravscik, *The Choice for Europe*.

[323] See Mark Pollack (2003) *The Engines of European Integration: Delegation, Agency and Agenda-Setting in the EU*, Oxford: Oxford University Press.

persuasive already.[324] The previously mentioned British Conservative MEPs' reference to the moral and political need for the British to support parliamentary features at the EC level that had apparently served the United Kingdom well for so long is a case in point. As this study has shown, however, two additional factors were instrumental in ultimately bringing about major institutional reform and both were influenced by the EP. The first was the member states' entrapment in their own political rhetoric, which made it difficult, if not impossible, to negate the EP more powers forever – an argument that Frank Schimmelfennig has made in a similar way about the promise by NATO and the EU of eastern enlargement during the 1990s.[325] The second was the perceived threat among the more Eurosceptic countries that they could become marginalized in a multi-speed Europe. This was a threat that Spinelli and the EP majority deliberately posed with their proposed ratification process for the DTEU. They also promoted it in their relations with other EC actors like Mitterrand, who also believed that it was a useful tactical weapon.

The argument against self-exclusion from the core in a multi-speed Europe in particular was used by pro-integration British Conservatives like Geoffrey Howe and Malcolm Rifkind as well as nearly their entire EP contingent to push Thatcher to accept more powers for the EP in the SEA in addition to majority voting. In fact, even governments that were generally opposed to more supranational integration had in the past accepted institutional arrangements that were more binding than intergovernmentalism with a national veto. They had done so in order to achieve particular policy objectives. Thus, the British government itself had inserted majority voting in the Council of Ministers on the question of the correct implementation of the treaty into the EFTA convention to prevent member states from flouting the rules. This intention constituted an important motivation for Thatcher to agree to majority voting for the internal market for the EC too, which she ended up advocating as an extension of her national economic policy agenda to the EC, although it was to have far greater unpredictable consequences later on.

---

[324] Rittberger, *Building Europe's Parliament*; Berthold Rittberger (2003) The Creation and Empowerment of the European Parliament, *Journal of Common Market Studies*, 41 (2), 203–225.

[325] Frank Schimmelfennig (2003) *The EU, NATO and the Integration of Europe: Rules and Rhetoric*, Cambridge: Cambridge University Press.

5. Conclusion

Based on a variety of archival sources from the EC institutions and political parties as well as Altiero Spinelli's private papers, interviews, media reporting and the contemporary literature, this study has traced the EP's role in the tumultuous process of EC constitutionalization during its first two parliamentary terms after the first direct elections in 1979. It has shown how the EP sought to use its limited powers, which were unchanged after 1979, to extract procedural concessions from the Commission and the Council, for example by rejecting the EC budgets for the following years in 1979 and 1984. It quickly became clear, however, that this policy of 'small steps' of trying to change institutional rules and practices within the scope of the EEC Treaty was completely inadequate for achieving the EP's larger vision of a Community with much more efficient and democratic decision-making structures. Consequently, a large part of this study has focused on the EP's attempt to fulfill what political scientists have called its system shaping function. With the DTEU the EP sought to achieve the EC's formal and explicit constitutionalization and get more (legislative) powers for itself through a major institutional leap in the form of a transformative new treaty to be ratified via an unprecedented direct ratification process by national parliaments – a process that threatened the creation of a multi-speed Europe where the more pro-integration countries would no longer be held back by reluctant laggards like the United Kingdom and Denmark.

If the EP had just been a talking shop in which the German Greens after 1984 spent more time debating the second international congress of prostitutes and the plight of the Navajo in the United States – issues comfortably outside the scope of the EEC Treaty – than on the future of Europe, one might well be tempted to ask; so what? As this study has shown, however, the EP's promotion of institutional reform in the decade after 1979 had transformative impact in a number of different ways: on the internal dynamics within the EP itself and the work of the groups; on the external dynamics of inter-institutional relations with national parliaments, the Commission, and the Council; on the shape and speed of the non-teleological process of EC constitutionalization; and finally, on the understanding of the EC's democratic deficit, with long-term consequences for the debate about the fundamental issue of the legitimacy of European union – and of the EU as it has developed since the Maastricht Treaty.

The so-called micro model of constitutional transformation explains institutional change with the character of internal reactions to external change.[326] The internal reactions in the EP to external challenges ranging from economic globalization to the shift to executive government at the expense of parliaments impacted on the institution itself in the first instance. To begin with, the debate about institutional reform in the EP, the political groups and the relevant committees fostered a process of professionalization in what was a kind of 'apprentice period' for the parliament after 1979.[327] In order to influence the Commission and the member states in the European Council and the Council of Ministers, the EP as a whole, and the key political groups within it, had to increase their internal cohesion and their ability to work together across the party divide. They had to learn to suppress their instinct of scoring cheap points at the expense of other groups, for example by preventing the formation of a new committee to protect their strong position in the existing Political Affairs Committee as in the case of the EPP. Instead, they needed to prioritize effective cross-party cooperation to mobilize the broadest possible majority in the EP for its demands for institutional reform.

More fundamentally, the groups became acutely aware of the need for internal cohesion on matters of EC constitutionalization, where the EPP had strong advantages rooted in the historical role of its

---

[326] Cf. Kreppel, *The European Parliament*, 3.

[327] Pasquino and Bardi, *The Institutions*, 44.

'core Europe' member parties in European integration after 1945 and its broadly federalist ideology. The influence of the socialists as the largest group in the EP was severely limited after 1979 because it was so deeply split over the future of the EC. Recognizing this great weakness, the group leadership doubled its efforts to use the DTEU process to influence the policies of the French PS and the British Labour Party. These parties eventually came around to seeing the EC/EU as a suitable European framework for pursuing 'progressive' politics – something that greatly facilitated the formation of the informal grand coalition with the EPP, especially after 1989 and crucially, intergovernmental decision-making on EC/EU matters after the 1987 SEA.

In addition, the internal impact of the institutional reform debate had two other dimensions. First, the EP and the political groups realized and fostered the extent to which EC matters had become, and were continuing to become, issues of domestic politics, not foreign policy.[328] Debating EC constitutionalization raised a large number of issues across the different levels of what political scientists have called the EU's multilevel governance - for example, the EC's internal cohesion and the possible need for financial equalization measures among the regions as existed in Germany; or the delineation of competences between the EC, national and sub-national levels, something that affected all democratically elected institutions throughout the EC and later mobilized regions in the context of the Maastricht Treaty negotiations to protect their rights.

Secondly, the EP majority also experienced the limits of federalism as more than a long-term guiding ideology for achieving European union. Although the EP majority agreed in the DTEU on fairly moderate reforms and even included a formalized national veto for a ten-year transition period, its treaty never got close to being ratified. The DTEU was an important constitutional marker, but Delors' functionalist approach of latching institutional reform onto policy integration in the form of the internal market proved more successful as a short and medium-term strategy, both in the SEA and in the Maastricht Treaty, where more far-reaching change was greatly facilitated by the consequences of the end of the Cold War. Thus, at a study day of the Liberal Group in September 1988, Commissioner Henning Christophersen insisted in explaining the SEA outcome that 'we succeeded … because the institutional reform was attached to an extremely wide ranging political reform. … Substance came before structure and not vice versa.'[329]

The EP's constitutional activism also impacted on external dynamics in the form of the evolving inter-institutional relations in the EC. To begin with, the EP groups realized the extent to which the end of the dual mandate cut them off from intimate relations with the national parliaments. New institutional arrangements at the party and national institutional level tried to compensate for this loss, but they did not cover all MEPs and worked in very different ways. Moreover, the MEPs also understood better as a result of their contacts with national MPs and parliaments that they had alternative or complementary strategies for tackling the democratic deficit besides increasing the powers of the EP, especially improving national parliamentary scrutiny of executive policy-making. The EP as a result made a much greater effort after 1989 to intensify and formalize its contacts with the national parliaments, not least to bolster its own demands for more powers for itself and secure wide institutional support for them in the forthcoming Maastricht Treaty negotiations.

The EP's strategy of harassing the Commission and the Council over their failure to take Parliament more seriously in the making of policies and laws also had a long-term impact on inter-institutional relations at EC level. Most importantly, the Commission became acutely aware of the limits of 'output' legitimacy in its own institutional tradition of technocratic internationalism at times when

---

[328] See also Maurizio Cotta (1980) Classe politica e integrazione europea. Gli effetti delle elezioni dirette del Parlamento comunitario. *Rivista Italiana di Scienza Politica,* 10 (2), 205-240, here 240.

[329] Europe 1992, The Liberal Democrat and Reformist Group's Study Days in Aarhus, Thursday, September 8, 1988, by Henning Christophersen, HAEU, ADLE 270.

the Council seemed to be more and more blocked and incapable of taking decisions. On becoming Commission president, Delors understood the need to work more closely once more with the EP to draw on its direct electoral legitimacy, limited as it may have been, to strengthen his institution's independence from the member states and its agenda-setting capacity. At the same time, the national governments at least had to pay some attention to the EP which was banging on about the EC's democratic deficit and legitimacy crisis and pointing at the Council as the source of this crisis. Although the various inter-institutional agreements signed during the 1980s had limited impact on institutional practices in the short-run, they nevertheless created a training ground for the closer competition and cooperation between the EP and national governments in the coordination and co-decision procedures after 1987 and 1993.

EP activism also impacted on the process of EC constitutionalization itself. Crucially, with the DTEU the EP made a huge contribution to enriching the reservoir of constitutional ideas and institutional options which EC/EU actors could draw upon in later treaty revisions. Jacqué recalls, for example, how the DTEU debate in 1983-84 about subsidiarity shaped his thinking and that of other legal scholars and advisers about how to operationalize the principle, with direct influence on the Maastricht Treaty negotiations (Interview Jacqué). More generally, the DTEU was a constitutional quarry from which political actors and constitutional lawyers took blocks for later treaty revisions.

As the study has shown, many of the ideas in the DTEU were not new. Spinelli for one had already helped to define concrete options for institutional change as EC Commissioner from 1970 to 1976. For these ideas, including EP co-decision powers in the legislative process, for example, the DTEU strengthened the existing ideological trajectory and created what might be termed ideational path-dependencies. The DTEU also suggested the uploading from the national level of some other ideas, like the notion of a financial equalization mechanism among the regions. Moreover, it also invented some from scratch, such as the possibility of sanctions against member states that persistently violate conditions of membership such as human rights and the rule of law – a constitutional idea that eventually found its way into the Amsterdam Treaty and later the Lisbon Treaty.

More recent studies have found, moreover, that constitutional change in the EU is always triggered when the salience of concerns about lack of effectiveness or insufficient democratic quality of the prevailing institutional set-up is high.[330] Through its continuous agitation, the EP actually made a massive contribution to increasing the salience of the EC's democratic deficit and of the need to remedy it during the 1980s. Despite the limited media reporting about its debates, activities of its political groups, and its committee work, no one in Western Europe could escape the impression that the EC had severe institutional problems and lacked decision-making capacity and input legitimacy, and that the national governments were largely to blame for this sorry state of affairs and absolutely had to do something to address the problem.

This is also where Rittberger's constructivist explanation of member state willingness to cede powers to the EP falls short. National governments did not miraculously realize that their normative standards of 'appropriate' government, or governance, included majority voting and a strong role for a directly elected parliament also in the legislative process, and that as a result they decided to give the EP more powers. In this case one would have to ask why national governments had not introduced co-decision in the original EEC treaty in the first place, at a time when parliamentary systems were already well-established in all six founding member states. In fact, Rittberger himself asks in his study whether the EP itself followed an active strategy of expanding its competences.[331]

---

[330] Frank Schimmelfennig et al. (2006) Conditions for EU constitutionalization: a qualitative comparative analysis, *Journal of European Public Policy*, 13 (8), 1168-1189, here 1186.

[331] Rittberger, *Building Europe's Parliament*.

This study has shown not only that the EP did indeed follow such a strategy in the 1980s, which is obvious, but also how it mattered for further European integration.[332] In particular, the EP managed through its wide-ranging informal networking across the multilevel governance system and with other institutional as well as societal actors to exercise substantial pressure on national governments, with the political parties and groups playing a key mediating role in this process. In this way, the EP actively trapped the national governments rhetorically and forced them to recognize just how out of line the EC institutional set-up and practices were with the different established national parliamentary systems and practices; and that this was completely unsustainable if the EC did not want to risk its legitimacy in the eyes of the citizens and, possibly, its very survival in the long run. In this way, there can indeed be 'little doubt that without [the DTEU process], and without the political momentum it generated, the SEA would not have got off the ground' or, for that matter, the so-called political union agreed in the Maastricht Treaty.[333]

Even if the EC had adopted the DTEU, however, not all would have been well in the state of Brussels and Strasbourg. First of all, through its public agitation for institutional reform the EP itself became trapped in the democratic deficit debate. At the time of the second direct elections in 1984, a Eurobarometer poll found that roughly half of citizens wanted the EP to play a 'more important role' in the EC, and nearly as many supported the DTEU, with significant variation across the member states. [334]At the same time, between one fifth and three fifths of citizens in the different member states actually believed at the time of the third direct elections that the EP already had 'competences comparable to national parliaments'.[335] From this perspective, citizens might have been tempted to ask whether the EP, too, was not part and parcel of the democratic deficit rather than its solution as it had apparently done nothing to remedy it.

The EP in the first ten years after 1979 arguably did have internal problems which contributed to the EC's democratic deficit, moreover. In the beginning it had a number of political heavyweights like Willy Brandt, for example, who were not often seen in the EP. Others, like the German Greens after 1984, saw the EP as a platform for preparing the overthrow of US capitalism. More generally, too, many MEPs rode their own political hobby horses. While the EP did become professionalized as a parliament during the 1980s, this process was painstakingly slow. In the absence of transnational European media, moreover, the MEPs found it difficult to communicate effectively with national publics and enlighten their co-nationals about the EP and its beneficial role in the EC political system.[336] In 1981, for example, Ernest Wistrich, the director of the European Movement in the United Kingdom, wrote to the Conservative MEP James Scott-Hopkins about the result of an opinion poll whereby only five per cent of those interviewed could name of the MEP elected in their constituency. Wistrich also pointed out that knowledge about the EP and how to contact an MEP was very significantly lower among the lower social grades, as they were called at the time –[337] a form of social differentiation that in the meantime has turned into a deep cleavage between more transnational well-educated social groups who profit from European integration and more localized

---

[332] See also Maurer, *Parlamentarische Demokratie.*

[333] Juliet Lodge (1990) Ten Years of an Elected European Parliament, in: Juliet Lodge (ed.) *The 1989 election of the European Parliament,* London: Macmillan, 1-35, here 9.

[334] EC Parliament Poll Finds Support for Bigger Role, *Wall Street Journal*, 30 May 1984.

[335] Oskar Niedermayer (1991) The 1989 European elections: campaigns and results, *European Journal of Political Research*, 19 (1), 3-16, here 4.

[336] Juliet Lodge (1982) The European parliament after direct elections: Talking shop or putative legislature? *Journal of European Integration,* 5 (3), 259-284, here 283.

[337] The European Movement (British Council), Ernest Wistrich, Director, to Sir James Scott-Hopkins, MEP, 24 March 1981, CPA, CCO 508/2/3.

social groups with low levels of educational attainment and income who fear its impact on their jobs, income, and identity.

Throughout the 1980s, finally, the EP had a simple answer to the much more complex problem of the democratic deficit: increase its powers at the EC level. This answer, which was strongly informed by the experience of parliamentarization of political systems at the national level, fell short on at least two accounts, however. First of all, it ignored the continued role of national parliaments in providing legitimacy for national governmental policy-making and intergovernmental negotiation and compromise in the European Council and the Council of Ministers. Strengthening parliamentary scrutiny at the national level from this perspective was not just a matter for national parliaments. It was also in the interest of the EP which could have advocated it far more forcefully as a suitable strategy to complement endowing it with more powers. And secondly, the EP throughout the 1980s largely ignored that parliaments *alone* were no longer able after the experience of the 1968 student revolt and the social movements in the 1970s to endow democratic political systems with input legitimacy. Its own links with societal actors remained rudimentary in the 1980s, however. It was not until the 1990s that the EP, together with the Commission, realized that the EU would have to inform and engage citizens more in their work, even if mainly in the form of organized societal actors and interest groups.

Interviews

Alemann, Mechthild von, Phone, 14.12.2017 (Wolfram Kaiser)

Cheysson, Claude, Paris, 10.10.1997 (Gérard Bossuat, EUI Oral History Collections)

Cockfield, Lord, London, 24.8.1998 (Andrew Crozier, EUI Oral History Collections)

Corbett, Richard, Brussels, 27.9.2017 (Wolfram Kaiser)

Dastoli, Virgilio, Phone, 10.10.2017 (Wolfram Kaiser)

Focke, Katharina E., Cologne, 16.9.1998 (Gerhard Brunn, EUI Oral History Collections)

Hänsch, Klaus, Düsseldorf, 16.11.2017 (Wolfram Kaiser)

Hänsch, Klaus, Düsseldorf, 24.8.1998 (Gerhard Brunn, EUI Oral History Collections)

Irmer, Ulrich, Phone, 29.11.2017 (Wolfram Kaiser)

Jacqué, Jean-Paul, Bruges, 17.10.2017 (Wolfram Kaiser)

Jansen, Thomas, Phone, 13.6.2018 (Wolfram Kaiser)

Klepsch, Egon, Koblenz, 10.3.1999 (Wilfried Loth, EUI Oral History Collections)

Mahling, Lothar, Düsseldorf, 27.11.2017 (Wolfram Kaiser)

Marquand, David, Oxford, 7.6.2011 (Piers Ludlow, HISTCOM.2, EUI Oral History Collections)

Nickel, Dietmar, Skype, 27.10.2017 (Wolfram Kaiser)

Pöttering, Hans-Gert, Brussels, 26.6.2018 (Wolfram Kaiser)

Scarascia-Mugnozza, Beatrice, Brussels, 26.6.2018 (Wolfram Kaiser)

Shackleton, Michael, Skype, 27.11.2017 (Wolfram Kaiser)

Toornstra, Dick, Phone, 17.11.2017 (Wolfram Kaiser)

Archives

Archiv für christlich-demokratische Politik (ACDP), St. Augustin, Germany

Archiv Grünes Gedächtnis der Heinrich-Böll-Stiftung e.V. (AGG), Berlin, Germany

Conservative Party Archives (CPA), Oxford, United Kingdom

Council of the European Union Archives, (CEUA), Brussels, Belgium

European Commission Historical Archives (ECHA), Brussels, Belgium

Historical Archives of the European Parliament (HAEP), Luxembourg, Luxembourg

Historical Archives of the European Union (HAEU), Florence, Italy

Bibliography

Aschmann, Birgit (1999) "Treue Freunde…?" Westdeutschland und Spanien 1945-1963, Stuttgart: Steiner.

Attiná, Fulvio (1990) The voting behaviour of the European Parliament members and the problem of the Europarties, European Journal of Political Research, 18, 557-579.

Bajon, Philip (2012) Europapolitik „am Abgrund". Die Krise des „leeren Stuhls" 1965-66, Stuttgart: Franz Steiner.

Bieber, Roland (1992) Majority Voting and the Cooperation Procedure, in: Christian Engel and Wolfgang Wessels (eds) From Luxembourg to Maastricht: Institutional change in the European Community after the Single European Act, Bonn: Europa Union Verlag, 51-65.

Bieber, Roland, Jean-Paul Jacqué and Joseph Weiler (1985) An Ever Closer Union: A Critical Analysis of the Draft Treaty Establishing the European Union, Luxembourg: Office for Official Publications of the European Communities).

Bomsdorf, Eckart (1980) Die Kräfteverteilung im Europa-Parlament nach Fraktionen und Ländern, Zeitschrift für Parlamentsfragen, 11, 396-403.

Bonfreschi, Lucia (2015) The Gaullist Party and Europe. Political Divisions and Strategies for the Reacquisition of Power, 1976-1992, in: Lucia Bonfreschi, Giovanni Orsina and Antonio Varsori (eds) European Parties and the European Integration Process, 1945–1992, Berne: Peter Lang, 213-235.

Bourguignon-Wittke, Roswitha et al. (1985) Five Years of the Directly Elected European Parliament: Performance and Prospects, Journal of Common Market Studies, 24 (1), 39-59.

Bourguignon-Wittke, Roswitha and Otto Schmuck (1984) Demokratisierung des EG-Systems durch das direktgewählte Europäische Parlament? Eine vorläufige Bilanz der ersten Wahlperiode, Integration, 7 (2), 91-116.

Bressensdorf, Agnes Bresselau von (2015) Frieden durch Kommunikation. Das System Genscher und die Entspannungspolitik im Zweiten Kalten Krieg 1979-1982/3, Berlin: de Gruyter.

Burgess, Michael (1986) Altiero Spinelli, Federalism and the EUT, in: Juliet Lodge (ed.) European Union: The European Community in Search of a Future, London: Macmillan, 174-185.

Calligaro, Oriane (2013) Negotiating Europe. EU Promotion of Europeanness since the 1950s, Basingstoke: Palgrave.

Capotorti, Francesco et al. (1986) The European Union Treaty. Commentary on the draft adopted by the European Parliament on 14 February 1984, Oxford: Clarendon Press.

Cardozo, Rita and Richard Corbett (1986), The Crocodile Initiative, in: Juliet Lodge (ed.) European Union: The European Community in Search of a Future, London: Macmillan, 15-46.

Carrington, Peter (1988) Reflections on Things Past: The Memoirs of Lord Carrington. Glasgow: Collins.

Cavallaro, Maria Elena (2015) The Europeanism of the PSOE from the Anti-Francoist Choice to the Social Democratic Transformation of the Party (1977-1992), in: Lucia Bonfreschi, Giovanni Orsina and Antonio Varsori (eds) European Parties and the European Integration Process, 1945–1992, Berne: Peter Lang, 93-112.

Christiansen, Thomas and Christine Reh (2009) Constitutionalizing the European Union, Basingstoke: Palgrave Macmillan.

Claeys, Paul-H. and Nicole Loeb-Mayer (1979) Trans-European Party Groupings: Emergence of New and Alignment of Old Parties in the Light of the Direct Elections to the European Parliament, Government and Opposition, 14, 455-478.

Coombes, David (1989) Die europäische Parlamentstradition und ihre Bedeutung für die europäische Integration, in: Otto Schmuck and Wolfgang Wessels (eds) Das Europäische Parlament im dynamischen

Integrationsprozess. Auf der Suche nach einem zeitgemäßen Leitbild, Bonn: Europa Union Verlag, 95-116.

Corbett, Richard (1998) The European Parliament's role in closer EU integration, Basingstoke: Palgrave.

Corbett, Richard (1992) The Intergovernmental Conference on Political Union, Journal of Common Market Studies, 30 (3), 271-298.

Corbett, Richard (1989) Die neuen Verfahren nach der Einheitlichen Europäischen Akte: Mehr Einfluß für das Europäische Parlament, in: Otto Schmuck and Wolfgang Wessels (eds) Das Europäische Parlament im dynamischen Integrationsprozess. Auf der Suche nach einem zeitgemäßen Leitbild, Bonn: Europa Union Verlag, 185-198.

Corbett, Richard (1989) Testing the New Procedures: The European Parliament's First Experiences with its New 'Single Act' Powers, Journal of Common Market Studies, 27 (4), 359-372.

Corbett, Richard (1987) The 1985 Intergovernmental Conference and the Single European Act, in: Roy Pryce (ed.) The Dynamics of European Union, London: Croom Helm, 238-272.

Corbett, Richard (1987) Why the Single Act is not enough, The European, 1 (6), 24-25.

Corbett, Richard (1986) Altiero Spinelli: Man of vision and action, Courrier du Parlement, 476, 11-12.

Corbett, Richard (1984) The European Parliament and its Initiatives, Contemporary Review, June, 292-298.

Corbett, Richard, Jacobs, Francis and Michael Shackleton (2003) The European Parliament at fifty: A view from the inside, Journal of Common Market Studies, 41 (2), 353-373.

Corbett, Richard and Francis Jacbos (1989) Aktivitäten und Arbeitsstrukturen des Europäischen Parlaments, in: Otto Schmuck and Wolfgang Wessels (eds) Das Europäische Parlament im dynamischen Integrationsprozess. Auf der Suche nach einem zeitgemäßen Leitbild, Bonn: Europa Union Verlag, 147-184.

Corbett, Richard, Jacobs, Francis and Michael Shackleton (2005) The European Parliament, 6th edition, London: John Harper Publishing.

Corbett, Richard and Otto Schmuck (1992) The new Procedures of the European Community after the Single European Act. Efficiency and Legitimacy in the Light of Experience, in: Christian Engel and Wolfgang Wessels (eds) From Luxembourg to Maastricht: Institutional change in the European Community after the Single European Act, Bonn: Europa Union Verlag, 33-49.

Corbett, Richard and Juliet Lodge (1986), Progress and Prospects, in: Juliet Lodge (ed.) European Union: The European Community in Search of a Future, London: Macmillan, 151-185.

Cotta, Maurizio (1980) Classe politica e integrazione europea. Gli effetti delle elezioni dirette del Parlamento comunitario, Rivista Italiana di Scienza Politica, 10 (2), 205-240.

Crowson, N.J. (2007) The Conservative Party and European Integration since 1945, Abingdon: Routledge.

D'Amico, Renato (1981) Considerazioni in margine a recenti studi sul Parlamento, Il Politico, 46 (1-2), 281-299.

Davis, Bill and Morten Rasmussen (2012) Towards a New History of European Law, Contemporary European History, 21 (3), 305-318.

Delors, Jacques (2004) Erinnerungen eines Europäers, Berlin: Parthas (French 2004).

Devantier, Alexandra (2014) Appointment of the Commission: Parliament's role before 1995, EPRS European Union History Series Briefing, PE 538.878

Duchêne, François (1994) Jean Monnet. The first statesman of interdependence, New York: Norton.

Dumas, Roland (2015) Politiquement incorrect: Secrets d'Etat et autres confidences – Carnets 1984-2014, Paris: La Cherche Midi.

Earnshaw, David J. (1984) The European parliament's quest for a single seat, Journal of European Integration, 8 (1), 77-93.

Ehlermann, Claus-Dieter (1982) Das Parlament muß berechenbar sein. Zum Verhältnis von Kommission und Europäischem Parlament, Zeitschrift für Parlamentsfragen, 13 (2), 185-190.

European Parliament (1988) Battling for the Union. Altiero Spinelli, Luxembourg: Office for Official Publications of the European Communities.

Featherstone, Kevin (1981) Socialists and European Integration: The Attitudes of British Labour Members of Parliament, European Journal of Political Research, 9 (4), 407-419.

Feld, Werner J. and Edelgard E. Mahant (1986) New efforts for European Union: Hopes, Progress, and Disappointments, Journal of European Integration, 10 (1), 39-58.

Fontaine, Pascal (2009) Herzenssache Europa – Eine Zeitreise 1953-2009, Brussels: Racine (French 2009).

Fowler, Linda, Polhuis, Pieter and Scott C. Paine (1983) Changing Patterns of Voting Strength in the European Parliament, Comparative Politics, 15 (2), 159-175.

Franklin, Mark N. and Susan E. Scarrow (1999) Making Europeans? The Socializing Power of the European Parliament, in: Richard S. Katz and Bernhard Wessels (eds), The European Parliament, the national parliaments, and European integration, New York: Oxford University Press, 45-59.

Freestone, David and Scott Davidson (1986) The EUT: Legal Problems, in: Juliet Lodge (ed.), European Union: The European Community in Search of a Future, London: Macmillan, 125-150.

Gaffney, John (1996) Political parties and the European Union, London, Routledge.

Gehler, Michael and Wolfram Kaiser (2004) (eds) Transnationale Parteienkooperation der europäischen Christdemokraten. Dokumente 1945-1965, Munich: K.G. Saur.

Genscher, Hans-Dietrich (1995) Erinnerungen, Munich: Siedler Verlag.

Germond, Carine (2013) Preventing Reform: Farm Interest Groups and the Common Agricultural Policy, in: Wolfram Kaiser and Jan-Henrik Meyer (eds) Societal Actors in European Integration. Polity-Building and Policy-Making 1958-1992, Basingstoke: Palgrave Macmillan, 106-128.

Giscard d'Estaing, Valéry (2001) Entretiens. Paris: Flammarion.

Glencross, Andrew (2010) Altiero Spinelli and the Idea of the U.S. Constitution as a Model for Europe. The Promises and Pitfalls of an Analogy, in: Andrew Glencross and Alexander H. Trechsel (eds) EU Federalism and Constitutionalism: The Legacy of Altiero Spinelli, Lanham: Lexington Books.

Grabitz, Eberhard and Otto Schmuck (1984) Das Europäische Parlament im Verflechtungssystem der EG– Handlungsspielräume, Rollenbeschreibung, Funktionen, Zeitschrift für Parlamentsfragen, 15 (3), 427-440.

Graglia, Piero S. (2008) Altiero Spinelli, Bologna: Mulino.

Green Cowles, Maria (1995) Setting the Agenda for a New Europe: the ERT and EC 1992, Journal of Common Market Studies, 33 (4), 501-526.

Greenstein, Fred I. (1992) Can personality and politics be studied systematically?, Political Psychology, 13 (1), 105-128.

Guerrieri, Sandro (2015) The Genesis of a Supranational Representation. The Formation of Political Groups at the Common Assembly of the ECSC, 1952-1958, in: Lucia Bonfreschi, Giovanni Orsina and Antonio Varsori (eds), European Parties and the European Integration Process, 1945–1992, Berne: Peter Lang, 393-410.

Haas, Ernst B. (1958) The Uniting of Europe, Stanford/CA: Stanford University Press.

Hartmann, Jürgen (1982) Die institutionelle Entwicklung der EG: Grundlagen und Perspektiven, Zeitschrift für Parlamentsfragen, 13 (2), 240-249.

Hartzer, Craig E. (1982) A study of integration behaviour in the committees of the European Parliament: 1959–1976, Journal of European Integration, 6 (1), 75-106.

Hix, Simon (1994) The study of the European community. The challenge to comparative politics, West European Politics, 17 (1), 1-30.

Hix, Simon, Noury, Abdul and Gérard Roland (2005) Power to the Parties: Cohesion and Competition in the European Parliament, 1979–2001, British Journal of Political Science, 35 (2): 209-234.

Hix, Simon and Christopher Lord (1998) A Model Transnational Party? The Party of European Socialists, in: David S. Bell and Christopher Lord (eds.), Transnational parties in the European Union, Aldershot: Ashgate, 88-101.

Hix, Simon, Raunio, Tapio and Roger Scully (2003) Fifty Years On: Research on the European Parliament, Journal of Common Market Studies, 41 (2), 191-202.

Hoffman, Stanley (1966) Obstinate or Obsolete? The Fate of the Nation-State and the Case of Western Europe, Deaedalus, 95 (3), 862-915.

Hooghe, Liesbet and Gary Marks (2001) Multi-level governance and European integration, Lanham: Rowman & Littlefield.

Inglehart, Ronald et al. (1980) Broader Powers for the European Parliament? The Attitudes of Candidates, European Journal of Political Research, 8 (1), 113-132.

Jachtenfuchs, Markus (2002) Die Konstruktion Europas: Verfassungsideen und institutionelle Entwicklung, Baden-Baden, Nomos Verlag.

Jacobs, Francis Brendan (1991) The European Parliament and Economic and Monetary Union, Common Market Law Review, 28, 361-382.

Jacqué, Jean-Paul and Kristin Schreiber (1989) Strategien für das Europäische Parlament: Abschied von nationalen Konfliktlinien, Integration, 12 (2), 61-71.

Jean Monnet, Father of Europe. The 1971 BBC Documentary https://www.brookings.edu/blog/brookings-now/2014/03/14/jean-monnet-father-of-europe-the-1971-bbc-documentary/ (accessed 29 October 2018).

Judge, David and David Earnshaw (2008) The European Parliament, 2nd edition, Basingstoke: Palgrave Macmillan.

Kaiser, Wolfram (2018) Transnational Practices Governing European Integration: Executive Autonomy and Neo-Corporatist Concertation, Contemporary European History, 27 (2), 239-257.

Kaiser, Wolfram (2013) Europeanization of Christian Democracy? Negotiating Organization, Enlargement, Policy and Allegiance in the European People's Party, in: Wolfram Kaiser and Jan-Henrik Meyer (eds), Societal Actors in European Integration. Polity-Building and Policy-Making 1958-1992, Basingstoke: Palgrave Macmillan, 15-37.

Kaiser, Wolfram (2007) Christian Democracy and the Origins of European Union, Cambridge: Cambridge University Press.

Kaiser, Wolfram (2002) „Weltordnung der Partnerschaft": Genschers Ansätze einer westdeutschen Globalpolitik 1974-1982, in: Hans-Dieter Lucas (ed.) Genscher, Deutschland und Europa, Baden-Baden: Nomos, 201-221.

Kaiser, Wolfram (1999) Using Europe, Abusing the Europeans. Britain and European Integration 1945-1963, Basingstoke: Macmillan.

Kaiser, Wolfram and Jan-Henrik Meyer (2017) (eds) International Organizations and Environmental Protection. Conservation and Globalization in the Twentieth Century, New York: Berghahn.

Kaiser, Wolfram and Johan Schot (2014) Writing the Rules for Europe. Experts, Cartels, and International Organizations, Basingstoke: Palgrave

Kaiser, Wolfram and Christian Salm (2009) Transition und Europäisierung in Spanien und Portugal. Sozial- und christdemokratische Netzwerke im Übergang von der Diktatur zur parlamentarischen Demokratie, Archiv für Sozialgeschichte, 49, 259-282.

Kaiser, Wolfram and Jürgen Elvert (2004) (eds) European Union Enlargement. A Comparative History, London: Routledge.

Keohane, Robert O. and Stanley Hoffmann (1991) The New European Community: Decisionmaking and Institutional Change, Boulder: Westview Press.

Kietz, Daniela (2006) Europäisches Parlament und Parlamentarisierung der EU, Integration, 29 (2), 158-165.

Knudsen, Ann-Christina L. (2009) Farmers on Welfare. The Making of Europe's Common Agricultural Policy, Ithaca/NC: Cornell University Press.

Kofler, Georg (1983) Das Europäische Parlament und die öffentliche Meinung, Vienna – Cologne – Graz: Böhlau

Kohl, Helmut (2004) Erinnerungen 1982-1990, Munich: Droemer.

Kosch, Ariette and Otto Schmuck (1983) Das Europäische Parlament in seiner ersten Wahlperiode: Bilanz und Perspektiven im Widerstreit der Meinungen, Berlin: Institut für Europäische Politik.

Kreppel, Amie (2002) The European Parliament and supranational party system: a study in institutionnal development, Cambridge: Cambridge University Press.

Ladrech, Robert (1993) Parliamentary democracy and political discourse in EC institutional change, Journal of European Integration, 17 (1), 53-69.

Ladrech, Robert (1996) Political parties in the European Parliament, in: John Gaffney (ed.) Political parties and the European Union, London: Routledge, 290-307.

Leopold, Patricia M. (1982) Community law-making: opinions of the European Parliament, Oxford Journal of Legal Studies, 2 (3), 454-459.

Lodge, Juliet (1990) Ten Years of an Elected European Parliament, in: Juliet Lodge (ed.) The 1989 election of the European Parliament, London: Macmillan, 1-35.

Lodge, Juliet (1986) Conclusion, in: Juliet Lodge (ed.) Direct elections to the European Parliament 1984, Basingstoke: Macmillan, 250-273.

Lodge, Juliet (1986) The Single European Act: Towards a New Euro-Dynamism? Journal of Common Market Studies, 24 (3), 203-223.

Lodge, Juliet (ed.) (1986) European Union: The European Community in Search of a Future. London: Macmillan.

Lodge, Juliet (1986), Introduction, in: Juliet Lodge (ed.) European Union: The European Community in Search of a Future, London: Macmillan, 1-14.

Lodge, Juliet (1985) Euro-Elections and the European Parliament: The Dilemma over Turnout and Powers, Parliamentary Affairs, 38 (1), 40-55.

Lodge, Juliet (1984) European Union and the First Elected European Parliament: The Spinelli Initiative, Journal of Common Market Studies, 22 (4), 377-402.

Lodge, Juliet (1982) The European parliament after direct elections: Talking shop or putative legislature? Journal of European Integration, 5 (3), 259-284.

Lodge, Juliet and Valentine Herman (1980) Direct Elections to the European Parliament: A Supranational Perspective, European Journal of Political Research, 8 (1), 45-62.

Lomellini, Valentine (2015) The PCI and the European Integration from Eurocommunism to Berlinguer's death, in: Lucia Bonfreschi, Giovanni Orsina and Antonio Varsori (eds) *European Parties and the European Integration Process, 1945–1992*, Berne: Peter Lang, 159-173.

Lucas, Hans-Dieter (2002) Politik der kleinen Schritte – Genscher und die deutsche Europapolitik, in: Hans-Dieter Lucas (ed.) Genscher, Deutschland und Europa, Baden-Baden: Nomos, 85-113.

Ludlow, N. Piers (2016) Roy Jenkins and the European Commission Presidency, 1976-1980. At the Heart of Europe, Basingstoke: Palgrave Macmillan.

Ludlow, N. Piers (2015) Jacques Delors (1985-1995): Navigating the European Stream at Full Flow, in: Jan van der Harst and Gerrit Voerman (eds), An Impossible Job? The Presidents of the European Commission, 1958-2014, London: John Harper.

Ludlow, N. Piers (2014), Relations with the European Parliament, in: The European Commission 1973-1986. History and Memories of an Institution, Luxembourg: European Commission, 231-241.

Ludlow, N. Piers (2013) European Integration in the 1980s: on the Way to Maastricht? Journal of European Integration History, 19 (1), 11-22.

Maresca, Antonio (1984) Il Parlamento italiano nella gestione della politica comunitaria e nei rapporti con il Parlamento europeo, Rivista di Studi Politici Internazionali, 51 (2), 195-213.

Martens, Wilfried (2008) Europe: I Struggle, I Overcome, Heidelberg: Springer Verlag (Dutch 2006).

Maurer, Andreas (2002) Parlamentarische Demokratie in der Europäischen Union. Der Beitrag des Europäischen Parlaments und der nationalen Parlamente, Baden-Baden: Nomos.

Meyer, Jan-Henrik (2012) A Good European. Hans Edgar Jahn, Anti-Bolshevist, Cold-Warrior, Environmentalist, in: Ann-Christina L. Knudsen and Karen Gram-Skjoldager (eds) Living Political Biography: Narrating 20th Century European Lives, Aarhus: University of Aarhus Press, 137–59.

Meyer, Jan-Henrik (2011) Green Activism. The European Parliament's Environmental Committee Promoting a European Environmental Policy in the 1970s, Journal of European Integration History, 17 (1), 73-85.

Milward, Alan S. (1992) The European Rescue of the Nation-State, London: Routledge.

Mittag, Jürgen (2011) Die Politisierung der Gemeinsamen Versammlung der Europäischen Gemeinschaft für Kohle und Stahl: Anfänge transnationaler Fraktionsbildung im Europäischen Parlament, Journal of European Integration History, 17 (1), 13-30.

Moravscik, Andrew (1998) The Choice for Europe. Social Purpose and State Power from Messina to Maastricht, Ithaca/NC: Cornell University Press.

Moravcsik, Andrew (1991) Negotiating the Single European Act: national interests and conventional statecraft in the European Community, International Organization, 45 (1), 19–56.

Moser, Peter (1996) The European Parliament as a conditional agenda setter: What are the conditions? A critique of Tsebelis (1994), American Political Science Review, 90 (4), 834-838.

Mourlon-Druol, Emmanuel (2012) A Europe Made of Money: The Emergence of the European Monetary System, Ithaca/NC: Cornell University Press.

Müller, Manuel (2016) Diplomatie oder Parlamentarismus. Altiero Spinellis Ablehnung des Genscher-Colombo-Plans 1981, in: Rüdiger Hohls and Hartmut Kaelble (eds) Geschichte der europäischen Integration bis 1989, Stuttgart: Franz Steiner, 177-184.

Neuhold, Christine and Pierpaolo Settembri (2007) The role of the European Parliament committees in the EU policy-making process, in: Thomas Christiansen and Torbjörn Larsson (2007) The role of committees in the policy-process of the European Union: legislation, implementation and deliberation, Cheltenham: Edward Elgar, 152-180.

Nickel, Dietmar (2016) Das Erbe Spinellis: Föderale Leitbilder in der Zeit von der Einheitlichen Europäischen Akte bis zum Verfassungsvertrag der EU, in: Rudolf Hrbek and Martin Große Hüttmann (eds) Renaissance des Föderalismus? Zur Diskussion über die Weiterentwicklung der EU, Baden-Baden: Nomos, 41-59.

Nickel, Dietmar and Richard Corbett (1984) The draft Treaty establishing the European Union, The Yearbook of European Law, 4 (1), 79-121.

Nicolas, J. (1981) Le Parlement élu et le processus législatif de la Communauté, Revue du Marché Commun, xxiv (251), 491-503.

Nicoll, William (1986) From Rejection to Repudiation: EC Budgetary Affairs in 1985, Journal of Common Market Studies, 25 (1), 31-49.

Niedermayer, Oskar (1991) The 1989 European elections: campaigns and results, European Journal of Political Research, 19 (1), 3-16.

Palayret, Jean-Marie (2010) François Mitterrand and the Spinelli Treaty of 1984, in: Andrew Glencross and Alexander H. Trechsel (eds) EU Federalism and Constitutionalism: The Legacy of Altiero Spinelli, Lanham: Lexington Books.

Palmer, Michael (1983) The development of the European parliament's institutional role within the European Community, 1974-1983, Journal of European Integration, 6 (2-3), 183-202.

Paoli, Simone (2015) Euroright. The Extreme Right in the European Integration Process, 1979-1989, in: Lucia Bonfreschi, Giovanni Orsina and Antonio Varsori (eds) European Parties and the European Integration Process, 1945–1992, Berne: Peter Lang, 313-334.

Parlement Européen. Direction Générale des Études (1991) Le Parlement Européen et l'Union Economique et Monetaire, Série économique 20, Luxembourg: Parlement Européen.

Parsons, Craig (2006) A Certain Idea of Europe, Ithaca/NC: Cornell University Press.

Pasquino, Gianfranco and Luciano Bardi (1985) The Institutions and the Decision-Making Process in the Draft Treaty, EUI Working Paper 85/153, Florence: European University Institute.

Patel, Kiran K. (2013) (ed.) The Cultural Politics of Europe. European capitals of culture and European Union since the 1980s, Basingstoke: Palgrave Macmillan.

Pflimlin, Pierre (1991) Mémoires d'un Européen de la IVe à la Ve République, Paris: Fayard.

Pinder, John (1986) Economic Union and the Draft Treaty, in: Juliet Lodge (ed.) European Union: The European Community in Search of a Future, London: Macmillan, 70-87.

Plumb, Henry, Tongue, Carole and Florus Wijsenbeek (2000) Shaping Europe: Impressions of Three MEPs, London: Federal Trust.

Pöhle, Klaus (1992) Parlamente in der EG–Formen der praktischen Beteiligung, Integration, 15 (2), 72-82.

Pollack, Mark (2003) The Engines of European Integration: Delegation, Agency and Agenda-Setting in the EU, Oxford: Oxford University Press.

Ponzano, Paolo (2010) The "Spinelli Treaty" of February 1984. The Start of the process of Constitutionalizing the EU, in: Andrew Glencross and Alexander H. Trechsel (eds) EU Federalism and Constitutionalism: The Legacy of Altiero Spinelli, Lanham: Lexington Books.

Poptcheva, Eva-Maria (2014) Spinelli's legacy: the federal path, European Parliamentary Research Service Briefing 30/01/2014.

Priestley, Julian (2008) Six Battles That Shaped Europe's Parliament, London: John Harper Publishing.

Rabier, Jacques-René and Ronald Inglehart (1981) What Kind of Europe? Support for National Independence, Cooperation and Integration in the European Parliament, Government & Opposition, 16 (2), 185-199.

Ramírez Pérez, Sigfrido M. (2010) The European Committee for Economic and Social Progress: Business Networks between Atlantic and European Communities, in: Wolfram Kaiser, Brigitte Leucht and Michael Gehler (eds) Transnational Networks in Regional Integration. Governing Europe 1945-83, Basingstoke: Palgrave Macmillan, 61-84.

Rasmussen, Morten (2013) Establishing a Constitutional Practice: The Role of the European Law Associations, in: Wolfram Kaiser and Jan-Henrik Meyer (eds) Societal Actors in European Integration. Polity-Building and Policy-Making 1958-1992, Basingstoke: Palgrave Macmillan, 106-128.

Rattinger, Hans (1982) Abstimmungsmacht, politische Distanzen und Abstimmungskoalitionen zwischen den Fraktionen im Europäischen Parlament, Zeitschrift für Soziologie, 11 (2), 133-149.

Reif, Karlheinz and Oskar Niedermayer (1987) The European parliament and the political parties, Journal of European Integration, 10 (2-3), 157-172.

Reif, Karlheinz, Schmitt, Hermann and Klaus Schubert (1979) Wer sind und was wollen die Deutschen im Europäischen Parlament? Zeitschrift für Parlamentsfragen, 10 (3), 332-354.

Rittberger, Berthold (2006) No integration without representation! European Integration, Parliamentary Democracy, and two Forgotten Communities, Journal of European Public Policy, 13 (8), 1211-1229.

Rittberger, Berthold (2005) Building Europe's Parliament. Democratic Representation Beyond the Nation State, Oxford: Oxford University Press.

Rittberger, Berthold (2003) The Creation and Empowerment of the European Parliament, Journal of Common Market Studies, 41 (2), 203–225.

Rittberger, Berthold and Frank Schimmelfennig (2007) Explaining the constitutionalization of the European Union, Journal of European Public Policy, 13(8), 1148-1167.

Rosengarten, Ulrich (2008) Die Genscher-Colombo-Initiative. Baustein für die Europäische Union, Baden-Baden: Nomos.

Salm, Christian (2017) Impact of the ECSC Common Assembly on the politics, negotiation and content of the Rome Treaties, EPRS European Parliament History Series PE 563.518.

Salm, Christian (2016) Transnational Socialist Networks in the 1970s. European Community Development Aid and Southern Enlargement, Basingstoke: Palgrave Macmillan

Sandholtz, Wayne and John Zysman (1989) Recasting the European Bargain, World Politics, 42 (1), 95-128.

Scalingi, Paula (1980) The European Parliament: the three-decade search for a united Europe, London: Aldwych.

Schimmelfennig, Frank et al. (2006) Conditions for EU constitutionalization: a qualitative comparative analysis, Journal of European Public Policy, 13 (8), 1168-1189.

Schimmelfennig, Frank (2003) The EU, NATO and the Integration of Europe: Rules and Rhetoric, Cambridge: Cambridge University Press.

Schmuck, Otto and Wolfgang Wessels (1989) Konturen eines zeitgemäßen Leitbildes für das Europäische Parlament: Ergebnisse des Projekts und Desiderata für die Forschung, in: Otto Schmuck and Wolfgang Wessels (eds) Das Europäische Parlament im dynamischen Integrationsprozess. Auf der Suche nach einem zeitgemäßen Leitbild, Bonn: Europa Union Verlag, 283-304.

Schmuck, Otto and Wolfgang Wessels (1985) Die Mailänder Tagung des Europäischen Rats – Weder Fehlschlag noch Durchbruch zur Europäischen Union, Integration, 8 (3), 95-102.

Schöndube, Claus (1980) Ein Jahr Europäisches Parlament – Bericht eines ständigen Beobachters, Integration, 3 (4), 143-155.

Schoutheete, Philippe de (1986) Le rapport Tindemans: dix ans après, Politique étrangère, 51 (2), 527-538.

Schwarz, Hans-Peter (2012) Helmut Kohl: Eine politische Biographie. Munich: DVA.

Scoffoni, G. (1992) Les relations entre le Parlement européen et les parlements nationaux et le renforcement de la légitimité démocratique de la Communauté, Cahier de droit européen, 28 (1-2), 22-41.

Shaw, Jo (2003) Process, Responsibility and Inclusion in EU Constitutionalism, European Law Journal, 9 (1), 45-68.

Sidjanski, Dusan (1987) Du projet de traité d'union du Parlement européen à l'Acte unique européen, Journal of European Integration, 10 (2-3), 109-134.

Spinelli, Altiero (1992) Diario Europeo 1976-1986, ed. Edmondo Paolini, Bologna: Mulino.

Spinelli, Altiero (1986), Foreword, in: Juliet Lodge (ed.) European Union: The European Community in Search of a Future, London: Macmillan, xiii-xviii.

Steppat, Sabine (1988) Execution of functions by the European parliament in its first electoral period, Journal of European Integration, 12 (1), 5-35.

Thatcher, Margaret (1993) Downing Street Years, London: Harper Collins.

Thomas, Daniel C. (2006) Constitutionalization through enlargement: the contested origins of the EU's democratic identity, Journal of European Public Policy, 13 (8), 1190-1210.

Tindemans, Leo (2002) De Memoires – Gedreven Door Een Overtuiging, Tielt: Belgium, Lannoo.

Tömmel, Ingeborg (2013) The Presidents of the European Commission: Transactional or Transforming Leaders? Journal of Common Market Studies, 51 (4), 789-805.

Trechsel, Alexander H. (2010) Introduction: Spinelli's Heritage: An Introduction to the European Union's Post-Lisbon Challenge, in: Andrew Glencross and Alexander H. Trechsel (eds) EU Federalism and Constitutionalism: The Legacy of Altiero Spinelli, Lanham: Lexington Books.

Tsebelis, George (1996) More on the European Parliament as a Conditional Agenda Setter: Response to the Moser, American Political Science Review, 90 (4), 839-844.

Tsebelis, George (1994) The power of the European Parliament as a conditional agenda setter, American Political Science Review, 88 (1), 128-142.

Ungerer, Werner (1989) Die neuen Verfahren nach der Einheitlichen Europäischen Akte: Eine Bilanz aus der Ratsperspektive, Integration, 12 (3), 95-106.

Van Schendelen, Marinus P. C. M. (1984) The European Parliament: Political influence is more than legal powers, Journal of European Integration, 8 (1), 59-76.

Vauchez, Antoine (2015) Brokering Europe. Euro-Lawyers and the Making of a Transnational Polity, Cambridge: Cambridge University Press.

Vauchez, Antoine (2010) The Making of the European Union's Constitutional Foundations: The Brokering Role of Legal Entrepreneurs and Networks, in: Wolfram Kaiser, Brigitte Leucht and Michael Gehler (eds) Transnational Networks in Regional Integration. Governing Europe 1945-83, Basingstoke: Palgrave, 108-128.

Veil, Simone (2009) A Life, London: Haus Publishing.

Weiler, Joseph H.H. (1992) After Maastricht: Community legitimacy in post-1992 Europe, in: James Adams (ed.) Singular Europe. Economy and Polity of the European Community after 1992, Ann Arbor/MI: University of Michigan Press, 11-41.

Weiler, Joseph H.H. (1989) Europäisches Parlament, europäische Integration, Demokratie und Legitimität, in: Otto Schmuck and Wolfgang Wessels (eds) Das Europäische Parlament im dynamischen Integrationsprozess. Auf der Suche nach einem zeitgemäßen Leitbild, Bonn: Europa Union Verlag, 73-94.

Weiler, Joseph H.H. (1983) The Genscher-Colombo Draft European Act: The Politics of Indecision, Journal of European Integration, 6 (2-3), 129-153.

Weiler, Joseph H.H. and James Modrall (1985) The creation of the European Union and its relation to the EEC treaties, EUI Working Paper 85/154, Florence: European University Institute.

Wessels, Wolfgang (1992) The Institutional Debate – Revisited. Towards a progress in the "acquis académique", in: Christian Engel and Wolfgang Wessels (eds), From Luxembourg to Maastricht: Institutional change in the European Community after the Single European Act, Bonn: Europa Union Verlag, 18-32.

Westerhoff, Horst-Dieter (1985) Die parlamentarische Zusammenarbeit von Bundestagsfraktion und Europaabgeordneten: Das Beispiel CDU/CSU, Zeitschrift für Parlamentsfragen, 16 (3), 372-382.

Westlake, Martin (1994) Britain's emerging Euro-Elite? The British in the directly-elected European Parliament, 1979-1992, Aldershot: Dartmouth.

Westlake, Martin (1994) A Modern Guide to the European Parliament, London, Pinter Publishers Ltd.

Woyke, Wichard (1989) Die Europäische Gemeinschaft. Entwicklung und Stand. Ein Grundriß, Opladen: Leske & Budrich.

Based on a large range of newly accessible archival sources, this study explores the European Parliament's policies on the institutional reform of the European Communities between 1979 and 1989. It demonstrates how the Parliament fulfilled key functions in the process of constitutionalization of the present-day European Union. These functions included defining a set of criteria for effective and democratic governance, developing legal concepts such as subsidiarity, and pressurising the Member States into accepting greater institutional deepening and more powers for the Parliament in the Single European Act and the Maastricht Treaty.