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# The dynamic development of the European Communities (and then Union) and the relationship with EFTA and the Council of Europe

by  
Roberto Castaldi

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## Abstract

Federalism, neo-functionalism and realism-intergovernmentalism offer different visions of European unity, evident in different European organizations such as the Council of Europe to the ECSC, EEC/EC/EU, and EFTA. The paper develops two heuristic schemes that help explain the success of the ECSC, EEC/EC/EU over other European organizations. The neo-functionalist initial success deeply influenced and shaped following developments.

## Key-words:

Federalism, neo-functionalism, realism, European Coal and Steel Community, European Free Trade Area, European Council



## Introduction

The issue of European unity was much discussed after WWI (Agnelli and Cabiati 1918; Einaudi 1918a and 1918b; Coudenhove-Kalergi 1923; the Briand's Memorandum of 1930; Lothian 1935; Robbins 1937 and 1941; Spinelli and Rossi 1941; see also Pistone 1975; Mayne and Pinder 1990; Malandrino 1993; Burgess 1995; Malandrino and Pistone 1999). However, it actually entered the political agenda after WWII (in Italy for example see the papers by the first President of the Republic Luigi Einaudi 1943, 1944, 1945, 1947a, 1947b, 1948a, 1948b, 1956), also supported by several pro-European organization throughout Europe (Lipgens 1982 and 1985; Pistone 1992, 1996, 2008; Pinder 1989 and 1990; Landuyt and Preda 2000). There were competing normative visions about European unity, both with regards to the institutional framework envisaged, and about the strategy to create it. From these visions different theories have developed which combine normative and analytic elements.

The macro-theories that propose a comprehensive understanding of the process can be broadly grouped into three families: the realist or intergovernmental, the neo-functional, and the federalist traditions (for an overview of the main theories cfr. Rosamond 2000). They revolve around the issues of what are the European Communities and then Union, what can/should it become, how can that outcome be achieved, by what dynamics, and by what actors. With the historical unfolding of the process they all had to deal with the reality of the process which challenged some of their main tenets, bringing about successive phases of theoretical revision for all theories (Castaldi 2005). They differ with regards to the identification of the key players in the process; the motives (economic, political, ideological) of their choices; the relationship between economic integration and the creation of supranational institutions and decision-making procedures; the dynamics of the process and the decision-making mechanisms that determine it; and the possible/desirable ultimate goal of integration.

Initially, the first fundamental divide among the main normative visions regarded what is unity and what is division. Federalism and neo-functionalism consider unity the ability to decide and act together. Therefore they put emphasis on the powers endowed to



supranational institutions and on their decision-making procedures. This suggests the possible complementarity of federalism and neo-functionalism as they shared the same goal, but proposed different strategies to reach it (see Dosenrode 2010 in this issue). Eventually, Mario Albertini explicitly tried to bridge the two, by proposing constitutional gradualism, founded on federal constitutionalism and neo-functionalist gradualist approach, which is not possible to analyse here in details (Albertini 1971-1999b, 1976-1999b, 1984). Realism-Intergovernmentalism considers national sovereignty as an attribute which the nation-state will never renounce, and therefore the possible unity is provided by the greatest possible number of states deciding to cooperate together. Essentially, the challenge was between traditional international cooperation and a new form of integration aiming explicitly, if only within a long-term perspective, to a political unification.

All visions were to a certain extent put in practice at the beginning of the European unification process, and this produced various international organizations with different institutional settings. The Council of Europe on the one hand, and the European Free Trade Area on the other, can be considered as the embodiment of realism-intergovernmentalism. The Council of Europe was always characterised by a vast membership, an essentially intergovernmental structure, relatively limited competences, and little supranational powers. The European Free Trade Area combined a more limited membership with an essentially intergovernmental structure, important economic competences, and no supranational powers. The European Coal and Steel Community (ECSC) and its successors up to the EU can be considered the embodiment of neo-functionalism, and also federalism to a certain extent (Dosenrode 2007). It started with only six members, relatively strong supranational powers and a pre-federal institutional structure. Some of these features and powers have been lost along the process, but some other have been acquired, as I will argue later on.

This paper will look at the interaction among the various organizations – ECSC, then EEC/EC/EU, Council of Europe and EFTA - mainly trying to explain the dramatic prevalence of the unification process which started with the Schuman Declaration of the 9<sup>th</sup> of May 1950 and proceeded up to the current European Union, over the other initiatives that brought about the Council of Europe and the European Free Trade Area. To this end I will briefly consider the start of the process towards some form of European unity, and sketch two explanatory schemes with regards to the main components and



dynamics of the process. These will be used to analyse the uneven development of the various European organizations and their interaction.

## 1. The start of the process towards European unity

The first practical steps towards European unity were taken thanks to an external push, coming from the conditions attached by the US to the generous proposal of the Marshall Plan, signed in 1947 and implemented in April 1948 (Geremek 2008). American financial help to the reconstruction of Europe would not be provided to individual states, but only to a new European organization which would manage them to the benefit of the whole of Europe. This resulted in the creation of the Organization for European Economic Cooperation (OEEC). However, the European states turned it into the instrument to divide among themselves the American financial help. However, it had an important role as a compensation chamber for intra-European trade, at a time in which the availability of hard currency, namely dollars, was very limited – the so-called Dollar shortage (Kindleberger 1950). This organization essentially lost any purpose with the end of the Marshall Plan and was eventually superseded in 1961 by the Organisation for Economic Cooperation and Development (OECD), including the US.

The Hague Congress in May 1948 was organised to discuss among prominent politicians and public figures the issue of European unity. The federalist and intergovernmental visions were the main alternatives discussed, and the second prevailed. The result was the creation of the Council of Europe in 1949, which represented the realist form of unity (Council of Europe 1999). It had a wide membership (initially 10 states, and now it has 47), a political nature, but very limited competences and power. It was basically an institution to favour cooperation among member states about human rights and political issues. The Parliamentary Assembly was considered the only institutional element which could be used to trigger a new dynamics to the organization, given the substantially intergovernmental character of the rest of the institutional set-up. Paul Henry Spaak, first president of the Parliamentary Assembly led the attempts in this direction, which eventually failed. Over time the Council of Europe managed to establish a useful and effective



European regional system of human rights protection, but it is definitely not at the core of the European unification process.

The impasse created by the failure of the Council of Europe and the absence of other initiatives, brought Jean Monnet to propose the creation of a supra-national community to manage the coal basins for which France and Germany had been fighting three wars in less than a century. He obtained the assent by the French foreign minister, Robert Schuman, and the German Chancellor, Konrad Adenauer. Finally Schuman publically proposed the creation of the European Coal and Steel Community to Germany and all other interested European countries (Fontaine 2000), in the the Schuman Declaration of the 9<sup>th</sup> of May 1950. The proposal was explicitly presented as “the first step towards a European federation” (full text of the Declaration at [http://europa.eu/abc/symbols/9-may/decl\\_en.htm](http://europa.eu/abc/symbols/9-may/decl_en.htm)), and rested on the precondition of a willingness to devolve parts of sovereignty to the new supranational institution. Britain rejected this precondition, and after an initial status as observer, left the intergovernmental conference that led by Monnet drafted the Treaty establishing the ECSC between France, Germany, Italy, the Netherlands, Belgium and Luxemburg (the Six). Compared to the membership of the Council of Europe, this was a smaller group of countries.

The ECSC was a fundamentally neo-functionalist form of European unity. It created an effective capacity to decide and act together, but very limited in scope, as it regarded a specific issue-area. However, its institutional structure was clearly pre-federal, coherently with the federal aim indicated by the Schuman Declaration. The decisions of the High Authority were cogent. It was to be controlled by the Council of Ministers representing the members states, and by a Parliamentary Assembly composed of delegates of the national parliaments – but it was foreseen the possibility for it to be eventually directly elected by the citizens. The ECSC had legal personality and substantial financial autonomy, as it could levy taxes on coal and steel production and trade and obtain credit on the international market – all these were not recognised to the EEC in 1957 and the EU has not yet been able to recover these fiscal powers, while it was recognised legal personality only with the Treaty of Lisbon.

Following the start of the Korean war in 1950 and the American demand for West German rearmament, Monnet re-proposed the same ECSC scheme with regards to the defence policy-area. The Pleven Plan proposed the creation of a European Defence



Community (EDC). Spinelli convinced De Gasperi that a European army without a European government would be a danger for democracy and just a mercenary army for the US, and through art. 38, the project of a European Political Community (EPC) was linked to the EDC. The mandate to the Parliamentary Assembly of the ECSC - enlarged as to meet the requirement for the EDC one, and assuming the name of Ad Hoc Assembly to avoid the term "constituent assembly" - to draft a new Treaty-Constitution to establish the EPC was essentially an attempt to build a federal form of European unity. The end of the Korean war in 1953, Stalin's death, and a series of changes in the French government – until Schuman's party went into opposition and the Gaullist into government – contributed to the indefinite postponement of the EDC Treaty ratification at the French national assembly in 1954. The ambitious project of a political and military union fell on a procedural issue by a few votes in August 1954, due to the unusual alliance between Gaullists and communists on that issue (on the EDC see Lerner and Aron 1957; but the most detailed accounts are in Italian: Preda 1990, 1994, 1996).

The success of the neo-functional initiative, the ECSC, and the failure of the federalist EDC-EPC and of the intergovernmental Council of Europe, significantly determined the following path of the European unification process, and also the fate of the alternative integrative schemes. But to address these issues specifically it is first needed to sketch two heuristic schemes to analyse the European unification process. These conceptual schemes exploit the strengths of the main theories, although they were first sketched within the federalist tradition. The first concerns the distinction between construction, integration and unification, to conceptualize a dynamic relationship between the transfer of competences at European level and the creation of supranational institutional mechanisms. The second scheme "Crisis-Initiative-Leadership" helps to re-define the actors and their logic in a more open but specific fashion, and to explain the timing of the successes and failures of the European unification process. Together they will help analyse the development of the different integrative schemes and their relationships<sup>1</sup>.



## 2. The components of the process: construction, integration, unification

Mario Albertini<sup>II</sup> distinguishes between construction, integration and unification to focus on and conceptualise the main aspects of the process (see especially Albertini 1963, 1986a and 1986b).

The concept of "unification" refers specifically to the political process related to the progressive overcoming of absolute national and exclusive sovereignty through its transfer or pooling with regard to a defined and limited number of issues at the European level. This is the general concept to capture the historical significance (from a long term perspective) of what is usually called European integration process. The unification, therefore, includes both the gradualist phase and the possible and eventual decision to set up a European federal state. The historical significance of the process was the unification of several States and is based on two aspects: the integration of competences and the construction of supranational institutions. Unification is conceived as a function of the transfer of competences from the national to the European level (integration) and the building of institutions and decision-making mechanisms to manage these responsibilities (construction).

The term "integration", whose semantic connotation refers to something technocratic should be used instead to focus on the competences attributed at the European level, which historically have been accumulated mainly through a process of economic integration along an essentially neo-functionalist path. The decision to create the common market, the common agricultural policy, the single market, the single currency, the area of internal freedom, the foreign and security policy, and then the foreign, security and defence policy, are all examples of integration.

The term "construction" indicates the process of institution building in Europe, which can be analyzed by using constitutional or federal criteria. Its semantic connotation refers to the element of planning and political will necessary to "build" Europe, i.e. its institutions and decision-making mechanisms, or its powers. The direct election and then the extension of the powers of the European Parliament, the introduction and then the extension of qualified majority voting in the Council, the creation of the European Central



Bank, and other aspects related to decision-making and to the institutional structure of the Union are examples of institutional construction.

Moravcsik proposed a similar view, using different terms. He distinguishes between the “substantive agreement” - reached in one of the “grand bargains” characterizing the stages of the process - on economic issues (policies, funding, etc.) and the “institutional choice” that is always subordinate and functional to the first and essential agreement (see especially his systematic book Moravcsik 1998). He gives priority to the integration, the establishment of policies and the transfer of expertise and possibly resources, compared to selected institutional choices, although acknowledging that the element of novelty characterizing the Community and then the Union was its own framework institutional.

On the contrary, Albertini argues that the level of construction is the key variable to assess the unification process, because the achievement of certain objectives, including the economic ones, is not possible without an adequate institutional framework, sufficiently democratic and efficient. According to Albertini, the degree of institutional construction determined the degree of possible integration, as shown by the failure of the positive integration in an inadequate institutional framework, and later the need for the introduction of qualified majority voting, that is the overcoming of the unanimity and national vetoes, in order to create the single market – this last point being widely shared in the literature by intergovernmental and neo-functionalist scholars as well.

I contend that there is a continuous and complex interaction between integration and construction, and that none of them can be considered as a dependent variable of the other (see also Castaldi 2005 and 2009a, and Montani 2008). The fact that appropriate decision-making institutions sufficiently strong and legitimate from a democratic point of view are necessary in order to achieve shared substantive goals has been historically proven: for example the introduction of majority voting in the Council, provided by the Single European Act of 1986 only with regard to the creation of the single market, was clearly linked to the objective of establishing the Single market by 1992. This required the adoption of over three hundred directives, and their approval was unthinkable to be reached through unanimity. Nonetheless, most deliberations have then been taken unanimously, because when QMV applies, all states have an incentive to cooperate in drafting the bill, and not to be outvoted. Conversely, when there is unanimity, there is less



willingness to compromise because each government can block any decision that does not satisfy its demands.

At the same time, the history of the process also shows the opposite case of aspects of the institutional construction that have triggered other changes both at the level of construction and integration. Two examples are particularly relevant. The creation of the Court of Justice with a binding jurisdictional power has led to an expansion of Community competences and powers through the jurisprudential affirmation of the principles of implied powers and of the primacy and direct applicability of EU law. Similarly, the direct election of the European Parliament has triggered a process of continuous and progressive increase of the Parliament' powers during all subsequent Treaties amendments. Moreover, the initiative of the Parliament with the approval in 1984 of the draft Treaty of European Union, also known as Spinelli Project (Lodge 1984), was essential to trigger a process of reform of the 1957 Treaties which has never been stopped since then, and produced the re-launch of the integration process through the Single European Act, while many of the provisions of the Parliament project have been introduced by subsequent treaties amendments (Burgess 1989 and 2000; Bonvicini 2010).

Obviously, the interaction between construction and integration takes time. They are like two columns on which unification is based. If they are not developed symmetrically a dynamic tension arises. But improvements can be made on each of them first. This distinction also helps to focus on the long-term generally progressive, but not linear, trend of the unification process. Generally, when a new competence is attributed to the European level – i.e. a new step of integration is made – it is handled through essentially intergovernmental procedures. Only when some positive result is achieved on the one hand, but not all potential advantages are ripped due to the constraints of unanimity, a communitarization of the relevant decision-making procedure takes place.

The 1957 Rome Treaty provided for a transitory period in which unanimity applied, before establishing QMV. The Empty chair crisis and the Luxembourg compromise prevented this, and the establishment of a complete European market had to wait until 1992, after QMV was introduced in 1986. The 1992 Maastricht Treaty provided for the creation of the monetary union, and for the first time attributed to the EU new competences in the fields of foreign policy justice and home affairs – the so-called second and third pillars – on strictly intergovernmental terms. Many scholars, especially



intergovernmental and neo-functionalists, suggested that the Treaty checked the progress of supranationality reinforcing the intergovernmental character of the EU. This was a short-term, and short-sighted view, disconfirmed by the fact that all subsequent treaties up to Lisbon have progressively extended the use of QMV, the co-decision procedure of the Parliament, the role of the Commission and the justiciability by the Court of Justice also in these fields, up to the abolishment of the three pillars structure.

All this shows the usefulness of the distinction between integration and construction within the unification process. A significant increase in competences or power alone is likely to trigger a dynamics in favour of an increase in the other element too. Historical evidence suggests that none of them can be considered as a dependent variable of the other, but that adequate attention must be devoted to their interaction.

From this perspective it is easier to discern the long-term trends of the process. Compared to the 1950 ECSC, the 1957 EEC had wider competences and more limited powers, as it lacked legal personality and the financial powers attributed to the ECSC, and the Commission was weaker than the High Authority. This can to some extent be attributed to the disarray of the federalist position after the collapse of the EDC in 1954. In the early 1960s the Court of Justice strengthened the institutional framework by establishing the direct effect (*Van Gend en Loos*, 1963) and primacy (*Costa/ENEL*, 1964) of the EEC law. The “empty chair” crisis produced the 1966 Luxembourg Compromise which prevented the foreseen introduction of QMV in the Council at the end of the transitory period of the Common Market, as provided by the 1957 Treaties. The 1970s are often considered a period of euro-sclerosis, but there were at least four major developments, such as the creation of the European Council in 1973, the decision to hold direct election of the European Parliament in 1974, the Court of Justice establishing the implied powers principle (*ERTA*, 1976) and the creation of the European monetary system in 1979. The EP approval of the Spinelli initiative in 1984 was crucial in triggering an IGC which brought about the 1986 Single European Act, which expanded both competences and powers of the EC. The 1992 Maastricht Treaty greatly increased the competences, and the powers with regards to the goal of monetary union. All following Treaties slightly increased the competences and progressively communitarised those acquired at Maastricht, thus strengthening, in different degrees in various fields, the EU powers. Overall, the trend



towards an increase of competences and powers is quite evident. It remains to be analysed how such a dynamic was triggered.

### 3. The timing and the actors of the process: crisis-initiative -leadership

The distinction between unification, integration and construction helps to clarify the fundamental aspects of the process and their interaction, and starts shedding some light on the dynamics of the process. However, it tells us nothing about the timing and actors of the process. The main theories have all major difficulties in explaining the timing of European unification, and each privileges different actors, such as national governments, European institutions – especially the Commission – and federalist personalities and organizations.

The tripartite scheme focused on the concepts of crisis, initiative and leadership – which I will briefly analyze in each of its aspects and in their interactions – helps to explain the timing of the process and the different roles played by the actors on which the various theories focus. For a decision advancing the unification process to be taken these three conditions must be present at the same time. This heuristic tool was first sketched by Albertini, reflecting about the role of the federalist organization, (see Albertini 1965, 1966, 1968, 1973, and 1979 - each article usually focusing on one aspect in particular), in light of Monnet and Spinelli political struggles (Monnet 1976; Spinelli 1989b, 1989c, 2006; see also Castaldi 2009b).

I consider a crisis a socially perceived supranational problem which cannot be solved by any European nation-state acting alone. The crisis constitutes a catalyst for a decision, and it essentially determines the area or sector in which an integrative proposal can be proposed with a chance of success. The initiative is the proposal of a solution to the crisis via an advancement of the unification process – which implies a transfer of competences and/or of powers to the European level. Leadership is the power to put the proposal on the official agenda and build the consensus among the governments to approve and apply it. Each element can be considered as a necessary but not sufficient condition for a decision about European integration to be taken. Not all crises will be



followed by adequate initiatives, nor all such initiatives will be matched by successful European leaderships.

### 3.1. Crisis

The idea that crises are windows of opportunity to push European integration forward is prominent in the writings of some of the most prominent European personalities (Monnet 1976; Spinelli 1979, 1984, 1987, 1989a, 1992a, 1992b). Actually, according to the federalists, the basic push of the European unification process was linked to the historical long-term crisis of the nation state - already discussed by Rossi and Spinelli in the Ventotene Manifesto in 1941 - that is the impossibility for the European nation-states to ensure their economic development and security by themselves (Spinelli discusses it in several papers now collected in Spinelli 1991). These goals required states characterized by a vast extension as shown by the success of the U.S. and the USSR, the two super powers that divided the world and Europe into spheres of influence, up to determining the domestic regime of the states under their hegemony (Castaldi 2002).

This structural situation manifested itself through the existence of supranational problems. Occasionally they turned into socially perceived serious crises on specific issues, which Albertini called “crisis of national powers” (on the two concepts of crisis of the nation state and of national powers see Castaldi 2001; and Sam-Sang Jo 2007). A similar view is proposed by realist authors who consider the European integration as a mere instrument of nation-states to solve some common problems in the economic and political fields that cannot be faced by a single state (see Milward 1984, 1992, and Milward et al. 1994). The difference is that the federalists consider the crises of national power as symptoms of the historical crisis of the nation state, and therefore identify in the European federation a structural solution.

When dealing with a supranational problem states normally seek the way of mere cooperation, as the intergovernmental tradition argues. For this reason a socially perceived crisis on a supranational problem is necessary for states to decide and carry out a transfer or pooling of sovereignty – provided the European and federalist personalities and organizations had the ability and strength to pursue that proposal (Albertini 1965 and 1966). The crisis may involve a nation state or the Community and the European Union as



a whole. When the EU plays a decisive role in dealing with certain problems a crisis of the EU itself can trigger a set of opportunities to re-launch the integrative or disintegrative dynamic.

The importance of the social perception of the crisis, or a single problem and its supranational character has to be underlined. The American request for West German rearmament during the Korean War can be regarded as a minor crisis, because after the fall of the EDC the creation of a German army was carried out without major tensions with France, also thanks to the collocation of both within the Atlantic framework. But the idea of a German army was socially perceived as a serious danger and this allowed to propose and bring to the verge of ratification the creation of a European army. On the contrary, the crisis of Bretton Woods was very serious and provoked tremendous damages to the European economy, but the project of monetary union failed in the seventies<sup>III</sup>, and it was carried out only after the fall of the Berlin Wall in order to anchor the reunited Germany to Europe, by the Europeanization of its main element and symbol of power, the Deutsche Mark.

The concept of crisis has a fundamental theoretical value. The crisis of national powers is called upon to explain the windows of opportunity and therefore the timing of the debates, choices, and the stages of the process of unification. The crisis functions as a catalyst for decisions, and thus marks the time of the unification process. Moreover, it is the nature of the crisis which determines the type of possible decisions, and eventually progress or regress of the unification process.

The crisis related to the American request of German rearmament explains both the time and the military character of the proposal of a new Community - and the fact that a personality like Monnet, often (wrongly) considered a neo-functionalist, has proposed the creation of a European army or a transfer of sovereignty on the point of greatest potential national resistance. Confronted with a crisis on the military field he could not respond with an economical solution, just as the collapse of Bretton Woods was followed by the project of monetary union, rather than a revival of the idea of military integration, which again re-emerged during the Convention at the time of the second Iraqi war, bringing about the provisions about structural cooperation on defence in the Constitutional Treaty and then in the Lisbon Treaty.



Finally, the notion of crisis can clarify the role of various actors, which can vary during the process. The role of European and federalist figures and organizations depends on their ability, at a given time, to identify the supranational problem on which a socially perceived crisis could break out, and thus to mobilize consensus around proposals aimed at advancing the unification process to solve at least partially these crises. If they manage, these actors have a role and their proposals enter the public debate. If they don't, they disappear from the political scene. Similarly, in the absence of a crisis their propaganda activities are unlikely to lead to decisions involving a real advancement of the unification process, with regard to the transfer of competences - integration – and to the institution-building and the strengthening of supranational decision-making mechanisms - construction.

All this means that no one - including the federalists personalities and organizations, notwithstanding what Milward and Moravcsik attribute them - believes that nation-states can decide about the transfer of sovereignty for ideological reasons, i.e. for the sake of European unity as an ideal. On the contrary, a favourable ideological vision is only a necessary but not sufficient condition for a national leader to take decisions regarding a transfer of competences or powers, when this choice is the best solution to respond to a crisis. An ideological nationalist vision, instead, does not allow to take such a decision, notwithstanding the costs of the missed solution of crisis. The differential of economic growth, unemployment levels and inflation rate between the European states and the United States after the collapse of the Bretton Woods system showed the cost of the failure to reach monetary unification in the seventies, especially when compared to the positive effects on the European economy of the creation of the euro.

The crises are therefore a necessary condition - for reasons explained by intergovernmental analysis about the normal inclination of national governments not to transfer competences and/or powers to Europe - but an insufficient one, to advance the process. The crises - which are not determined by the actors voluntarily, although their social perception is also linked to their behaviours - offer windows of opportunities that require the active intervention of actors to be exploited. Their role is examined through the concepts of initiative and European (occasional) leadership.



### 3.2 Initiative

The second element of the conceptual scheme developed to understand the dynamics of the process is thus the initiative. Facing a crisis it is possible to provide different answers, more or less effective and with a different relationship between costs and benefits for different groups involved. Obviously, not all answers will involve any progress in the European unification process. To this end it is essential that someone takes the initiative to develop and propose solutions to the crisis involving such an advancement. Since governments typically seek the way of mere cooperation, this role is more easily embraced by federalist personalities and movements, or by European institutions, that would benefit from a solutions strengthening them. The role of Monnet, Spinelli, and the organizations that supported them, has often been to identify clearly and precisely the supranational character of the crisis, and then propose solutions that involved a strengthening of the unification process (see Albertini 19667 and 1968). Quite the same applies to the role of the Commission as highlighted by the neo-functionalist literature (Haas 1958-1968, and 1963; Lindberg 1963, 1967, 1970, and 1971; Schmitter 1969 and 1971; Sandholtz and Zysman 1989; Tranholm-Mikkelsen 1991), or of the Parliament (Lodge, 1984; Albertini 1984 and 1986a; Spinelli 1985).

The concept of “initiative” identifies the role of ideas in the process, similarly to what was recently emphasized by social constructivism. Monnet’s idea of pooling sovereignty on coal and steel - a specific and limited sector, but essential to international relations, since it was the base of the military heavy industry of the time – was different from simple cooperation and less demanding than a complete political union. This idea determined the start and also some of the ensuing characteristics of the entire unification process. However, every step of the process was conceived and proposed in relation to the crises of the period. The idea of European political unity seemed so distant and difficult, that European governments were initially ready to create a European army, without a European democratic government, until Spinelli pointed out the inconsistency and the danger of a similar project (Albertini 1977b). For each step of the process it is possible to identify the personalities and/or institutions that first devised a proposal and began to gather consensus around it.



### 3.3. Leadership

Ideas and proposals - even if consistent and well grounded - need to be transformed into concrete decisions. Therefore, the issue of power emerges significantly once again. Only if a national government or a European institution develops, or endorses a proposal initiated by other personalities, and inserts it the political agenda, this has a chance of being adopted. The political leader who puts a proposal into the agenda and builds the necessary intergovernmental agreement for the final decision *de facto* exercises a European leadership - even if it is a national leader or government. Still, it is an occasional leadership, linked to the desire to solve the crisis through the integrative proposal. Otherwise, if it was due to the simple desire of unifying Europe, it would manifest itself in a continuative manner.

On this basis it is possible to develop the concept of “European occasional leadership” (Albertini 1973 and 1979). The idea of the occasional nature of the leadership connects it to the crisis from a theoretical point of view, explaining why it is not possible for any national leader to devote priority to European integration, as personalities such as Monnet and Spinelli did – but their role was that of the initiative rather than of leadership. Intergovernmentalist literature has often stressed that the national leaders involved in important integrative decisions were moved by the desire to solve problems and thus strengthen the power of the nation-state rather than by the will to unite Europe. Intergovernmentalists also harshly criticize the hagiographic literature concerning those who Milward calls the “European Saints” (Milward 1992, especially pp. 318-344; and Moravcsik 1998). The concept of the European occasional leadership actually incorporates the correct aspect of this criticism, while acknowledging the role and the European function in certain phases played by national leaders. Of course, an ideological inclination favorable to European unity is still necessary in order assume such a role favoring solutions to crises that advance the unification process.

A fourth aspect should be added to this scheme - crisis, initiative and occasional European leadership - namely the permanence of those conditions for all the duration of the decision-making and ratification procedure of a given proposal. If the socially perceived crisis is solved or the social perception of the problem lacks or diminishes, or whether the



occasional European leadership is missing, the initiative that linked these two elements will hardly have a positive outcome. For example, in the fall of ECD both of these situations took place: when the French National Assembly voted, the war in Korea was over and Stalin's death had eased the climate of confrontation with the USSR, and several governments of different partisan composition took turns causing the exclusion of both Pleven and Schuman – who initially provided the European occasional leadership - from the government.

This fourth aspect is obviously very relevant for the effective results of decision-making, but not for the conceptualization of the conditions with regard to the evolution of the process. The scheme crisis-initiative-leadership aims at identifying the conditions under which national governments may accept a transfer of competence and/or powers to Europe. This scheme develops the paradox proposed by Spinelli of the nation-states as *obstacle* and *instrument* of the unification process (see Castaldi 2010). Under normal circumstances, the Member States represent the obstacles of the unification process, because they attempt to maintain its sovereignty. However, faced with a socially perceived crisis on a supranational problem, and an effective initiative to solve it by advancing European unification, a European occasional leadership may emergence in at least one Member State or in the European Union institutions, triggering a decision-making process which, although dominated by the states, can lead to an advancement of the process of European unification.

It may be useful at this point to summarise the two heuristic schemes proposed so far to identify the main components and potential actors of the process.



Table 1. Elements of the process.

<b>Integration</b>	<b>Construction</b>	<b>Unification</b>
Transfer of competences to the European level.	Transfer of powers to the European level, through the creation of institutions, decision-making procedures and implementation mechanisms.	It express the long-term political significance of the process, and derives from the interaction of integration and construction, none of which can be considered as a dependent variable of the other.

Table 2: Roles, potential actors, and conditions for a new decision within the unification process to be taken.

<b>Crisis</b>	<b>Initiative</b>	<b>Leadership</b>	<b>Permanence</b>
A socially perceived problem, which cannot be solved at national level. This opens a window of opportunity for a European decision. It can emerge within the domestic or international environment, on economic or political issues. It determines the	Political entrepreneurs - especially European personalities and movements – can propose a European solution to a crisis, through a transfer of competences and/or powers to the European level. Personalities such as Monnet and Spinelli and institutions such	Foreign Ministers, Head of State and governments who push forward the initiative into the official political agenda and gather the intergovernmental consensus necessary for a decision to be taken.	The permanence of the previous three elements for the time necessary to reach a decision is crucial. If the crisis is solved differently, or if the leadership is undermined by a change in government, a decision is unlikely to be reached.



political space and sector of new integrative initiative.	as the Commission and the Parliament played this role.		
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#### 4. The success of Monnet and Schuman's initiative and its influence

Depending on the intensity, social perception and area of the crisis, different opportunity were available for the strategies proposed by the different theories at the beginning of the process. For several specific reasons, the neo-functionalist initiative proposed by Monnet and officially put forward by the Schuman Declaration was the only successful one (see Albertini 1977). It spelt the beginning of the unification process and deeply influenced its later development through path-dependence. On the one hand it provided the basic institutional design for the following communities. On the other it shaped the way European unity is conceived by the political class, the intellectual elites, mass media and public opinion. All this helped similar gradualist ideas to be taken up when a new crisis arose, notwithstanding the availability of other integrative ideas, even in areas where gradualism implied higher costs than a one-stroke decision – such as monetary union.

The ECSC success was due to several reasons. First, it was a significant proposal in the face of the failure to exploit the Council of Europe Parliamentary Assembly to push forward the unification process. Second, it sidelined the national diplomats, jealous guards of national sovereignty: Monnet convinced Schuman that the Quai d'Orsay would have watered down the project, and only the French Foreign and Prime Ministers knew the exact content of the proposal which was preliminary presented to Adenauer, before being brought to the whole French Cabinet, and straight away presented to the world by Schuman in the famous press conference on the 9<sup>th</sup> of May 1950. Furthermore, the very Intergovernmental Conference which followed was organised and managed in a very unusual manner by Monnet himself (Monnet 1976). Third, it made a specific proposal, but also indicated the long term aim of the process, explicitly presenting it as “a first step towards a European federation”. Coherently, it put the willingness to devolve part of their



sovereignty to a European authority as a pre-condition to start the negotiations. This was an extremely significant testimony of the resolve to go ahead decisively without being prevented by the less willing states. This eventually brought to the impossibility for Britain to join this initiative. Finally, the institutional design of the ECSC had a clear pre-federal structure (Pistone 2010), as highlighted by Monnet in his first speech as President of the ECSC High Authority - initially drafted by Spinelli (Spinelli 1989a) - which provides a clear expression of how the European elites understood the new Community at its inception:

For the first time, the traditional relations between States are now transformed. Under the methods of the past, even when European States are convinced of the need for common action, even when they set up an international organization, they retain their complete sovereignty. Thus the international organization can neither make decisions nor carry them out, but can only make recommendations to the States. These methods cannot eliminate our national antagonisms; as long as national sovereignty is not surmounted, such antagonisms can only be aggravated.

But today, six Parliaments have decided after careful deliberation, by substantial majorities, to create the first European Community which merges a portion of their respective national sovereignties and submits it to the common interest.

Within the limits of the powers conferred upon it by the Treaty, the High Authority has received from the six States a mandate to take decisions with complete independence, decisions which immediately become effective throughout their territory. The Authority obtains its financial resources, not from contributions by the States, but from direct levies on the industries under its control.

It is responsible, not to the States, but to a European Assembly. The Assembly was elected by the national Parliaments, but it has already been provided that it may be elected directly by the people. From the beginning, the members of the Assembly are not bound by any national mandate; they vote freely and individually, not by national blocs. Each of them represents not his own country but the whole Community. The Assembly controls our activities. It has the power to refuse us its confidence. It is the first European Assembly endowed with sovereign powers.

The acts of the High Authority are subject to review. But such review will be not by national courts, but by a European court, the Court of Justice.

Any of these institutions may be changed and improved in the light of experience. What cannot be challenged is the principle that they are supra-national – in other words



federal – institutions. They are institutions which are sovereign within the limits of their competence – that is to say, which are endowed with the right to make decisions and carry them out. (Speech available at <http://www.ena.lu/>)

The High Authority was essentially a government, responsible to the Parliamentary Assembly - which could eventually become directly elected - and the Council of Ministers could vote by majority on certain limited issues. The ECSC had the power to levy taxes and to contract debts – a power that was not recognised to the following Communities, and which the EU is still lacking – and its decisions were immediately valid on the citizens. A principle extended to all Community law, thanks to the principle of primacy affirmed by the European Court of Justice.

However, coal and steel represent only a part of economic life. For this reason there must be continual liaison between the High Authority and the Governments which are still responsible for the overall economic policy of their States. The Council of Ministers was set up, not to exercise control and guardianship, but to provide this liaison and to assure the coordination of the policies of the High Authority and those of the member States.

The declared federal aim, and the quasi-federal institutional structure were prominent aspects in the success of the neo-functionalist initiative, just as of the British refusal to join it. This quasi-federal character of the ECSC institutional framework had a fundamental impact on its ability to cope with following crises, including in pushing supporters of European unity to respond to crisis with proposal aimed at strengthening this specific regional integration scheme. An analysis of the various crises which brought about new integrative decisions and the consequent enlargement of the competences, the powers, and the members of the European Communities and then Union is out of the scope of this paper, but it would help to identify a wide range of important actors at political and economic level, and also the importance of path-dependence in the development of the unification process (Castaldi 2005; see also Sidjanski 2000).



## 5. The Council of Europe and the EFTA developments and their relationships with the EEC/EC/EU

The Council of Europe was set up in 1949 among ten states - including Britain, but without West Germany which joined in 1950 - after the The Hague Congress of 1948. It was the result of the victory of the confederal vision of Britain over the federal one. The attempt to use the Parliamentary Assembly of the Council of Europe to foster new integrative step towards European unity essentially failed, and the need to take an altogether different path soon emerged. The Council of Europe with time managed to establish an effective and praised regional system of protection of human rights. Beside this achievement, it remains essentially a forum for dialogue among states about culture, democracy, and cooperation in general, with little specific competence and no powers. Precisely these characteristics have made membership little demanding, and the Council of Europe has now 47 member states.

Somehow the Council of Europe can be considered as a European UN, but with less important competences – the UN Security Council being attributed significant ones in the field of security – and very little power. The Schuman Declaration can be interpreted also as a declaration of the failure of the Council of Europe to become a vehicle of European unity, because of its structure and its membership. This forced those willing to pursue that goal to create anew another organization, with limited but specific competences and power, and endowed with an institutional structure capable of development, the ECSC.

The British refusal of the Schuman Declaration proposal, accompanied by the following success of the ECSC and the launch of European Economic Community was at the basis of the birth of the European Free Trade Area (EFTA). With a retrospective view it is possible to consider EFTA as a significant failure. EFTA was established in 1960 among seven countries, explicitly as a response to the EEC creation by the Six in 1957 (see EFTA [website](http://www.efta.int/~media/Files/Publications/Fact%20sheets/General%20EFTA%20fact%20sheets/efcta-50-years.ashx) <http://www.efta.int/~media/Files/Publications/Fact%20sheets/General%20EFTA%20fact%20sheets/efcta-50-years.ashx>). So much so, that membership in one excluded membership in the other. Unlike in the EEC, where no single state alone was able to



exercise a clear leadership, the UK role in the establishment of EFTA was certainly crucial. EFTA had a clear economic purpose, and was explicitly developed simply as a form of cooperation among the seven member states, without any pooling or sharing of sovereignty, and with a minimal institutionalization.

EFTA institutional weakness - compared to the EEC – clearly contributed to its poor economic performance. The growth rate of the EFTA countries, and Britain, remained significantly lower than EEC countries (Milward 1992: 396), providing a strong incentive to join the EEC. Eventually the UK, Denmark and Ireland managed to join the EEC in 1973 - after De Gaulle lost power in France, and thus stopped preventing British entry – and left EFTA, which began making a series of agreements with the EEC. Eventually most EFTA members joined the EEC/EC/EU and left EFTA. With the creation of the European Economic Area in 1994 - which essentially extended the Single Market to most EFTA Countries, which would have to observe the EU relevant legal norms, even if they do not take part in the relative decisions (Switzerland is still not part of the EEA, but signed bilateral agreements with the EU in 1994 and 2004) - EFTA survives as a sort of waiting room for countries with a significant domestic opposition to joining the EU, but economically unable to do without the single market.

At its birth in 1960 EFTA had seven member states, compared with the EEC six. Today EFTA is left with only four rather small member states - Liechtenstein, Iceland, Norway, and Switzerland – while the EU has reached 27 members. As an alternative integrative scheme, and thus implicitly opposed to the EEC, EFTA failed. The European Communities were born earlier, and their policy towards both the Council of Europe and EFTA was essentially of benign neglect. The economic performance of the EEC was enough to make it a catalyst and a core of European unification, de facto emptying EFTA of much of its significance, a process substantially completed with the creation of the European Economic Area.

The weakness of EFTA institutional framework, and the explicit absence – if not refusal – of the goal of European unity, in favour of mere cooperation, made it an unlikely candidate as an instrument to respond to crises. When a supranational crisis arose, nobody tried to answer it by proposing a strengthening of the EFTA. Even the personalities and groups in favour of European unity within EFTA countries, worked to push their countries into the EEC rather than to reform the EFTA, as the British case suggests



(Pinder 1996). While its establishment was a response to the creation of the EEC, it did not manage to become a serious competitor.

Their survival shows the resilience of institutions, even after they have fulfilled – or failed to fulfil – the aims for which they were created in the first place. But their weakness suggests that when an integration scheme is established in an area, the mere cooperation schemes in the same area have a difficult life ahead. The Council of Europe reached significant result with the creation of a European human rights protection system. However, most European citizens know about the EU, but not about the Council of Europe, which is the first European organization born as the symbol and instrument of European unity.

## 6. Conclusions

The experience of the different integration and cooperation schemes in Europe provide several insights about potential dynamics among a plurality of regional organizations under a given figurational structure (Elias 1978). I assume that all such schemes were different symptoms of the crisis of the European nation-states and of the need for European unity, defined and pursued in different ways. This helps drawing some tentative lessons from their development and relationships.

First, the federalist and neo-functionalist definition of unity definitely won the intellectual struggle with the realist-intergovernmentalist one. The supranational character of the ECSC, and then EEC/EC/EU was the main reason for their establishment as the main instrument of European unity, and for the marginalization of all other cooperation schemes. The pre-federal character of the ECSC institutional framework had a fundamental impact on its ability to ensure higher economic performances than alternative cooperative schemes. This eventually made possible for pro-European personalities and organization to try to exploit the recurrent crises to foster an enlargement of the competences, the powers, and the members of the European Communities and then Union.

Second, to be the first established organization, and to have the wider membership is not a necessary ingredient for prevalence, otherwise the Council of Europe should be the



main locus of regional integration, which clearly is not. Unity is not the willingness to cooperate by the wider number of states keeping their absolute sovereignty intact. The hopes appointed upon the Council of Europe and its Parliamentary Assembly at its inception were quickly disappointed. The resilience of this organization and its ability to develop a useful regional system of human rights protection cannot overshadow its limited political role.

Third, an International Organization competences alone do not define the prospects for its development. The EEC and EFTA had similar competences and aims, but had very different developments, which can only be accounted for by considering their institutional structure and their long-term purpose. A focus on competences, or integration, only is not enough. This highlights the importance of the element of institutional construction, which brings us back to my previous considerations about the dynamic interaction between integration and construction, none of which can be simply considered as the dependent variable of the other. Unification stems from the interaction between the transfer of competences and powers. The lack of adequate institutional construction is a crucial explanatory factor of the relatively little success of EFTA.

Fourth, the continued existence of the Council of Europe and EFTA alongside the EU can be taken as a proof the resilience of institutions. Even weak organizations, which substantially failed to reach their initial aim, managed to stay alive. This lesson can be applied also with regards to all innovative institutional decisions taken within the EU. Once a new organ or decision-making mechanism is established, it becomes almost impossible to get rid of it. This is interesting because there are several instruments foreseen by the Treaties which have not yet been used. The Lisbon Treaties provide several ones: from structural cooperation on defence, to the new power recognised to the Parliament and/or the Commission to propose amendment to the Treaties on which a new Convention can be convened by simple majority. Others have been established long ago, and still wait to be exploited if need there be, such as the so-called “Benelux clause”, which allows for deeper forms of integration among some member states – without setting any requirement about how many – which was initially introduced to provide for the integration process among the Benelux countries. The idea of a political avant-garde within the EU finds here a potentially suitable juridical mechanism.



Fifth, the emergence of one integration scheme, the EU, as the main and dominant one, has made possible a transformation of the others, and also the development of new specific ones, with a subsidiary role. On the one hand, EU prevalence has deeply transformed EFTA from an aspirant competitor into a partner and a potential waiting room. On the other, the resilience of unanimity for Treaty amendment and the unwillingness of some member states to any further pooling or sharing of sovereignty on certain issues, brought to the establishment of ad hoc agreements among certain EU members states, such as the Schengen Agreement in 1985, which was then absorbed within the EU through the Amsterdam Treaty in 1997.

Sixth, this pattern of circumventing the unanimity rule by inventing new legal instruments is actually quite recurrent. This was the case for the direct election of the European Parliament, which were opposed by, and thus not initially foreseen for, the UK and Denmark. Most important of all it applied to the decision about the creation of the single currency at Maastricht: faced with British opposition to the project, the other countries responded with the invention of the “opting-out” clause, in order to proceed. This clause was then used again on several occasion, with regards for instance to the Social Charter and later to the Charter of Fundamental Rights, although its effectiveness in front of the judgments of the European Court of Justice seems rather weak. This suggests that when there is a socially perceived crisis and a strong initiative and leadership on the ground legal constraints can be overcome by political will. It is ultimately very difficult on crucial issue for any country to prevent other to go along a path on which they agree to be committed. This is telling at a time in which the Eurozone is clearly in a crisis, and substantial reforms would require an anonymous modification of the Treaties also by EU member states outside the Eurozone.

Seventh, the role of several kinds of agents, from national to European institutions, personalities and organizations in different significant moments of the European unification process suggest that any theory indicating only one set of actors as the main or crucial one in any occasion cannot grasp the complexity of the process. In this context the heuristic scheme crisis-initiative-leadership helps conceptualise the different roles played by different actors – each of them usually emphasised by one of the main integration theories – along the process. This also suggests the importance of social expectation with regards to the evolution of each integration or cooperation scheme. The fact that the ECSC was



originally presented as “the first step towards European federation”, while the Council of Europe and EFTA were built on the principle of national sovereignty and of traditional international cooperation thus played an important role. Pro-European personalities and movements focused their efforts on the strengthening of the ECSC, and then EEC/EC/EU, rather than on the other cooperation schemes. And even the pro-European within countries outside the dominant scheme campaigned to bring their country in rather than to strengthen the alternative schemes.

I believe that the two explanatory schemes employed in this paper can help shed light on several aspects of the European unification process. They can be tested with regards to the main integrative and disintegrative decisions. And their potential heuristic value with regards to other regional integration schemes remains to be tested too. Therefore, they open up a wide research agenda for the future, which can help bridge the useful insights of the main European integration grand theories, within a complex, but not contradictory theoretical framework (Castaldi 2005).

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<sup>1</sup> I have developed more extensively these aspects, together with other elements that characterize the federalist tradition in *A Federalist Framework Theory of European Integration*, research paper of the Centre for studies on federalism, available at [http://www.csfederalismo.it/attachments/1360\\_PP\\_Castaldi\\_05.pdf](http://www.csfederalismo.it/attachments/1360_PP_Castaldi_05.pdf), and



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in *Attori e tempi del processo di unificazione europea*, in Il Ponte, LXV, n. 5, 2009, and partially in *Europe needs initiative and leadership to overcome the crisis*, in Perspectives on Federalism, II, n. 1, 2010.

<sup>ii</sup> Mario Albertini (1919-1997) was professor of Political Philosophy at the University of Pavia and a leader of the European federalist organizations. He wrote many articles about European integration, mainly in Italian. Thus he is little-known in the international academic debate. Still he was a main figure in the Italian debate and after his death two selections of his most important articles were published in 1999, and all his works have just been published by Il Mulino. He never wrote a systematic book about European integration, and his theory must be reconstructed from a number of articles published since the late 1950s. I am working at an anthology in English of some of his most important writings.

<sup>iii</sup> The idea and different technical aspects of the project of monetary union had been developed earlier within the pro-European organisations: Le Federaliste publishes in 1968 the first elaborate proposals about monetary integration, and in 1970 an important public seminar is held in Turin and some of the interventions are also published in Le Federaliste. From 1968 to 1974 the review focused mainly about the possible schemes for monetary integration formulated by many federalist economists and taking into account different aspects of the project (see Iozzo-Mosconi 1968; Albertini 1968; Iozzo and Mosconi 1969; Triffin 1971; Ossola 1971; Albertini 1971). After the Oil crisis, the project of monetary union seemed stalled, and the federalists tried to revive the Werner Plan and offered a new series of reflections and initiatives with important public seminar held in Pavia, Turin, Paris and Rome in 1976 and 1977 (see Albertini 1973-1999b; Majocchi A. 1974; Montani 1974; Moro 1974; Velo 1974a, 1974b, 1976 and 1977; Montani and Velo 1977; the proceedings of the main seminars were published in Thema n.1, 1977; Movimento Europeo and Movimento Federalista Europeo (eds.) 1978). They obtained the support of important figures of the economic and political elites, such as Triffin, Werner, Romiti, Maginifico, Colombo, Stamatii and other, and finally the proposal of monetary union was then re-launched by Jenkins in a discourse in Florence in 1977 - based on a previous discussion with some federalist economists (later published in Jenkins, Werner, Triffin, Biehl, Montani 1978; on the federalist struggle for monetary union in this period, in the context of the theory of constitutional gradualism proposed by Albertini, see the excellent Majocchi L.V. 2000).