

# **The Schuman Declaration**

**9 May 1950**



*Jean Monnet & Robert Schuman*

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*The European Community is celebrating its 50th birthday. On 9 May 1950, when he proposed the creation of a community of peaceful interests to Federal Germany and any other European countries that wanted to join in, Robert Schuman performed a historic act. In extending a hand to recent enemies he wiped away the bitterness of war and the weight of the past. But he also sparked off a completely novel process in the international order by suggesting to the old nations that they should pool their sovereignty, to regain the influence that none of them was capable of wielding alone.*

## **THE SCHUMAN PLAN: A SOLUTION TAILORED TO POST WAR PROBLEMS.**

### ***a. The historical background***

Europeans got no respite when the fighting ended. The second World War was hardly over and the threat of a third, between East and West, was soon to loom on the horizon. On 24 April 1947, the breakdown of the Moscow Conference on the German question convinced the Western powers that the Soviet Union, their erstwhile partner in the fight against the Nazis, was about to become the source of immediate danger for the Western democracies. The creation of the Cominform in October 1947, the Prague coup in February 1948, and the Berlin blockade in the spring of 1949 heightened the tension still further. Western Europeans laid the foundations for their collective security with the signing of the North Atlantic Treaty with the United States in April 1949. But the explosion of the first Soviet atomic bomb in September 1949 and repeated threats from the Kremlin helped to spread the climate of fear that came to be known as the "cold war".

The status of Federal Germany, which had been directing its own internal affairs since the Basic Law of 8 May 1949 came into force, became one of the stakes of East-West rivalry. The United States wanted to speed up economic recovery of a country on the edge of the continental divide and voices in Washington were already calling for German rearmament. French diplomacy was on the horns of a dilemma: should it yield to American pressure and, flying in the face of French public opinion, agree to the resurgence of German industrial power in the Ruhr and the Saar, or should it dig its heels in, clashing with its main ally and deadlocking its relation with Bonn?

The moment of truth came in the spring of 1950. Robert Schuman, the French Foreign Minister, was given an urgent assignment by his American and British counterparts: to come up with a proposal for reintegrating Federal Germany into the Western concert. A meeting between the three governments was scheduled for 10 May 1950 and France could not shirk her responsibilities.

The political stalemate was compounded by economic problems. A steel crisis appeared to be imminent because of the production of potential of the various European countries. Demand was slackening, prices were falling and the signs were that steelmakers, true to the industry's tradition of the inter-war year, would recreate a cartel to limit competition. In the face of the post-war reconstruction effort, European economies could not allow their basic industries to slide into speculation or organised shortage.

### ***b. Jean Monnet's ideas***

To unravel this skein of difficulties, which had proved too much for old style diplomacy, Robert Schuman sought the help of an inventive genius, a man still unknown to the public at large, who had acquired exceptional experience in the course of a long and distinguished international career. Jean Monnet, then General Commissioner for the Modernisation Plan, appointed by de Gaulle in 1945 to be the architect of France's economic recovery, was one of the most influential Europeans of Western World. During the First World War he had organised the common supply system of the Allied forces. Deputy Secretary-General of the League of Nations, a banker in the United States, in Western Europe, in China, he was one of President's Roosevelt trusted advisers and the engineer of the Victory Program which ensured

the military superiority of the United States over the Axis forces. Although he never held political office, he had advised governments and had gained a reputation as a pragmatist, whose first concern was efficacy.

Robert Schuman spoke of his concern to Jean Monnet: "What's to be done about Germany?" was the obsession of that native of Lorraine who was driven by the resolve to ensure that war between France and Germany would never happen again.

Jean Monnet believed that the cold war stemmed from rivalry between the big powers in Europe, the prize being a divided Europe. The strain could be eased by promoting a venture of international dimensions whose main objective would be détente and world peace thanks to the effective role played by a risen and reconciled Europe.

Jean Monnet had watched the various unsuccessful attempts at integration after the 1948 Congress organised by the European Movement in The Hague had solemnly called for unity.

The organisation for European Economic Co-operation, set up in 1948, as only given co-ordinating powers and had been unable to prevent economic recovery in Europe proceeding in a purely national context. The creation of the Council of Europe, on 5 May 1949, showed that the governments were jealous of their prerogatives. The Consultative Assembly had no more than deliberative powers and its resolutions, which had to be passed by a two-thirds majority, could be vetoed by the Committee of Ministers.

Monnet became convinced that the idea of erecting a complete institutional edifice at one go was a pipe dream. Resistance from the States would be such that the initiative would be doomed. It was too much to expect States to consent to massive transfers of sovereignty, which would have injured national sensitivities only a few years after the end of the war.

To succeed, sights would have to be lowered to specific targets, with enormous psychological significance, and a joint decision-making mechanism introduced which could gradually be extended to new areas.

### ***c. The 9 May Declaration***

Towards the end of April 1950, Jean Monnet and his closest colleagues, produced a short paper containing the explanatory memorandum and the terms of a proposal which was turned to conventional diplomacy on its head. Far from going through the old-style consultations with the appropriate ministries, Monnet took pains to ensure that the project was handled with the utmost discretion, to obviate the inevitable caveats and counter-proposals, which would have diluted its revolutionary approach and removed the element of surprise. Monnet put his paper in the hands of Bernard Clappier, Schuman's *directeur de cabinet*, knowing that the Minister's decision could influence the course of events. When Schuman returned from a weekend in his native Lorraine and announced "I've read the proposal. I'll use it", his assistants knew that their initiative had moved into the political arena. On the morning of 9 May, at the very moment that Schuman was putting his proposal to his government colleagues, a secret messenger from his staff was handing it personally to Konrad Adenauer in Bonn. The Chancellor's reaction was immediate and enthusiastic. He promptly replied that the wholeheartedly endorsed the proposal.

So it was with the dual agreement of the French and German Governments that Robert Schuman made his declaration at a press conference held at 4 p.m. that afternoon in the Salon de l'Horloge at the Quai d'Orsay. He prefaced his announcement with a few introductory sentences:

'It is no longer a time for vain words, but for a bold, constructive act. France has acted, and the consequences of her action may be immense. We hope they will. She has acted essentially in the cause of peace. For peace to have a real chance, there must first be a Europe. Almost five years to the day since Germany's unconditional surrender, France is taking the first decisive step to rebuild Europe and is inviting Germany to play its part. This will transform the situation in Europe. This will open the door to other joint activities inconceivable hitherto. Europe will emerge from all this; a Europe that is firmly united and solidly built; a Europe where living standards will rise as a result of the pooling of production and the expansion of markets leading to lower prices...'

The scene as set. This was more than a new technical arrangement subject to the haggling of negotiators. France was stretching out her hand to Germany, offering equal partnership in a new entity which would assume responsibility for joint management of the two countries' coal and steel industries and, in a wider perspective, for laying the foundation stone of a European federation.

The Declaration (see text, p. 43) defines a set of principles: Europe will not be built all at once; it will be built by concrete achievements which first create *de facto* solidarity:

- The age-old rivalry between France and Germany was to be eliminated: the venture would be of immediate concern to France and Germany but would be open to all European nations sharing the same objectives.
- Immediate actions would be focus on a 'limited, but decisive target': Franco-German coal and steel production, which would be placed under a common High Authority"
- The merging of economic interests would help to raise the standard of living and pave the way for the establishment of an economic community.
- The High Authority's decisions would be binding on the countries that joined. Its members would be independent figures, jointly appointed. Its decision would be enforceable.

#### ***d. Drafting of the ECSC Treaty***

If the French initiative, immediately transformed into a Franco-German initiative, were to have any chance of becoming a reality, rapid action was essential. On 20 June 1950 France convened an Intergovernmental Conference in Paris, chaired by Jean Monnet. The three Benelux countries and Italy responded to the invitation and turned up at the negotiating table. Jean Monnet explained the purpose of the discussions which were about to begin: "We are here", he said, 'to undertake a common task'- not to negotiate for our own national advantage, but to seek it in the advantage of all. Only if we eliminate from our debates any particularist

feelings shall we reach a solution. In so far we, gathered here, can change our methods, the attitude of all Europeans will likewise gradually change.<sup>1</sup>"

The Conference made it possible to refine the proposed plan. The powers and independence of the High Authority were not challenged, because they were central to the proposal. At the request of the Netherlands, a Council of Ministers which would represent the States and give its assent in certain cases was added. A Parliamentary Assembly and a Court of Justice rounded off the institutional structure, which is still the basis of the Community system today. The negotiators never lost sight of the fact that they had been given a political mandate to devise an organisation which was entirely new in its objectives and in its methods. It was essential that the embryonic organisation should not be saddled with the shortcomings of traditional intergovernmental agencies: insistence on unanimity; national financial contributions; an executive subordinate to national representatives....

The Treaty establishing the European Coal and Steel Community was signed on 18 April 1951 for a period of 50 years. It was ratified by the six signatory States, and on 10 August 1952 the High Authority, with Jean Monnet as its President, opened for business in Luxembourg.

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<sup>1</sup> Monnet, Jean: *Memoirs*, trans. Richard Payne, London, Collins, 1978, p. 323

## II. THE SCHUMAN PLAN: THE COMMUNITY'S BIRTH CERTIFICATE:

*The Schuman proposals are revolutionary or they are nothing...The indispensable first principle of these proposals is the abnegation of sovereignty in a limited but decisive field...Any plan which does not involve this indispensable first principle can make no useful contribution to the solution of the grave problems that face us. Co-operation between nations, while essential, cannot alone meet our problem. What must be sought is a fusion of the interests of the European peoples and not merely another effort to maintain an equilibrium of those interests.....<sup>1</sup>*

*Jean Monnet*

It took almost a year to negotiate the Treaty of Paris because the talks raised a whole series of basic issues to which Jean Monnet was keen to find the most satisfactory solutions. As we have seen, these were no run-of-the mill diplomatic negotiations. The delegates appointed by the six governments had gathered around the table to devise an entirely new politico-legal system designed to last. The five short paragraphs of the Preamble encapsulate the philosophy which has inspired advocates of European integration ever since:

'Considering that world peace can be safeguarded only by creative efforts commensurate with the dangers that threaten it,

Convinced that the contribution which an organised and vital Europe can make to civilisation is indispensable to the maintenance of peaceful relations,

Recognising that Europe can be built only through practical achievements which will first of all create real solidarity, and through the establishment of common bases for economic development,

Anxious to help, by expanding their basic production, to raise the standard of living and further to work of peace,

Resolved to substitute for age-old rivalries the merging of their essential interests; to create, by establishing an economic community, the basis for a broader and deeper community among peoples long divided by bloody conflicts; and to lay the foundation for institutions which will give direction to a destiny henceforward shared...'

'World peace', 'practical achievements', 'real solidarity', 'merging of essential interests', 'community', 'destiny henceforward shared': so many key phrases which embody the embryonic Community spirit and Community method and are as inspirational as ever today.

It is possible to identify four principles deriving from the Schuman Plan, which underpin the present Community edifice:

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<sup>1</sup> Jean Monnet, op cit. p. 316

**a. *Superiority of Institutions***

Application to international relations of the principles of equality, arbitration and conciliation which lie at the very heart of democracy in an advance for civilisation. The founders had experienced the mindless violence and upheaval which come with war. Their aim was to create a Community where law rather than might would prevail, Monnet frequently quoted the Swiss philosopher Henri-Frédéric Amiel, who said: 'Each man's experience starts again from the beginning.' Only institutions grow wiser: they accumulate collective experience; and, owing to this experience and this wisdom, men subject to the same rules will not see their own nature changing, but their behaviour gradually transformed <sup>1</sup>

To put relations between the States on a peaceful and democratic footing, to exorcise the spirit of domination, to banish nationalism - these were the objectives that gave the first Community its political substance and placed it on a par with the great achievements of history.

**b. *Independence of Community organs:***

If they are to discharge their functions, institutions must have the power to act. The guarantees enjoyed by the ECSC High Authority, and passed on to today's institutions, are of three kinds:

- Members were -and still are- appointed by agreement between the governments. They are not national delegates, but individuals exercising their authority collectively. They cannot accept instructions from the Member States. The European civil service too is bound by that same and single Community allegiance.
- The Community's financial independence is assured by the levying of own resources, whereas intergovernmental organisations are regularly funded by national contributions, which can always be withheld.
- The High Authority, like the Commission today, was accountable only to the Assembly (now the European Parliament), which could adopt a vote of censure by a qualified majority.

**c. *Inter-institutional co-operation***

Jean Monnet saw the independence of the High Authority as the cornerstone of the new system. But during the negotiations he came to see the need to allow Member States to defend national interests. It was the surest way of preventing the budding Community being confined to overly technical purposes. It had to be in a position to act in areas where macroeconomic decisions are taken. Since this was a matter for governments, a Council of Ministers was added to the High Authority. Its role was strictly circumscribed: it was to take majority rather than unanimous decisions and its assent would be required in limited cases only. The High Authority retained sole right of initiative. This prerogative, extended to the present

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<sup>1</sup> Jean Monnet, op cit., p. 393.

Commission, is vital because it ensures that the Community interest will be defended in a Commission proposal. The dialogue between the four institutions, based on co-operation rather than subordination, began in 1951, each of them exercising its functions within a comprehensive decision making system.

**d. Equality between States**

Once the principle of States' representation on the Council had been accepted, the delicate issue of relative weight had to be settled. The Benelux countries and Italy feared that they would find themselves in a minority given the scale of their coal and steel production as a percentage of the total, and they argued for the unanimity rule. Germany advocated representation in proportion to production, which, not unnaturally, scared her partners.

Jean Monnet was convinced that only the principle of equality between the States was likely to create a new mentality. But he knew just how hard it would be to persuade six countries of unequal size to forgo the easy option offered by a right of veto; 'The right to say "no" was the large countries guarantee in their dealings with each other, and the smaller countries safeguard against the large'.<sup>1</sup> So on 4 April 1951 Monnet met Konrad Adenauer in Bonn to win him over to the merits of the principle of equality:

*"I have been authorised to propose to you that relations between France and Germany in the European Community be based on the principle of equality in the Council, the Assembly, and all existing or future European institutions...Let me add that this is how I have always envisaged the offer of union which was the starting-point of the present Treaty; and I think I am right in saying that this is how you envisaged it from the moment we first met. The spirit of discrimination has been the cause of the world's greatest ills, and the Community is an attempt to overcome it..."*

Adenauer immediately replied:

*"You know how much I am attached to equality of rights for my country in the future, and how much I deplore the attempts at domination in which it has been involved in the past. I am happy to pledge my full support for your proposal. I cannot conceive of a Community based on anything but complete equality"*

Thus was laid one of the legal principles, with all its ethical implications, which gave the Community concept its full significance.

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<sup>1</sup> Jean Monnet, op. cit., p. 353-4

Without a Peace treaty between the former belligerents, the first European Community was at once an act of confidence in the willingness of France and Germany, and their partners, to sublimate past mistakes, and an act of faith in a common future of progress.

The process begun in 1950 was to prove irreversible.

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## Declaration of 9 May 1950

World peace cannot be safeguarded without the making of creative efforts proportionate to the dangers which threaten it.

The contribution which an organized and living Europe can bring to civilization is indispensable to the maintenance of peaceful relations. In taking upon herself for more than 20 years the role of champion of a united Europe, France has always had as her essential aim the service of peace. A united Europe was not achieved and we had war.

Europe will not be made all at once, or according to a single plan. It will be built through concrete achievements which first create a *de facto* solidarity. The coming together of the nations of Europe requires the elimination of the age-old opposition of France and Germany. Any action taken must in the first place concern these two countries.

With this aim in view, the French Government proposes that action be taken immediately on one limited but decisive point :

*"It proposes that Franco-German production of coal and steel as a whole be placed under a common High Authority, within the framework of an organization open to the participation of the other countries of Europe".*

The pooling of coal and steel production should immediately provide for the setting up of common foundations for economic development as a first step in the federation of Europe, and will change the destinies of those regions which have long been devoted to the manufacture of munitions of war, of which they have been the most constant victims.

The solidarity in production thus established will make it plain that any war between France and Germany becomes not merely unthinkable, but materially impossible. The setting up of this powerful productive unit, open to all countries willing to take part and bound ultimately to provide all the member countries with the basic elements of industrial production on the same terms, will lay a true foundation for their economic unification.

This production will be offered to the world as a whole without distinction or exception, with the aim of contributing to raising living standards and to promoting peaceful achievements. With increased resources Europe will be able to pursue the achievement of one of its essential tasks, viz. the development of the African continent.

In this way, there will be realized simply and speedily that fusion of interests which is indispensable to the establishment of a common economic system; it may be the leaven from which may grow a wider and deeper community between countries long opposed to one another by sanguinary divisions.

*By pooling basic production and by instituting a new High Authority, whose decisions will bind France, Germany and other member countries, this proposal will lead to the realization of the first concrete foundation of a European federation indispensable to the preservation of peace.*

To promote the realization of the objectives defined, the French Government is ready to open negotiations on the following bases:

The task with which this common High Authority will be charged will be that of securing in the shortest possible time the modernization of production and the improvement of its quality; the supply of coal and steel on identical terms to the French and German markets, as well as to the markets of other member countries; the development in common of exports to other countries; the equalization and improvement of the living conditions of workers in these industries.

To achieve these objectives, starting from the very different conditions in which the production of member countries is at present situated, it is proposed that certain transitional measures should be instituted, such as the application of a production and investment plan, the establishment of compensating machinery for equating prices, and the creation of a restructuring fund to facilitate the rationalization of production. The movement of coal and steel between member countries will immediately be freed from all customs duty, and will not be affected by differential transport rates. Conditions will gradually be created which will spontaneously provide for the more national distribution of production at the highest level of productivity.

In contrast to international cartels, which tend to impose restrictive practices on distribution and the exploitation of national markets, and to maintain high profits, the organization will ensure the fusion of markets and the expansion of production.

The essential principles and undertakings defined above will be the subject of a treaty signed between the States and submitted for the ratification of their parliaments. The negotiations required to settle details of application will be undertaken with the help of an arbitrator appointed by common agreement. He will be entrusted with the task of seeing that the agreements reached conform with the principles laid down, and, in the event of a deadlock, he will decide what solution is to be adopted. The common High Authority entrusted with the management of the scheme will be composed of independent persons appointed by the governments, giving equal representation. A chairman will be chosen by common agreement between the governments. The Authority's decisions will be enforceable in France, Germany and other member countries. Appropriate measures will be provided for means of appeal against the decisions of the Authority.

A representative of the United Nations will be accredited to the Authority, and will be instructed to make a public report to the United Nations twice yearly, giving an account of the working of the new organization, particularly as concerns the safeguarding of its specific objectives.

The institution of the High Authority will in no way prejudice the methods of ownership of enterprises. In the exercise of its functions, the common High Authority will take into account the powers conferred upon the International Ruhr Authority and the obligations of all kinds imposed upon Germany, so long as these remain in force.