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Enlarging the European Union

The Commission Seeking Influence, 1961–1973

Michael J. Geary

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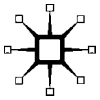

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To Carmel Moylan and Paddy Geary for their love and support

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Washington, DC, April 2013

Abbreviations

In the text

AOTs	Associated Overseas Territories
CAP	Common Agricultural Policy
CEE	Central and Eastern Europe
CET	Common External Tariff
CFP	Common Fisheries Policy
COREPER	Committee of Permanent Representatives
ECSC	European Coal and Steel Community
EDC	European Defence Community
EEC	European Economic Community
EFTA	European Free Trade Association
EU	European Union
EURATOM	European Atomic Energy Community
FCO	Foreign and Commonwealth Office, London
FTA	Free Trade Area
GATT	General Agreement on Tariffs and Trade
GNP	Gross National Product
NATO	North Atlantic Treaty Organization
OECD	Organisation for Economic Cooperation and Development
OEEC	Organisation for European Economic Cooperation
UN	United Nations
WEU	Western European Union

In the notes

CAB	British Cabinet Papers
CMA	Council of Ministers Archives, Brussels
CM	Common Market
D/AF	Department of Agriculture and Fisheries, Dublin
D/EA	Department of External Affairs, Dublin
D/FA	Department of Foreign Affairs, Dublin
D/T	Department of the Taoiseach, Dublin
EM	Edoardo Martino Papers, Florence
EN	Emile Noël Papers, Florence
FCO	Foreign and Commonwealth Office
FO	Foreign Office, London

FRUS	*Documents on the Foreign Relations of the United States*
HAEC	Historical Archives of the European Commission, Brussels
HAEU	Historical Archives of the European Union, Florence
JR	Jean Rey Papers, Brussels
KM	Klaus Meyer Papers, Florence
MK	Max Kohnstamm Papers, Florence
NAI	National Archives of Ireland, Dublin
NARA	National Archives and Records Administration, Washington, DC
PREM	British Prime Minister's Files
TNA	The National Archives, London
WH	Walter Hallstein Papers, Brussels

Introduction

On 1 January 1973, the European integration project took a major leap forward when Britain, Denmark, and Ireland joined the European Economic Community (EEC), the forerunner to today's European Union (EU). The first enlargement, arguably its most divisive, represented a significant milestone in the Community's short existence. Over the following decades, the EU would face many more requests for membership. Shortly after the first enlargement, the Mediterranean countries came knocking on the door, eager to benefit from the growing prosperity within the Common Market, and to seek shelter from the global economic storm that raged during the 1970s and 1980s. By 1986, Greece, Spain, and Portugal had brought the number of members to 12. The rapid accession of three underdeveloped countries into the Community proved it was not a club for rich industrial nations. With the fall of the Berlin Wall in 1989, East Germany entered the Community as part of a reunified Germany. The Nordic countries of Austria, Finland, and Sweden secured membership in 1995. The collapse of the Soviet Union in the early 1990s meant that letters of application to join the EU arrived in Brussels in quick succession from many former Soviet-controlled states in Central and Eastern Europe (CEE). In 2004, membership rose from 15 to 25 with the historic enlargement to include eight CEE countries, as well as Cyprus and Malta, while three years later Romania and Bulgaria joined. Croatia entered the EU in 2013. Many more countries are eager to join, including Iceland and Turkey. The enlargement process that began in the 1960s is far from complete.

This book analyses the policies of the European Commission towards the first enlargement of the present-day EU between 1961, when Britain's first attempt at membership was made, and 1973, when Britain, Denmark, and Ireland joined the European Communities. It explores how the Commission responded to the inherent risks to the Common Market project by allowing Britain, Denmark, Ireland, and Norway to become members. A community of six had already made the integration process complicated, as the Commission pushed ahead with an ambitious agenda. Seeking agreement *à six*

was no easy feat; seeking agreement *à neuf* was a major cause of concern for the Brussels executive and some of the member states. This book explores the first enlargement as a way to understand interinstitutional relations during the EU's first decade and the overt attempts by the Commission to secure more influence in the new field of enlargement policy. The Commission, as other scholars have pointed out, was very successful in setting the agenda-setting and shaping policy phases of other policy fields, including agriculture, competition, and trade.[1] Yet, a central preoccupation in this book is uncovering the Commission's influence over enlargement policy, especially during the first enlargement. It presents an examination of how enlargement became a vehicle to achieve influence at the expense of the Council of Ministers. By doing this, the book seeks to unravel the EU's institutional relations during the 1960s and early 1970s. The enlargement question created the right environment for the Commission to gain a firmer foothold in the decision-making process. This policy field had created a certain amount of disunity between the six founding member states and, of course, between the applicants, and in the Community. There was ample scope for the Commission to capitalise on this discord, to promote itself as something more than a bridge-builder between the views of the six and the applicants. There was potential to gain significant influence. The relative silence of the Treaty of Rome on the subject of enlargement also presented the Commission with an opportunity to shape outcomes and decisions. It is not the aim of this study to argue that the Commission had a leading role in the first enlargement process, or that it was a kingmaker in the final decision on whether to allow the applicants to join. It did not and was not. However, neither did the member states have a complete monopoly over the decision-making process or the outcome of the negotiations with the applicants. This study complements the existing historical and political science literature by examining a previously neglected aspect of the EU's first enlargement in order to understand more clearly the type of power politics that existed between the member states, the institutions, and the applicants, with a particular focus on the British and Irish applications for membership.[2] The part played by the Commission in the enlargement process of the 1960s is one that has received little critical attention by scholars dealing with the EU's early years. Each chapter of this book examines the enlargement question largely from the Commission's perspective, intertwined with the political decisions and policy-making positions of the member states, and the British and Irish governments. The book therefore builds a bridge between the corpus of scholarly research based around national accounts of how the EU went from six to nine members in January 1973 with the more recent, though limited, supranational histories of the EU and its institutions.

Several themes are explored in the book. The primary examination revolves around the Commission as an institutional and political actor, and its influence over the first enlargement. The changing nature of the

Commission's position towards the British and Irish membership applications forms the central part of this analysis. There are a number of reasons why these two applicant countries are privileged to the partial exclusion of critically assessing attempts by Denmark and Norway to gain Community membership during the same period. First, the 1973 enlargement was primarily about Britain's membership. London's European policy, especially from the late 1950s, generated heated debates at home, and was viewed with suspicion by many in Europe.[3] No study on the Commission and enlargement can separate Britain from this analysis. The reason for focusing on the Irish applications and the Commission's reaction to them rests largely on the issues that the applications raised. The only applicant for membership that was not a member of the North Atlantic Treaty Organization (NATO), and having operated a policy of military neutrality since the outbreak of World War Two, Ireland's position in Europe posed a number of challenges for the Commission, and the six. Economically weaker than the other three applicants, but insisting on joining as an equal partner, Ireland made two applications, in 1961 and again in 1967 (reactivated in 1970), which revealed new aspects of the Commission's evolving views on membership, association, and, in particular, on its defence of the Community's *acquis*. It also exposed the Commission's limited influence, but equally the ways in which it tried to circumvent attempts to curb its development.

The book presents a political rather than an administrative or technical account of the Commission's role in the first enlargement process. Yet, it investigates the relationship between the Commissioners and their Directorates, beginning with the Hallstein Commission in 1958, and continuing through to the Malfatti and Mansholt Commissions in 1970–1973. It explores the institution's internal dynamics, and analyses the key concerns that this institution had over allowing Britain, Ireland, and others into the Common Market. It poses the following research questions: why was enlargement an important issue for the Commission, and how did its position towards accession evolve over the course of the 1960s, and with what consequences for the Community, and the applicants? What was the Commission's influence on the six, or the four, and on the outcome of the process?

The inescapable interplay between the Commission and the six member states is also examined throughout the book. Analysing in detail the positions of the member states towards Community enlargement is beyond the scope of the book, and has been touched upon elsewhere by other scholars. However, it assesses the nature of the Commission's influence in the decision-making process among the six in the Council during discussions related to the applicants, negotiating procedures, shaping policy positions, and so on. Particularly, it focuses on the Commission's ability to steer the Community's position through its technical and expert advice, and its unique knowledge of the *acquis*, knowledge that became an important source

of influence. Each of the seven chapters, structured chronologically, explores the interplay between the Commission, the six, and the two applicants that presented the Commission with different sets of challenges, opportunities, and threats.

The book exploits a wide range of primary and secondary sources. There is no definitive scholarly account of the historical role of the Commission during the first round of enlargement. Indeed, the Commission as a subject of historical research seems to have fallen victim to Charles de Gaulle and his legacy. President of France during the 1960s, General de Gaulle was a dominant personality in the debate over Community enlargement. Many accounts of how the EU went from six to nine members in 1973 focus on the divergent views in Anglo-French relations after 1945 as one way of explaining French antagonism towards London; alternatively, scholars place the problems within either a transatlantic or a Cold War setting. Others have examined this question through a national lens, exploring how the applicants repeatedly sought membership with references to the positions of the six and, occasionally, the role of the Commission.

Yet, some inroads have been made in assessing the historical role of the Commission in the enlargement process. One of the earliest overviews of the role and function of the Commission is David Coombes' *Politics and Bureaucracy in the European Community: A Portrait of the European Commission*.[4] The 'heart of the book', in part three, deals with the Commission in the political process of the Community. In his conclusions, some of which will be challenged by this book, Coombes argues that by 1970 the Commission came increasingly to 'exercise purely delegated, administrative functions'.[5] He asserts that, as the 1960s progressed, the Commission became the implementative part of the Community's system of institutions and less autonomous and federal in its outlook. While this might be true of the Commission's earlier 'world-view' under the early years of the Hallstein Commission, examining this assessment through its role in the first round of enlargement paints a different picture. Indeed, he might also have noticed the Commission's own sense of disappointment in the late 1960s at its failure to evolve in the clearly federal direction anticipated by Hallstein and many others. While Coombes interviewed a number of unnamed officials in Brussels for his study, he had no access to the wealth of national and EU archival material now available that sheds new light on the role of the Commission. Michel Dumoulin's edited first volume on the Commission during the same period covered by this book provides a useful starting point for a general survey of the Commission's early years.[6] Jan van der Harst's chapter in this edition offers a good introduction to the enlargement debate by briefly charting the Commission's role.[7] *History and Memories* focuses on oral accounts of the Commission by individuals closely connected with the institution, and, though it was a big-budget project, falls short on delivery, with limited use of the Community's archival sources

and an overreliance on the recollections of former Community officials in piecing together the Commission's position on the Community's policies, including enlargement.

Piers Ludlow's *Dealing with Britain: The Six and the First UK Application to the EEC* is one of the first major examinations of the first enlargement, in which he presents an account of the 1961–1963 negotiations between Britain and the six.[8] One significant area where this book differs from other research on this subject is in its approach to the sources.[9] *Dealing with Britain* exploits previously unseen Community archival material together with sources from the national archives of the member states, and Britain. The book's central theme is how the Community, and in particular the six, responded to the challenges posed by the 1961 British application and the subsequent enlargement negotiations. *The European Community and the Crises of the 1960s: Negotiating the Gaullist Challenge* sees Ludlow explore the Common Market's internal crises, largely from the perspective of the six and with references to the Commission, from the aftermath of the de Gaulle veto of the British application in January 1963 to The Hague summit in December 1969.[10] Numerous journal articles by Ludlow follow a similar pattern of research and analysis, examining relations between the British and the member states by focusing on the Community institutions or their policies. Some of this research has explored issues relevant to the book, such as the Community's agriculture policy and relations between the Commission and the six.[11] Ludlow's work, therefore, offers an important starting point in the secondary literature with which to begin an assessment of the Commission's role in the enlargement debate.

The general histories of the EU's early years make fleeting references to the role played by the Commission in the enlargement process; some of these are contemporary accounts written without access to the minutes of Commission or Council of Ministers' meetings.[12] From the early 1970s, memoirs and autobiographies have been published by some of the main protagonists involved in the enlargement deliberations. *Europe in the Making* is Hallstein's own account of the process of European integration, but it does not offer any particular insights into the Commission's position on the enlargement question.[13] Hans von der Groeben, Robert Lemaignen, and Robert Marjolin, members of the Commission during the 1960s, have published records that provide useful insights into the internal dynamics of the Commission, the relationships between Commissioners, and the position of the institution regarding the membership applications.[14] Others, such as Edward Heath, Jean Monnet, Paul-Henri Spaak, and George Ball, have written in general terms about the Commission's role in the enlargement process.[15]

Of necessity, this book exploits a large number of archival holdings. At the Commission archives in Brussels, and the historical archives of the EU in Florence, research has focused on an analysis of the minutes of the Commission's meetings, and the Commission's reports of Council and committee of

permanent representatives (*Comité des représentants permanents* or COREPER) meetings from 1958 to 1972. Research has also examined the *cabinet* papers of many of the central characters in the Commission involved in the enlargement process. These include the papers of Walter Hallstein, Robert Marjolin, Raymond Barre, Edoardo Martino, and Emile Noël. It has also exploited the European Parliamentary Assembly debates and general reports prepared by the Commission for the European Parliament, as well as the speeches collection at the Commission archives in Brussels. At the Council of Ministers' archives in Brussels, research centred on the minutes of the Council and COREPER meetings throughout the period.[16] The archival material of non-Community actors also sheds light on the Commission's attitude to the enlargement question. The book has, for example, examined the Max Kohnstamm papers, which are an important source especially in relation to the 1961–1963 enlargement negotiations. Kohnstamm was Vice-President of Jean Monnet's 'Action Committee for a United States of Europe', and was in close contact with Commissioners, the member states, and key officials from the applicant countries, as well as with senior officials in the United States Administrations of Presidents Eisenhower and Kennedy. Extensive research was carried out at the National Archives in Britain and in Ireland. This aspect of the research aimed to fill the many gaps in the Community's own archival material. In the British archives, documentary material was collected from various branches of government, including the Prime Minister's office, the Foreign Office, the Treasury, and the Board of Trade. Similarly, at the National Archives of Ireland, detailed research investigated Ireland's relations with the Commission and the six during this period. Material from the Departments of the Taoiseach, External Affairs (renamed Foreign Affairs in 1971), Finance, Agriculture, and Industry and Commerce was vital to support the Community archival sources. British and Irish civil servants have a better tradition of taking minutes of meetings than their Commission or Council counterparts. Dublin and London maintained copious amounts of notes from both formal and informal meetings with the Commission that offer important insights into the attitudes and opinions of the Commissioners and their officials to the enlargement question. Both governments also spent a good deal of time preparing personality reports on the Commissioners, senior members of their *cabinets*, detailing their views on membership and a host of other facts. For its part, the Commission's records of meetings with the applicants are sparse, and offer few insights into what was discussed.

At the National Archives and Record Administration (NARA) in Washington DC, an examination was carried out of the Commission's relations with the US government, particularly during the early 1960s. US archival material provides an important source in charting the Commission's attitude, primarily towards the British attempts at membership. Many branches of the US government had closely followed the enlargement

issue from political and economic perspectives, hence the large body of archival material available in Washington. Moreover, European visitors to Washington, such as Commissioners and ministers from the member states, offered frank assessments to their US hosts on many of the issues surrounding the enlargement debate, especially during the early 1960s.

The book is divided into seven chapters, structured chronologically. Britain's first attempt at Community membership in July 1961, and the Commission's role before and during the accession negotiations, is examined in Chapter 1. The first part of this chapter explores how the Commission approached the question of closer relations between Britain and the EEC. It also assesses the potential implications that enlargement would pose for the Community. The second part of this chapter looks at the membership negotiations themselves, and assesses one of the key issues that dominated the membership negotiations, namely, accommodating the Commonwealth countries after Britain joined. Central to the chapter is an analysis of the Commission's influence over the negotiations and its attempts at shaping Community policy and its negotiating positions.

While the Commonwealth issue might have dominated the Commission's relations with Britain during the negotiating conference, NATO, neutrality, and the economics of Community membership dominated Ireland's application and subsequent relations with the Commission. Chapter 2 focuses on issues that did not reach the negotiating table in Brussels but caused a great deal of concern in the ranks of the Commission, and among Irish policy-makers. Ireland's non-aligned status and its military neutrality forced the Commission to deal with these issues in the context of membership. The chapter, therefore, examines these concerns from the perspective of the Commission's continually developing doctrine, or philosophy, on enlargement and explores how the Irish application contributed towards that evolution.

Chapter 3 assesses the Commission's relations with Britain after de Gaulle's January 1963 veto. At the heart of this analysis is the evolution of the Commission's position on enlargement and, in particular, towards Britain's membership. It examines how relations between Commission and British personalities affected their working relationship, and affected Britain's views on Europe, and the Commission's views on London's European credentials. It asks whether these mutual suspicions influenced the institution's approach to bridge-building between London and the six after the veto and prior to Britain's second bid for membership in 1967. Chapter 3 concludes with an assessment of the Commission's 1967 controversial *avis* or opinion on enlargement, and its influence on the outcome of the second British application.

The period between the first and second applications was an important one for the Irish government, as it attempted to modernise the country in preparation for eventual membership. Chapter 4 examines Dublin's attempts

at securing trade concessions from the Commission and individual member states between 1963 and 1967. In particular, it focuses on the importance of the Commission to Ireland's foreign economic policy planning. This in turn sheds new light on the relationship between the member states and the Commission, the Community's decision-making processes, and the inability of the Brussels executive to influence the six on issues outside its competence. Yet, it is also revealing about the way in which the Commission was becoming an important actor in internal policy positions of an applicant state. Both Chapters 3 and 4 also examine whether the replacement of the Hallstein Commission ushered in new thinking by the Commission on the question of enlargement.

Chapter 5 explores the fall-out from the French rejection of Britain's second application in 1967. It analyses the Commission's response, as well as the post-veto positions adopted by Dublin and London. In particular, the chapter focuses on the Commission's own rather weak attempts at bridge-building, its difficulty in reconciling the competing interests of the member states and the applicants, and the many solutions put forward after the veto and throughout 1968. In the lead-up to The Hague Council Summit in December 1969, the chapter examines in detail the interinstitutional dynamics between the Commission and the Council as the Brussels executive attempted to forge a role for itself and secure more of a strategic position in the post-de Gaulle Community. Finally, the chapter examines the implications of The Hague Council's conclusions for the Commission, and their impact on the enlargement question.

How important was the Commission in influencing the outcome of the enlargement negotiations between 1970 and 1972? This question is the central focus in the final two chapters. The British accession negotiations and the Commission's role in that process are examined in Chapter 6. In particular, it examines the Commission's influence in the internal decision-making processes of the talks. The chapter's central analyses focus on perhaps the thorniest issue that affected London's membership bid, namely, its contribution to the Community's budget, and the Commission's influence over the final settlement.

The negotiations between the Community and Ireland are analysed in Chapter 7. What looked like a straightforward accession process became complex and intricate, and pushed the Commission's role as defender of the *acquis* to its limit. The main obstacle between Dublin and Brussels centred on the new Common Fisheries Policy (CFP). The chapter presents an overview of the policy and the Commission's role in its development during the 1960s. It examines in detail the Commission's attempts to save the policy in the face of strong opposition from Dublin and the other applicants.

This book, therefore, represents an important starting point for understanding and examining the first enlargement of the present-day EU, and the role of a Community institution within the enlargement process. It creates

a base from which to explore the influence of the Commission during the second and subsequent rounds of enlargement through an in-depth analysis of the history of the first accession.

On the eve of the first enlargement, the Commission, under the presidency of Walter Hallstein, a former State Secretary at the German Foreign Ministry, was a hive of activity. Established by the Treaty of Rome, it first met in January 1958 and quickly set about implementing key parts of that treaty that focused on the customs union and the Common Agricultural Policy (CAP), which was under the direction of Sicco Mansholt, Commissioner for Agriculture and a former, long-serving Dutch government minister. Of all the Community institutions, the Commission was the most 'markedly supranational in character'.[17] Members of the Commission were appointed for a renewable four-year term, while the President and Vice-Presidents were subject to renewal every two years. There were nine members in the first Commission; two appointed from the larger member states (France, Germany, and Italy) and one each from the smaller countries (Belgium, Luxembourg, and the Netherlands). Commissioners had to be appointed based on their 'general competence', and, once selected, had to swear an oath of independence from their national governments.[18] Nonetheless, as Robert Marjolin, one of two French Commissioners appointed in 1958, makes clear, no matter how dedicated the Commissioners were to the European idea, they 'had to take the positions of the national governments into account or else risk losing all effectiveness'.[19] Even though the first Commission was not composed of men of great political importance, Commissioners were all considered to be 'good Europeans', at least by commentators at the time.[20] Many of the Commissioners had been actively involved in creating or working in international organisations established after World War Two. Marjolin, for example, was one of the earliest Europeans, along with Hallstein, Jean Monnet, and others, to understand the importance of rebuilding Germany in the post-war period.[21] Hallstein and Hans von der Groeben, a German Commissioner, had been actively engaged in the Spaak Committee negotiations that led to the creation of the EEC in 1957.

The Treaty of Rome gave the Commission the sole right to initiate legislation, and to act as guardian of the founding treaties and the corpus of Community legislation, otherwise known as the *acquis communautaire*. With the exception of a number of cases, the Council had to take decisions based on a proposal from the Commission, while the six could only amend a proposal by a unanimous vote.[22] The Commission had a permanent seat at meetings of the Council, and at meetings of COREPER, an influential body composed of representatives of the member states. While the decision-making powers in the Community rested firmly in the hands of the Council, the presence of the Commission, with its increasing policy expertise, at these meetings meant that it had the potential to influence how decisions were reached between the six.

The outside world could not ignore what was happening inside the new Community. The progressive lowering of trade barriers between the six would soon impact on non-member states in Europe, and further afield. This created a certain friction, especially between Britain and the six, during the mid- to late 1950s, prior to the first attempt at enlargement in 1961. Peter Thorneycroft, President of the British Board of Trade, wrote to British Prime Minister Anthony Eden in 1956, making clear that 'No fine words would disguise the reality of a discriminatory trading bloc, in the heart of industrial Europe, promoting its own internal trade at the expense of trade with other countries in the free world'.[23] Addressing the House of Commons on 26 November 1956, Harold Macmillan, Chancellor of the Exchequer, announced Britain's decision to establish a 'mutual free trade area with the Messina Powers and all other OEEC [Organisation for European Economic Cooperation] countries'.[24] The Free Trade Area (FTA) plan was designed in such a way as to allow Britain to have the best of both worlds – access to wider markets without commitment to integration. If created, it would have given Britain entry into the internal markets of the six without trade discrimination while also ensuring that its economic (and historic) ties with the Commonwealth countries and with the United States were not affected. What set the FTA apart from the EEC model were the obvious exclusion of agriculture from the plans and the lack of specifics as to how the Community's Associated Overseas Territories (AOTs) would to be treated.[25] Reginald Maudling, British Paymaster General, who chaired the FTA negotiations in Paris, told German officials in March 1957 that the British government could 'not accept a position whereby our agriculture policy would be controlled by a majority vote'.[26] The greater size and looseness of the British trade plan and its likely effects on the smaller and tighter EEC were arguably a bigger cause of concern, especially for France. For 'Europeans', the lack of *finalités politiques* was also a source of concern. However, when the British presented the FTA idea to the six and the OEEC, agreement had already been reached by the Messina powers on a Common Market with treaties and proposed institutions.[27] Elements within French policy-making were certainly suspicious of the British, seeing it as an attempt to 'attract those members of the six who doubted the Common Market'.[28] Some senior German politicians, on the other hand, saw the announcement as an opportunity to convince Konrad Adenauer, Chancellor of West Germany, that the costs of the Common Market were too high and the benefits of the FTA more appealing.[29]

The Commission's official position on the FTA was made public in March 1958. Hallstein used his first address before the European Parliamentary Assembly to counter criticisms levelled against the EEC by the British, the Swiss, and the Scandinavians that the new Community would discriminate against non-member countries.[30] Underlining his comments was a belief that the Community was the only body that could succeed in uniting Europe

because of the nature of its institutional framework established by the Rome Treaties, a framework that was absent from the British plans. Throughout the period of the FTA talks, the Commission attempted to exert considerable soft power as it tried to coordinate the positions of the six and ensure that the implementation of the Treaties continued. In June, for example, the Commission directed the European Parliament's attention to the major concessions that the Commonwealth countries and Britain would receive, at the expense of the Community's interests, if the FTA were established.[31] Alan Milward argues that, when Charles de Gaulle returned to power in France in mid-1958, 'he changed French policy from playing for time to planning an escape' from the FTA negotiations.[32] France believed that Britain was being 'specially favoured' by having access to both European trade and the Commonwealth.[33] Politically, Maudling believed that the French feared losing influence and status if they had to share the Community with the British.[34] The second source of obstruction to the FTA plan came from those who supported Monnet's European outlook for a United States of Europe, which included many in the new Commission. They feared that 'the young Community could be drowned in a wider and looser association and so fail to develop its essential identity'.[35] The Hallstein Commission did not embrace the FTA proposals for a number of reasons. As Beloff accurately states, the Commission 'had always opposed the free trade project as a deliberate menace to their own single customs union, of which the common external tariff was to serve as cement to hold the new community together'.[36] Hallstein later made clear:

> such a wide settlement, particularly in its original form, has something in common with the magnificent boat that Robinson Crusoe built for himself on the desert island: a fine vessel, if it could once be launched, but very difficult to get down to the water.[37]

The decision to end the Maudling talks was taken by de Gaulle when the Commission rejected the British plan outright in mid-November 1958. In the aftermath of the failed FTA talks, building the Community's institutional framework and drawing up policies for the implementation of the ideas inherent in the Treaty of Rome were seen as the Commission's main priorities. It was no surprise, therefore, that the Commission's energies were directed towards these goals. It was within the framework of the General Agreement on Tariffs and Trade (GATT) talks, the Commission believed, that the economic problems of the OEEC countries outside the Community could best be resolved, and not by an FTA-type settlement. The Commission, therefore, recommended that those countries, including Britain and Ireland, should increase their quotas to each other by 20 per cent annually, and that any differences in tariffs would be reduced during the GATT negotiations that the US suggested should be held in the winter of 1960–1961.

Hallstein was a strong supporter of GATT, once describing it as the '*Magna Charta du commerce mondial et de la non-discrimination*'.[38] The GATT negotiations were presented as one solution to the trading problems between the six and the other OEEC states. A second solution was inherent in the treaty, namely, Community membership. The Commission very publicly drew attention to what Camps calls 'the availability' of Articles 237 and 238 of the Treaty of Rome, articles that made provision for countries to become either a member or an associate member of the EEC.[39] The Commission, of course, could not be criticised if they assumed that the British would not be able to accept full membership, since this was something which London had repeatedly ruled out; it hoped, instead, for a reopening of the FTA negotiations, a scenario which many 'Europeans' viewed as a distraction to the success of their own plans for a Common Market.[40]

Throughout 1959, the Commission made a successful push to implement the Treaty of Rome. Acceleration of the Common Market received backing from a number of important sources, not least from the Eisenhower Administration. American views on trade were remarkably similar to those of the Commission, namely, the pursuit by the six of a liberal trade policy rather than a European-wide free trade area, the former providing greater European integration. Hallstein told the European Parliament in March 1960 that the EEC's relations with the outside world made it desirable 'for us to present our Community more quickly than stipulated in the Treaty's timetable as a unit with a fully-fledged personality of its own'.[41] Casting a shadow over the Commission's efforts at institution and policy-building was the issue of Britain's relations with the new Community. The British were not in favour of Hallstein's acceleration plans, which they viewed as discriminating against trade, but London had no way of influencing the policies of the Community.[42] There were many countries in the Community that held Anglophile views and attached importance to both economic and political ties to Britain; but there were few who believed that these ties were so important that the six should renounce an opportunity to push ahead with an integration process which the British had decided not to join. While the Dutch, for example, might have expressed public support for closer Community relations with Britain, they were one of the prime movers behind the establishment of the CAP. From the Commission's acceleration plans, one could conclude that the agricultural policy resulted in a steady increase in the Commission's power within the Community.

Speaking with British officials in June 1960, Hallstein addressed the issue of Community membership. He stressed that the Treaty of Rome was 'quite unequivocal in opening the door to all who are prepared to accept its rules'.[43] Indeed, Hallstein went so far as to state:

> We would consider it an act of historic importance if other European states, and in particular Great Britain, were to accept this standing invitation, and were to espouse the political idea expressed in the Treaties of Paris and Rome, and were to make up their minds in favour of membership.[44]

He believed that all third countries wishing to negotiate a link with the Community, through either membership or association, would have to adhere to the Treaties and accept the *acquis*. The problem, as he saw it, was Britain's reluctance to accept the 'political idea' expressed in the Treaties of Rome and Paris.[45] Marjolin shared Hallstein's views, claiming that Britain would certainly be accepted if London was prepared to accept the Rome Treaty without reservations.[46] The Maudling talks reconfirmed that Britain did not share the Community's enthusiasm for certain policies, such as the CAP. Mansholt's agriculture policy was a major part of the Commission's acceleration and integration plans, and it was clear from an early stage that complete acceptance of the *acquis*, including the CAP, would be a significant precondition if the Commission were to support Community enlargement. What the Commission was trying to say to the British at this point was that they would be welcomed as full members, but not as privileged semi-outsiders who were endeavouring to enjoy the benefits of membership without fully joining. Speaking in Salzburg in August, Rey stressed that the sole purpose of the Common Market was the 'political construction of Europe', but that its creation had only been welcomed by the United States.[47] He argued that the newly created European Free Trade Association (EFTA), whose seven members included Britain and the Scandinavian countries, had to stop their attempts at persuading the six to drop their system of external tariffs. Michael Tandy, British Representative to the European Communities, met Hallstein in November 1960, and was told that things 'should be given time to develop' regarding the six and seven divide.[48] When Edward Heath, British Minister for European Affairs, held discussions with the Commission two weeks later, he was disappointed with Rey's 'discursive and rigid' views towards the conditions for enlargement.[49] Heath saw as one of his main priorities to convince Hallstein that Britain's participation in the work of the Community would be 'an addition to his importance' and not the reverse; 'then he might take a more positive view of enlargement'.[50] Weeks later, a British embassy report on a meeting with Hallstein concluded:

> He is unlikely to change his views and will be on the look-out for signs either that the United Kingdom realises that she is bound to come to terms with the European Economic Community by applying for membership or that we are fundamentally out of sympathy with the Community's objectives (and therefore to be left for a period 'in the cold').[51]

This was a good indication that what was being overtly discussed between Britain and the Community was not a membership application but some sort of halfway house solution. Behind the scenes, membership was already being considered in London. Indeed, one of the points of this meeting with Hallstein (and the manner in which it was written up) was to convince the sceptics in the British cabinet that the Britain would have to abandon its search for an FTA-type solution and instead choose between isolation and full membership. The image, therefore, that emerged at the end of 1960 was that the most senior and influential members of the Commission gave at the very most a guarded welcome to the diplomatic rumours that Britain was contemplating a move towards the EEC. By the beginning of 1961, some Commissioners were arguing that there was insufficient distance between the negativity generated by the FTA plan and the proposed application for membership of the Community. It was apparent that, even if officials in Whitehall were conscious of the antagonisms directed towards a potential bid for entry, it would be the six and not the Commission that would ultimately decide whether to open its doors. While Heath and others understood the importance of securing the support of the Commission, the British had a good deal of work to do in convincing Hallstein and his colleagues that their intentions were genuine.

1
The Commission and Britain's First Application

The British application for Community membership in 1961 led to the EEC's first major crisis. Chapter 1 explores the role played by the European Commission after Britain submitted its application in mid-1961 through to the collapse of enlargement negotiations 18 months later. Unlike most accounts of Britain's first and unsuccessful attempt at membership, the main focus of the chapter is on how the Commission responded to the British request and its influence over the subsequent negotiations. It addresses issues central to the Commission and fundamental to the enlargement question that arose because of the British application. These include: (i) the working relationship between the EEC's institutions and in particular between the Commission and the Council; (ii) the type of Community envisaged by the Hallstein Commission; (iii) the conflicts within the Community over Britain's membership; (iv) the views of the Council on the Commission's role within the enlargement negotiations; and (v) the influence of the Commission on the negotiations and their outcomes. A central question that the chapter seeks to answer is how the Commission used the enlargement question to extend its influence in the policy and decision-making process.[1] While a number of issues dominated negotiations between the British and the Community, such as agriculture, the chapter, of necessity, analyses just one, namely, the problem of accommodating Britain's Commonwealth interests. The Commission played a prominent role in each issue negotiated, but an analysis of the Commonwealth problem reveals how that institution tried to, at the same time, create a role for itself and grab a certain amount of influence inside and outside the negotiations.

Calm before the storm

By early 1960, there was on-off speculation within diplomatic channels that Britain would make a move towards the six.[2] This coincided with an increased number of exploratory meetings between London and the Commission. At one level, these were required; the fall-out from the Free Trade

Area (FTA) talks had left soured relations between both sides. Moreover, British officials had to change the negative perceptions of Britain's European policy that had found their way into the minds of influential Europeans. From an examination of the minutes of meetings between the Commission and British officials in the 12 months before the membership application was made, there was an inescapable sense of scepticism exhibited by the Commission.

One of the central actors in Whitehall who understood the importance of addressing these negative perceptions was Edward Heath, Lord Privy Seal (later responsible for the British negotiations). In the aftermath of a conversation with Hallstein in November 1960, Heath reported to the Foreign Office that: 'I think that if we could convince him that British participation in the work of the Community would be an addition to his importance, and not the reverse, he might take a more positive view of it'.[3] It was no secret that Hallstein craved a higher profile for the office of Commission President and for the institution. But it reflected the importance Heath attached to winning over the Commission as an ally in London's relations with the Community. Hallstein was only one of nine Commission members whose views London attempted to sway in the months before Britain applied to join the Community. Heath also concluded that Rey held a negative opinion on the value of Britain's role in an enlarged Community. Indeed, he wrote: 'I was disappointed by M. Rey, who seemed discursive and rigid in his views, and whom Professor Hallstein had little hesitation in interrupting'.[4] Doubts about British membership of the Community were repeated at official level. Jean-François Deniau, a senior French official in the Commission, expressed significant concerns about Britain's membership and 'saw no chance of the U.K. becoming a member of the EEC through accession to the Community under Article 237 of the Treaty of Rome'.[5] This was largely because of Britain's interests in the fields of agriculture, the Commonwealth, and for domestic reasons. Referring to the CAP, Deniau concluded that something could be worked out between the six and Britain 'in four years or so'.[6] He also highlighted the lack of enthusiasm at the idea of Britain joining the Community. For the Commission, it was a matter of timing, and the first stage of the tariff reductions had just ended. Moreover, Mansholt was still working on the CAP, a policy many in the Commission (and in London) believed was incompatible with the British agricultural system.[7] The Commission's resources were stretched, and a possible request by Britain and other countries for membership or association would stretch these resources further.

In the months immediately before Britain submitted its application, the Commission remained sceptical. In April 1961, Hallstein told British officials that he believed that the Commonwealth difficulties would prove negotiable and that arrangements for the other EFTA countries could be reached once the major differences with Britain were resolved.[8] But he warned the

British that they could not be members of two systems. Nothing less than an expressed willingness on the part of the British government to accede to the Treaty of Rome would get negotiations started. This implied acceptance of the Community's agricultural policy even though Mansholt's proposals were still under discussion in the Council. Nevertheless, Hallstein expected an unequivocal acceptance by the British of all parts of the fledgling but expanding corpus of Community legislation. During his discussions with the British, Hallstein held back from declaring his outright opposition. He was not against enlargement *per se* and saw no 'insurmountable problem' with Britain's entry.[9] Instead, the question was whether the British were ready to negotiate seriously on joining. By April, Hallstein saw 'no indication that they were'.[10] A month later, he expressed anxieties over the changes in voting power in the Council if Britain became a member. Hallstein foresaw the emergence of voting blocs in the Council, because London would be entering the Community with other countries, such as Ireland and Denmark, whose votes it could rely on, as well as the possible support of the Dutch. Another concern was that the traditions of the British civil servants working in the Commission would lead to its 'evolution into a compromise-making machine by making it more an administrative or consultative mechanism'.[11] Third, he was critical of Britain's role in the Council of Europe, where its parliamentarians always sided with their government. In this context, Hallstein was in favour of allowing the British into the Community only after majority rule was introduced in the Council, in order to prevent new members from vetoing any of the 'major trends now in process'.[12] Marjolin had expressed similar views in private, and it was one of the many issues under examination by the Commission's secretariat.[13] In a final analysis of Britain's attitude to the European project, Hallstein argued that the British had not accepted European unity as an ideal: 'they have accepted it as a fact'.[14] Britain had missed 11 years of European integration. He was, therefore, inclined, during the negotiations, to add conditions rather than take them away, so as to 'take account of the British state of mind which had not kept up with the European evolution of this problem. To do otherwise, would amount to regression'.[15] Hallstein's pointed attacks on Britain's attitude to the EEC could be traced back to the early 1950s, and these views changed little over the following decade. On the eve of Britain's historic leap across the English Channel, the Commission President and many of his colleagues remained unconvinced that the time was right or that London fully appreciated the implications of membership.[16]

By early 1961, six months before Britain submitted its application for membership, the Commission was busy assessing its possible implications. In February, internal reports focused on such issues as the Commonwealth and Community trade. Documents suggested that, in dealing with the Commonwealth countries and their economic relationship with Britain, tariff negotiations would have to be based on a product-by-product basis.[17] This

analysis was remarkably similar to what would happen during the negotiations when, due to the complexity of the British position *vis-à-vis* the Commonwealth, the Community dealt individually with each commodity. It was an indication of how the Commission was able to use its technical expertise to make itself relevant to the enlargement process. It concluded that, whether Britain opted for membership or association, the Community faced three important issues in any form of negotiation: (i) relations with the Commonwealth; (ii) problems concerning agriculture; and (iii) Britain's relations with the EFTA. These three issues would loom large in the subsequent enlargement negotiations. However, the Commission's analysis dealt in far greater detail with the problems that would arise if Britain pursued associate rather than full membership.

Commissioners used public speeches to clarify aspects of the *acquis* that were central to the enlargement negotiations. Speaking in London four months prior to the application, Mansholt stressed that the EEC's external tariff system should be seen as a negotiating tariff, a point of departure for tariff reductions and a lever for achieving greater liberalism in world trade policies. It was not designed to prevent other countries, such as Britain, from concluding 'treaties of accession or association'.[18] He was absolute in his opinion that no attempt at bridge-building between the six and the seven would succeed; the prevailing views on both sides were 'too divergent to be brought easily under one common denominator'.[19] It was 'rather like trying to square a circle, or rather, trying to draw a square which would be a circle at the same time'.[20] His comments reinforced the Commission's belief that there would be significant difficulty in merging the economic policies of the seven with those of the six. Mansholt, perhaps more than the other Commissioners, was acutely aware of the sharp difference between his agriculture policy and the British agricultural tradition. Despite this, of course, he made no attempt to shape a policy that met the needs of the British farmer. The Dutch Commissioner certainly attached greater priority to the advance of the CAP than to making Britain's task of joining the Community any easier. Yet, this was not the same as opposing British membership. It reflected a belief that the six had devised a winning method and that it was up to would-be applicants to adapt to this system rather than for the Community to adapt to the applicants. He was, in other words, anticipating the stance which the Commission has adopted regarding every single membership application since 1970 (if not earlier).

Mansholt outlined five basic conditions that would have to be met before the Commission would agree to support Britain's application: (i) enlargement could not lead to a weakening of the Common Market; (ii) it should not impair relations between Britain and the Commonwealth; (iii) it had to be compatible with GATT; (iv) it had to take into account the interests of non-member countries, and especially the United States; and (v) it had to have regard for the interests of the other members of the EFTA.

These conditions later became the central preoccupation of the Commission during the enlargement negotiations, and, as Mansholt admitted, 'they are clearly not easily reconcilable'.[21] Comments by the Dutch Commissioner and other colleagues revealed a very potent *communautaire* spirit and a significant merger of opinion within the Brussels executive. They believed that the Community model that they were engaged in building was worth preserving and therefore ruled out any major, Treaty-altering concessions to prospective members. Indeed, as Mansholt stated: 'The Community can hardly deny its own character [...] It can hardly be expected to make major concessions. And a solution which begins by making conditions which would require the Community to repudiate its own nature is not a solution at all'.[22]

When Harold Macmillan made the official announcement on 31 July 1961 that Britain would seek EEC membership, there was little surprise within the Commission.[23] London had toyed with the idea of informing the Commission prior to the announcement, but the British officials had 'no confidence in the Commission's ability to maintain secrecy'.[24] The Commission issued a short *communiqué* welcoming the application and expressed its '*grand intérêt et une satisfaction de la declaration*'.[25]

The application raised serious logistical and political challenges for the Commission. During its early assessment of the problems likely to arise if Britain applied to join the Community, no formal discussion took place of the role the Commission would play at the enlargement talks, though informally the issue was likely to have preoccupied Hallstein and others. Suddenly, after Macmillan's announcement, technical and procedural problems rose to the top of the Community's agenda. Chief among these was the type of negotiating procedure to adopt as well as where the talks would be held, and, perhaps crucially, who would lead the Community at these negotiations. On these issues, the Commission guarded its position to avoid antagonising the six, who had yet to formally discuss the negotiating procedure. Responding to a question from the European Parliament, the Commission stressed that it would not make a public statement on its interpretation of Articles 237 and 238 of the Treaty of Rome and the conditions for membership.[26] This was a clear indication that the Commission would not issue a formal *avis* on the application or get involved in a public debate with the six on the interpretation of these articles. There were two issues at play here: on the one hand, the Commission's (understandable) caginess about declaring its hand on the procedural matters being fiercely debated among the six, and on the other the Commission's political decision not to issue a full *avis* as demanded by the Treaty. The former was primarily linked to the delicate and controversial nature of the procedural discussions among the six; the latter had more to do with the conditional nature of Britain's approach to the EEC. However, in a veiled reference to the negotiating procedure, the Commission highlighted the role it had played in the Dillon Round of GATT negotiations in Geneva and the association

agreement signed between the Community and Greece as evidence of the importance of the Commission in negotiating for the EEC. The Hallstein Commission expected more than just a supporting role at the enlargement talks, even if the Treaty was largely silent on the procedures to follow. As van der Harst makes clear, a practical approach was required.[27]

The lack of clarity on how to proceed led to a heated debate in the Community between the six and the Commission. The Community was not new to negotiations with external actors or Community enlargement. Piers Ludlow points to the talks that created the EEC and draws parallels to the 1961–1963 negotiations, in which 'similarly complex technical difficulties were anticipated'.[28] Deciding on the appropriate model for the negotiations was of vital importance to the Commission, not least because it wanted to protect its interests, attempt to influence the outcome of the talks, and avoid any unnecessary concessions to the applicants that might create unwelcome precedents for future enlargement negotiations. At the same time, the member states had competing interests, not only in the negotiating procedure but also regarding the location for the talks.[29]

Each of the Community's actors had its own set of ideas about how best to proceed with the negotiations. Paris argued for a rotating chair to the negotiations, with each of the six holding the position over the course of the negotiations, and for the almost total exclusion of the Commission. Indeed, its original proposals had made the case that the Commission should be excluded from the negotiations.[30] The Dutch argued that a system similar to the intergovernmental committee that had negotiated the Treaty of Rome was the most appropriate model to deal with the enlargement talks. They were also sceptical about giving the Commission a role, arguing that it had 'no prescriptive right to be present' at the talks.[31] Belgium became a supporter of the Dutch idea of a permanent chair primarily because Paul-Henri Spaak, its Foreign Minister, hoped to reprise his role as chairman but did not agree with excluding the Commission.[32] France, as Camps notes, was strongly against the choice of Spaak for a number of reasons, mostly perhaps because 'they knew M. Spaak would be eager to bring the negotiations to a successful conclusion' and, moreover, would 'push for more concessions than they, at least, would feel it desirable to make'.[33] Both France and the Netherlands agreed that the Commission would only be called upon if the six needed opinions on specific points.[34] The French, in particular, opposed any suggestion that the Commission should act as a conciliator of the conflicting views of the member states.[35]

The discord in the Community continued into September. Excluding all the other questions under examination by COREPER, such as the character of the negotiations, location, the presidency, and so on, agreement was difficult to reach on what to do to get the negotiations started. The majority of member states believed that the Commission was required by Article 237 of the Treaty of Rome to produce its opinion, which would not only

deal with the opening of negotiations but also analyse the conditions for membership. However, France interpreted this section of the Treaty in a different way. Paris argued that responsibility for the negotiations rested with the member states '*et non des institutions communautaires*'.[36] Moreover, it did not go unnoticed that a month had passed before the Council officially asked the Commission to prepare its *avis* on the negotiations.[37] This presented the Commission with an opportunity to set the negotiating agenda. Yet, on 7 September, the Commission concluded '*qu'il lui est impossible d'émettre, du moins pour l'instant, l'avis officiel dont il est question à l'art. 237 du Traité*'.[38] Instead, it referred to its 1 August *communiqué* as its stated position on the British application. It was therefore left to the Council to set the Community's negotiating position. The Commission argued that it was better to wait until it had more information about the issues Britain wished to negotiate before it submitted a detailed *avis* to the Council. It was adopting a cautious position. Its *avis* could be received negatively, especially by the six, and the Commission was aware of the divisions that already existed among the member states. There was ample scope for the Commission to exploit these internal difficulties to its advantage.

At their meeting on 20 September 1961, COREPER proposed to the Council that the applicants had to accept unreservedly the rules and aims of the Treaty of Rome and that the negotiations should only deal with the conditions of admission and the relevant Treaty adaptations.[39] The accepted view was that membership negotiations with the applicants should be conducted separately and that Britain's application should be accorded priority. The French delegation continued to oppose giving the Commission a role in the talks. It was reported that '*La France est toujours hostile à l'idée d'une participation de la Commission Hallstein en tant que telle, c'est à dire comme huitième membre de la Conférence*'.[40] Opposition to the Commission continued until the end of September. It was finally decided that the negotiations would be carried out by the ministers of the six acting as representatives of their governments and not as the Council. The Commission was given observer status and its advice would be called upon when it was required. The question over procedure revealed a Community at odds over the exact role of the institutions in dealing with certain EEC affairs.

While the Commission had become a key player in the Community's acceleration plans and in the agriculture negotiations, not to mention the association talks with Greece, enlargement posed a new problem for Hallstein and his colleagues in their relations with the six. There are a number of reasons why countries such as France adopted such a hard-line attitude towards the Commission. Arguably, Hallstein's style of leadership greatly offended de Gaulle. High-profile visits to Washington, where he and his Commission colleagues enjoyed all the benefits usually accorded to a head of State or government, enhanced not only his international standing but also the profile of the Commission. These trips across the Atlantic forged closer

ties between the Commission and senior decision-makers in the Kennedy administration. This had the desired effect of securing important approval by Washington for the Community's economic policy goals and acceleration agenda.[41] Giving the Commission a prominent role in the enlargement talks would have further added to this institution's influence, not only over the policy-making process but also in shaping the outcome. General de Gaulle's well-known antipathy to all things supranational led him to push the French plan for a rotating chair rather than allow someone like Hallstein or Spaak to lead the negotiations. It was not so much the federalist ideas that these men espoused with which the General found fault. The French President was well aware that this was likely to be neutralised by the British. What he objected to was, instead, the fact that Spaak was highly pro-enlargement and had previously demonstrated a remarkable capacity at steering negotiations in a fashion that minimised the possibilities of dissent. Given the tactics France had decided to employ in order to delay and, if possible, block British membership, Spaak's appointment as chair of a new negotiating committee would have been disastrous for Paris.

Hallstein offered a strong defence of the need for the Commission to play an important role both outside and inside the enlargement conference. The Commission declared itself satisfied at the outcome of the Council talks over the negotiating procedure.[42] It had some reason to be optimistic. The negotiations would be held in Brussels, not in France, and, in theory, this would allow the Commission greater access to the negotiating teams. Since the talks would be centred on Britain's acceptance of the *acquis*, there was no other Community actor as well versed in the *acquis* as the Commission. Therefore, its advice not only to the six but also to the applicants could prove invaluable in shaping a desired outcome, so long as it did not alter the provisions of the Treaty. On the other hand, the Council was not obliged to accept the Commission's advice, and, moreover, if the six engaged in bilateral diplomacy with the British, the Commission's ability to influence decisions would be greatly reduced. So long as the negotiations remained within the framework laid down by the six, the Commission had a better chance to play a more influential behind-the-scenes role.

Round one begins

Edward Heath's opening speech at the enlargement conference held at the Quai d'Orsay in Paris on 10 October 1961, the first and last part of the negotiations held in the French capital, set out the British government's negotiating position and the difficulties likely to arise.[43] He outlined three main problems Britain faced with membership, and committed his government to accepting a Common External Tariff (CET), the elimination of internal tariffs, a common commercial policy, and a common agricultural policy, although the length of the transitional period to achieve all this

would prove a sticking point. Heath stressed that Britain would play a full role in the institutions established under Article 4 and other articles of the Treaty of Rome. He also made reference to derogations (concessions) and adaptations that Britain would require in relation to its Commonwealth trade and, in particular, what became known as temperate foodstuffs. The Commonwealth issue featured early and prominently, as Heath declared:

> Some people in the United Kingdom have been inclined to wonder whether membership of the Community could in fact be reconciled with membership of the Commonwealth. The task of reconciliation is complex, but we are confident that solutions can be found to Commonwealth problems fully compatible with the substance and spirit of the Treaty of Rome.[44]

These comments provided further evidence to those sceptical of the British application that Britain still refused to choose between Europe and the Commonwealth, while his speech reinforced London's hope that the Commonwealth could be accommodated by the EEC.[45]

The Commission was favourably impressed by Heath's opening remarks. Alfred Mozer, Mansholt's *chef de cabinet*, was convinced that, although the Commission would only have a consultative role during the negotiations, in practice it would exert a considerable influence on the negotiations, if only because it was better prepared than the six.[46] Indeed, in conversation with British officials, he said that the negotiations would succeed and offered to do what he could behind the scenes. In return, the British concluded that Mozer would be a very useful source of information once the negotiations commenced. Mozer realised that the Commission was better placed than the member states to advise both the six and the British on the Community's existing policies. It is unclear from the Community's archival evidence whether any other Commission officials offered private briefing sessions to the British with a view to creating a smoother path to membership.

The Commission and COREPER quickly went to work on an in-depth analysis of Heath's speech, the aim of which was to discover what problems lay ahead for the Community. The Commission announced its working group to the negotiations at the end of October. Hallstein, Giuseppe Caron, Robert Marjolin, and Jean Rey would lead the Commission at the official level, while Deniau was made responsible for coordinating work between the different sections of the Commission.[47] It was unclear why Mansholt was excluded from this group, although, due to the amount of work that was being prepared on the CAP, the Dutch Commission would have little time to give to the enlargement talks.

The Commission provided the Council with an analysis of Heath's speech in early November 1961. The Commission's report, a copy of which found its way to the British delegation, made a number of recommendations that were

meant to influence the Community's negotiating position.[48] Chief among these was the requirement that the British government accept in principle the EEC's Common External Tariff (CET) to all third countries, including non-member Europeans. The report also acknowledged that the association of Commonwealth countries would reduce the value of existing Community preferences. It recommended that association with the EEC should be limited to African countries and to dependent and non-industrialised countries outside Africa. This excluded Hong Kong, which the Commission deemed to be an industrial producer, and Commonwealth temperate foodstuffs producers, since these were considered as part of the general agricultural problem and were not treated separately from the rest of the agricultural dossier. In addition, the Commission believed that the British were too vague in their attitude to the services, freedom of capital movements, and social questions, and felt that further clarification was needed, in particular on whether the British accepted all the decisions already taken.[49] The Commission's views on the British statement were closest to the French, in that each emphasised the difficulties that lay ahead.[50] Moreover, the German and Italian representatives in COREPER echoed the Commission's findings; more clarity was required from the British delegation.[51] This was indicative of what Ludlow calls 'the defensive spirit' with which certain elements of the Community approached a speech that was itself weighed down with the problems Britain was likely to encounter during the enlargement talks.[52] The Commission's assessment highlighted the central issues that would appear on the Commission's and the Council's agenda for the following 14 months: the Commonwealth, agriculture, and Britain's relations with the EFTA countries. Even though it was not a central actor at the talks, the Commission quickly used its expertise to forge a role early in the enlargement process.

The first bilateral meeting between the Community and Britain took place on 8–9 November 1961 and was described by Commission officials as extremely business-like.[53] The six reiterated that every article of the Rome Treaty played its part and that it was important that exceptions should not become the rule. The six were firm on the subject of the CET, stressing that the external tariff of the enlarged Community would ultimately apply to all outside countries, including those of the Commonwealth, except where specific arrangements were made. The Commission President also addressed the meeting as 'the keeper of the conscience of the Treaty'.[54] Economic union would not be held up because of the negotiations, he stressed.[55] The Council made clear at this meeting that substantive negotiations between the Community and Britain would not take place until the beginning of 1962, after the EEC had signed off on the main features of the CAP and agreed to begin the second stage of the Community's economic development. Indeed, this was a position that the Commission repeatedly pushed.[56]

This was a vital stage in the Community's internal development. The CAP was almost finalised, but the Community's agreement with its Associated

Overseas Territories (AOTs) was due to expire at the end of 1962. Any new agreement would have implications for the British Commonwealth; enlargement would have complicated its renewal. In meetings between the Commission and the six, discussions had already started on a new convention for their former colonies. This presented the Community with another reason not to begin immediate negotiations with Britain until the EEC had formulated its own position on these vital Community issues. Understandably, the British and the Danes had hoped that the Community would work out its policies on association and agriculture in tandem with negotiations for an enlarged Community.[57] Indeed, Denmark had expected a consultative role in the CAP talks.[58] This way the applicants would be able to exert pressure on the Community to adopt policies closely related to their economic and geopolitical interests. However, the Commission believed '*un précédent dangereux*' would be created if this was allowed to happen, and argued against it in one of its reports to the six.[59] The Commission was no doubt conscious of the difficulties it faced in trying to negotiate the CAP with the six, each of which had its own vested interests in securing a positive outcome to the internal negotiation on agriculture. This process would have been far more complex if the Commission had agreed to allow other agriculture producers a voice at the Council table.

Informal meetings between Commission and British officials in the weeks after the negotiations opened provided no new insights into the kind of agreement likely to be reached between both sides on the Commonwealth issue.[60] It was evident that the Commission and the six believed that it was up to the applicants to make specific proposals to the Community rather than vice versa. This would have been somewhat easier for the Commission, since it could then analyse the British request and offer its opinion to the Council, whereby a common position would be found that the Commission was able to influence. However, assessing this from the British perspective revealed a different set of objectives. All proposals from policy-makers in London would first have to gain the approval of a less than united cabinet and Conservative parliamentary party as well as meeting the needs of the Commonwealth and EFTA countries. As the end of 1961 fast approached, no positions had been abandoned on either side, but at the same time no substantial negotiations had taken place. Yet, the Commission had cleverly created an important role for itself.

The Commission maintained close contacts with members of the British delegation during this period of general inactivity. London was keen to avail itself of the Commission's advice in an informal way, although this met with a frosty reception. Soon after the negotiations opened, approaches were made to Commissioners by British officials about the possibility that members of the British delegation might hold informal discussions with officials in Brussels for clarification of points arising out of the negotiations. Rey believed that the Commission in general would be in favour of this request,

yet acknowledged that Hallstein had insisted that the member states should be consulted before an answer on any issue was given. The Commission President also emphasised the danger of parallel negotiations.[61] Was this part of an obstructionist policy by the Commission President? Arguably, it reflected the awareness of Hallstein and his colleagues that the Commission's best chance of playing a role in these talks lay in becoming the trusted honest broker among the six, and that its chances of assuming this role could be called into question if it were perceived (in Paris and elsewhere) as having become too intimate with the British. The British Mission to the EEC viewed Hallstein's intervention as a 'danger signal', noting privately that they had received similar warnings from the Dutch about Hallstein's attitude towards the negotiations.[62] This was also an important, if not a crucial, period for the Commission and the six, as both sides sought an agreement on the CAP. It could not risk taking sides so early in the negotiations, because if the enlargement discussions broke down it still had to maintain a working relationship with the six. After all, the Commission had got off to a relatively good start in the negotiations, and this was acknowledged by the British after Heath's opening speech.[63] Between December 1961 and the end of January 1962, the enlargement negotiations were put on hold until the Community had completed work on the next stages of its internal tariff reductions. When the talks resumed in early 1962, the *acquis* would be extended, and the Community would have a new programme of activity in its second stage of development, further complicating relations between the applicants and the six.

The Commonwealth: Negotiating an empire

Once the enlargement negotiations resumed, one of the main items on the agenda was the monumental task of finding a solution to the Commonwealth problem. Accommodating Britain's Commonwealth interests was examined at an early stage by the Commission. There was a fear that the big issues associated with enlargement would be held up until after Britain joined the Community, which was an idea frequently floated by prominent Europeans. Jean Monnet, for example, had advised the British throughout the negotiations that they could not solve all the difficult problems before accession, and suggested: 'Once in and on the same side of the table solutions would much more readily be found'.[64] Indeed, Monnet and others, such as Max Kohnstamm, Vice-President of Monnet's 'Action Committee for the United States of Europe', concluded prior to the opening of the enlargement talks that the Commonwealth and other major issues could only be dealt with after Britain had joined.[65] Instead, Kohnstamm believed 'the UK should enter the Community after agreement on the minor institutional matters' had been reached.[66] The advice reflected a painful reality – negotiating each single issue had the potential to seriously hamper the

progress of the talks and possibly jeopardise the achievement of a positive outcome. The Commission resisted Monnet's advice.[67] A veto-wielding Britain could not be trusted to act in a *communautaire* way after accession if certain issues were left until after it had joined. In an enlarged Community, agreement would be more difficult to achieve.

The heart of the Commonwealth problem was the farm products of Canada, Australia, and New Zealand. New Zealand's dairy industry had been built up to serve the British market. By 1960, Australia was sending a quarter of its exports to Britain. Three staple products – grain, meat, and butter – would be sharply affected if Britain joined the Community, surrounded by import levies and guided by common policies.[68] The British position was relatively straightforward. It argued that the Commonwealth should continue to have comparable outlets to those which it currently enjoyed within Britain after membership.[69] This was, of course, a deviation from the rules of the CET.

The Commission analysed the Commonwealth problem in detail.[70] It acknowledged: '*Les produits du Commonwealth occupant ainsi une place importante dans les importations du Royaume-Uni*'.[71] In 1958, Commonwealth trade amounted to 48 per cent of Britain's total imports, while in 1960 over 42 per cent of British exports went to the Commonwealth countries.[72] The Commission had developed its own ideas about how it would approach the Commonwealth problem in advance of the negotiations opening. The Commission believed that the economic problems affecting these countries were '*totalement différents de ceux des Etats et territories d'outre-mer associés à la Communauté*'.[73] This implied that, despite protestations from these Commonwealth countries and Britain, it appeared unlikely that the Commission would act favourably towards these three countries. Instead, the Commission placed greater emphasis on the developing countries of the Commonwealth and believed that the Community should focus special attention on certain areas, '*notamment de l'Afrique*'.[74] Enlargement presented the Commission with an opportunity to reconsider the Community's 'relationship with large portions of the developing world including the Indian sub-continent and an ever-growing number of newly independent African nations'.[75] Of course, it remained to be seen whether these countries would accept associate membership of the Community.[76] *Agence Europe* reported that '*une question plus importante, du point de vue britannique, est de savoir dans quelle mesure le Commonwealth va être directement représenté aux négociations*'.[77] Britain was under immense pressure from its Commonwealth partners, but this was London's dilemma, not one the Commission felt obliged to solve.

Heath's opening statement stressed that the Commonwealth problems could be solved by the Treaty of Rome or by protocols to that treaty. He alluded to the existing provisions between the six and the Community's agreements with its associates, and argued that something similar was possible to accommodate the Commonwealth countries. He said: 'I am sure

that you will understand that Britain could not join the EEC under conditions in which this trade connection [between the Commonwealth and Britain] was cut with grave loss and even ruin for some of the Commonwealth countries'.[78] This was a vital attempt by the British to appeal to the six, who had already worked out association agreements for their former colonial interests. There was almost an underlying belief in London that the Community would in some way be sympathetic to the Commonwealth. There was some ambiguity as to whether Heath was seeking association for all the Commonwealth countries or whether the countries he mentioned, such as the underdeveloped ones and the territories that were not independent, really wanted associate membership. He argued that the option of association should remain open, with the same terms offered in the future to the present associates. As Camps notes, the 'list was a massive one', and she argues that the British knew that the six would be unlikely to offer association to all.[79] The British, strategically, had set their negotiating position high; if their position was rejected at this point, it would still be easier to reintroduce the topic at a later stage rather than make it seem like a totally new issue.

In October 1961, the Commission's working group on the British application rejected Heath's demands for equal associate status. Its main concern was the extension of Part IV of the Treaty of Rome to include association with all Commonwealth countries. Moreover, Commission officials believed that Heath's implicit suggestion that the trading relationship between the six and their AOTs was in some way similar to the Commonwealth's exports to Britain did not hold true.[80] The Commission argued that a similar arrangement on a larger scale for the Commonwealth countries was impossible to replicate. Of course, many of the officials in the Commission were French, Dutch, or Belgian, whose countries had an interest in protecting the existing arrangements between the six and the former colonies. French officials, for example, in the Commission had an interest in preserving hard-won agreements on the status of the AOTs. The ideas inherent in the Commission's various reports on this subject proved important influences on the position adopted by the six at the Community's first meeting with Britain on 8 November 1961. The Commission had to ensure that any arrangements reached with Britain over the Commonwealth would not create precedents for the future association of other countries with the EEC, affect the terms of the GATT, or impact on the existing associate agreements. At that meeting, the Community ruled out special preferential treatment between the Community and the Commonwealth, the only exceptions would be for a group of African and Caribbean countries which, it felt, qualified for associate membership. [81] The position adopted by the Community was heavily influenced by the Commission, which had promoted this negotiating position repeatedly after the talks opened. Indeed, Commissioners and their officials became increasingly convinced that no easy solution would be found

by merging Community and Commonwealth interests. Robert Lemaignen, Commissioner with responsibility for the Community's AOTs, stressed that examining Part IV of the Treaty of Rome, which dealt with these territories, was a suitable approach to adopt for developing countries of the Commonwealth.[82] He highlighted the potential threat to the African states (and Madagascar) already associated with the Community, from the Commonwealth's exports of tropical goods. While the French Commissioner raised no outright objections to finding solutions to the Commonwealth question, he nevertheless sounded a note of caution by arguing points that appealed directly to the national interests of the six.[83] His job was to act as guardian of the Community's interests, not to find a solution to a uniquely British problem, even if this meant prolonging the enlargement negotiations.

In many of the Commission's reports on the Commonwealth, one pattern that emerged continuously was the way in which the Commission drew the Council's attention to the likely problems that the Community would face in the negotiations. One such report, with respect to manufactured products from the Commonwealth, concluded that '*une divergence de principe a pu apparaître entre les positions respectives de la Communauté et du Royaume-Uni*'.[84] Indeed, there was very little positive comment emanating from the Commission with respect to Britain's demands for the Commonwealth. By raising awareness of these problems, the Commission was making the six accept the potential implications of agreeing to British demands for association for the Commonwealth countries. Emphasising the risks to the Community's existing trading relationship with its AOTs would add caution to the Community's negotiating position.

Camps argues that the Community failed to appreciate the significance that London attached, for domestic political reasons, to achieving an overall deal for the Commonwealth.[85] However, this is not an accurate assessment. Rather, the British had used every opportunity since July 1961 to stress the special position of the Commonwealth in regard to British domestic affairs. The Commission was aware of the pressure that London was under to get the best deal possible for the Commonwealth countries. Commissioners such as Marjolin might have understood better than most the importance of the Commonwealth as a sensitive issue for Macmillan's government. But the better informed may also have known that the really politically sensitive Commonwealth countries, so far as British opinion was concerned, were not those states likely to be deemed suitable for AOT status, but, rather, the white former dominions. Commission officials frequently acknowledged: '*L'importance politique et économique de la Communauté pour la Grande-Bretagne et aussi pour le monde occidental n'est pas contestable*'.[86] What the British (and Camps) failed to understand was the perspective of the Community, and in particular that of the Commission. The latter was clearly concerned about how the Community was perceived in the underdeveloped countries, and,

by focusing on the African countries, could argue that the EEC was not a rich man's club.[87] Indeed, Commissioners such as Hallstein had spoken publicly about the need for the Community to do more towards helping those newly independent and developing countries, particularly in Africa. Hallstein was on record as emphasising 'our responsibilities' in Africa and the urgent need to bridge the gap between those countries and industrial ones.[88] He pointed out that by 1959, of the 90 developing countries in the free world, 57 were dependent on the EEC for 20 to 90 per cent of their exports.[89] He added: 'we must take special steps to increase the share of these countries in our markets. This requires striking a careful balance between their needs and the interests of the corresponding branches of our own industries'.[90] Rey even called his colleagues' attention to '*la responsabilité morale des pays européens de les assister dans ce développement*'.[91] Adopting a regional approach to trade with underdeveloped countries in Africa, and especially in Latin America, was supported by the Kennedy administration, whose views on this subject President Kennedy and the State Department shared with Hallstein before the enlargement talks opened.[92] The Community, of course, did not adopt a global approach to trade with the Third World, but instead differentiated strongly between its AOTs and those other countries with which it had special arrangements on the one hand, and the rest of the developing world on the other.

Despite the pressures that surrounded the internal agreements on the CAP during December 1961 and January 1962, the Community continued to examine the intricately technical aspects of the British application. The committee of deputies, where the Commission was represented by Deniau, who played a key role, had held three working sessions that explored a number of problems assigned to them by the negotiating conference.[93] Among these issues were: (i) the classification of Commonwealth countries according to the main characteristics of their export trade; (ii) the list of products for which the British delegation had proposed a zero duty in the future CET of the enlarged Community; and (iii) the problems raised by exports of manufactured goods from the industrialised countries of the Commonwealth.[94] The problem of the less developed countries of the Commonwealth was approached on the basis of a classification drawn up by the Commission and the British delegation. This was at Hallstein's suggestion, when, in the meeting between the Community and Britain on 8 November 1961, he proposed that the best approach to association 'would perhaps be to draw up a list of the Commonwealth countries which obviously present factual similarities with those countries which are already associated with us'.[95] This classification consisted of regrouping all the less developed countries of the Commonwealth into five categories according to the type of problems raised. The significance of the classification was two-fold. On the one hand, it summarised in a very concise and practical way the main data on the external trade of these countries. On the other hand, by defining the

problems, it enabled the Commission to gain a better grasp of the facts before them, their dimensions, and possible outlines of their solutions. The Commission proposed that the problems concerning the countries in the first category, such as Hong Kong, India, and Ceylon, should be tackled without delay. The Commission had made it clear that these countries were 'much less deserving' than some of the African or West Indian countries of the Commonwealth.[96] These countries had powerful manufacturing industries whose prices reflected the low wages they paid, and therefore granting association under Part IV of the Treaty of Rome would prove more difficult.[97]

The Commonwealth question dominated the first substantive meetings of the negotiations in January 1962. The deputies' meeting on 18 January achieved little. Reporting back to the Commission, Hallstein concluded that the meeting had not '*enregistré de progrès sensible dans la négociation*'.[98] He cited the conflicts between the Community and British delegations over how to categorise the Commonwealth countries. At the ministerial meeting two weeks later, Pierson Dixon, head of the British delegation at official level, gave a lively and impassioned speech on the subject. He pointed to Article 3 of the Treaty of Rome, which dealt with 'the association of overseas countries and territories with a view to increasing trade and to pursuing jointly the task of economic and social development'.[99] Despite the Commission's concerns over the assimilation of Commonwealth territories into the Community, Dixon argued that the potential 'nightmare' outcomes stressed by some in the Community would prove 'to be mere chimeras'.[100] Instead of these former colonies and dominions becoming a burden for the Community, they would, or so the British delegation argued, prove to be a positive influence. Moreover, the Community would be seen within the wider international community to be offering political and economic stability to many underdeveloped countries. Neither COREPER nor the Commission was convinced by Dixon's arguments. Günther Harkort, Germany's permanent representative to the EEC, bluntly asserted that 'these arguments have been used before. They are familiar and good, but not easy to sell'.[101] While certain members of COREPER voiced mild criticisms of the British position, the archival records of these meetings reveal little or no input from the Commission delegation. This was because, in many ways, it was not required. The Commission's position converged with the political and economic wishes of the member states, and especially the French. The six were, therefore, defending a position that was closely related to the views of the Commission. In addition to this, the agreement covering the relationship between the Community and its AOTs was due to expire at the end of 1962. As Ludlow notes, the French, conscious of their own colonial interests, tried hard to have all discussions on the association question put on hold until after a new agreement was reached at the end of the year.[102] The six may have been able to stop the clocks to deal with agriculture questions at the end of 1961, but postponing discussions

on the Commonwealth question would have cast serious doubt on France's willingness to bring the negotiations to a speedy conclusion.

From the beginning of 1962, the Commission's analysis of the Commonwealth problems continued, and what it showed was the increasing influence of the Commission in the Council's deliberations. At the ministerial meeting on 22 February, the British were met with two significant setbacks. The six would not agree to a permanent preferential agreement for Commonwealth exporters, nor would the Community allow any quantitative deals with the British.[103] A month later, the committee of deputies was asked to prepare a detailed report on all the issues under discussion at the enlargement talks. Two of the main topics examined by the committee and the Commission's working group were agricultural guarantees for the British and the remaining aspects of the Commonwealth problems. What was interesting from accounts of these meetings was the lack of a Community position on either of these items.[104] French views differed from those of the other delegations, although Deniau did not record the Commission's views. Moreover, no attempt was made to offer any solutions or compromises. Arguably, sending the Commonwealth issues to the committee stage for discussions was a French tactic of stonewalling in the enlargement talks. As a result, some of the member states began to question whether the Community's position on the Commonwealth was too rigid.[105] Though the Community had, to a large extent, presented a united front on the question of granting a preference to the developed Commonwealth countries, it was clear to some that this position was causing a serious delay in the talks. Some have argued that the French, who held the rotating presidency of the enlargement negotiations during this period, saw no real urgency in concluding the negotiations, and believed that de Gaulle was engaged in a policy of 'systematic procrastination that was deliberately designed to prevent a settlement being reached before the summer recess'.[106] At a meeting of the committee of deputies on 29 March 1962, the British voiced 'a note of disappointment' at the Community's timetable for discussions on association of the underdeveloped Commonwealth countries and territories.[107] The German and Italian governments informed the British that they 'would find it difficult to make any experts available for detailed discussion of the commercial aspects of association for two or three weeks'.[108] Even the Commission sounded a note of dejection about the complexity of the negotiations. In comparison to the other aspects of the enlargement talks, Rey concluded that the examination of the Commonwealth was '*plus vaste, et si je puis dire, plus global*'.[109] Clearly, this type of examination was more suited to GATT than to enlargement of the EEC. Some British officials, for example, told François Duchêne, Monnet's personal assistant in his 'Action Committee', that they were '90% sure de Gaulle wants to stop British entry into the Common Market'.[110] There is much evidence to suggest that members of the Community were equally slow in finding agreement over

the Commonwealth and other issues, which would suggest that the French position was not particularly out of line.

By May 1962, there were signs that agreement would be reached on certain aspects of the Commonwealth question after the British delegation 'began the process of making concessions', something the Commission had pushed for since the negotiations had started.[111] The Community and Britain found common ground on the timetable for the application of the CET to the import of industrial goods from the developed countries of the Commonwealth.[112] The committee of experts, which included officials from the Commission, had been dealing with the timetable question since the March ministerial meeting. The Commission's influence on these discussions was notable for the solutions it offered to both the Community and British experts. For example, when an agreement on aluminium was not forthcoming from the Community delegations, it was the Commission's suggestion of a partial suspension of the CET that led to an agreement being reached.[113] It was in these types of issues that the Commission's technical expertise was most evident.

The first tangible agreement on the Commonwealth question was secured on 26 May 1962, when Britain and the Community agreed to the general elimination of British preferences for manufactured products from the old dominions. This was despite protests from the Australian government, which argued that such an agreement should not be a precedent for other tariff reductions.[114] Australia wanted guaranteed markets inside the Community as compensation for the loss of the British preference, a derogation that the Commission and France staunchly opposed. The Commission, with the backing of Paris, emphasised that such generous treatment for Australia and New Zealand would be incompatible with both the Treaty of Rome and the Community's January 1962 agriculture deal. The Commission was largely in favour of granting aid to countries such as India, Pakistan, and Ceylon but not to the old white dominions, a position supported by the six.

Speaking before the European Parliament in June 1962, Rey ruled out the possibility of a package deal being agreed between the Community and Britain. There were, he argued, too many issues on the negotiating table, and no agreement would bring these problems together.[115] Britain did not appreciate the complexity of the negotiations from a political and technical viewpoint. Rey seemed to be warning London (and the press) away from misguided speculation about the chances of a magical package deal resolving the impasse, and, second, reiterating the standard line that the British needed to make most of the running, and that delays were largely caused by the fact that London had not yet grasped this.[116] Other well-informed sources close to the negotiations voiced similar concerns about the negotiations by mid-1962 after informal discussions with Hallstein and Deniau. Kohnstamm, for example, wrote to Monnet with a rather downbeat assessment, stating: '*Sans miracle il n'est plus possible d'arriver à une vraie vue d'ensemble à la fin de*

ce mois'.[117] Indeed, people like Kohnstamm and Duchêne had encouraged British officials to use 'the presence of a man like Deniau to prepare possible solutions informally' even though official progress was proving difficult.[118] Yet, there was no evidence to suggest that the Commission was going to solve the British Commonwealth dilemma.

For the Commonwealth, July 1962 was the month of the greatest activity, but the time when the position of the Commission moved heavily against British demands. The outcome of the Macmillan–de Gaulle meeting at the Chateau de Champs on 1–2 June was seen, at the time, as having been a considerable success, although the archival material provides a different set of conclusions.[119] No political decisions resulted from the Chateau de Champs meeting that would have an impact on the Commission's position on the Commonwealth problem or any of the other issues on the conference table. Instead, the enlargement actors had to focus on 'the hard grind of negotiations'.[120] The French position had not changed since the beginning of the negotiations. Paris wanted Britain to accept the Treaty of Rome without modification; so did the Commission.[121] Had the French suddenly stolen the Commission's role as defender of all things *communautaire*? Some have argued that the French position on Britain's total acceptance of the Treaty of Rome was 'a completely cynical one'.[122] This may have been the case, especially as the evidence suggests that France wanted Britain to pay a high price for membership. However, given the fact that France had done very well out of the Treaty of Rome, it had every reason to protect the *acquis*. From the Commission perspective, France was a welcome partner in the defence of the Treaty of Rome. Even though the French delegation was defending its own interests, and those of the Community's AOTs, many of which were former French colonies, this defence had the effect of protecting wider Community interests important to the Commission. Indeed, as one British official noted: 'People talk about perfidious Albion but the way the French promote their national interests under a humanitarian garb makes us look like babies'.[123] After the Chateau de Champs meeting, forcing the issues back onto the negotiating table allowed Hallstein and his colleagues greater opportunities to influence the outcome of decisions rather than have decisions imposed on them as a result of bilateral diplomacy.

By the summer of 1962, there was a marked change in Britain's approach to its stance on the Commonwealth issues. It also brought to an end a period of the negotiations that Hallstein later called the 'stage of exploration, of continuous reconnaissance of the other party's positions' and its replacement by a phase of 'getting down to deal with problems of substance'.[124] He acknowledged that 'outwardly, the negotiations made no spectacular progress during this phase,' placing the blame at Britain's door for failing to conclude any major agreements on the substantial issues under discussion.[125] Britain and its Commonwealth relations had not 'yet reached the point where it was possible for the British to go firm on particular

solutions'.[126] The single most significant development in the negotiations between October 1961 and May 1962 was the Commission's suggestion that the Commonwealth countries should be broken down into groups according to their economic problems.[127] This middle ground solution to dealing with the Commonwealth problems allowed the enlargement negotiations to progress towards a more in-depth analysis of the subject during the summer of 1962, a period in which significant progress was made, though the successes during the summer period had more to do with domestic political concerns in London than influence from the Commission.[128] Nevertheless, the Commission, acting as honest broker between the six and Britain, was able to move beyond the principle of the Commonwealth and towards fruitful discussions. The limited breakthrough was based on a proposal from the Commission on how industrial products from Canada, Australia, and New Zealand should be treated. There would be both consultation and special time limits by which the CET would have to be applied to trade with these countries. In practice, this meant that the Commonwealth countries concerned would be able to adapt gradually to the new circumstances and to enjoy, during the transitional period, a limited but shrinking preference on the British market. The Commission proposed a five-stage approach whereby Britain would implement the CET.[129] Moreover, in the course of the transitional period there would be some reductions in the rates of duty, particularly in connection with the Kennedy Round of GATT negotiations.

At first glance, it looked as if the Commission had sidestepped the *acquis* and created exceptions to the normal rules governing the application of the CET. Rather, these exceptions were only acceptable to the six and the Commission because by the end of the transitional period the CET would be applied in total by Britain and the six. Furthermore, all sides clearly saw what the final situation looked like, and this was set out in the agreement reached between Britain and the Community. This basic concept of the Commission, which came to be known as '*un système de décalage*', also provided a solution for a number of other problems.[130]

A second notable Commission success came with the agreement on arrangements for India, Pakistan, and Ceylon. Again, this was the result of a solution proposed by the Commission that was taken up by the six and accepted – with some amendments – by the British delegation. The Commission had, from the start of the discussions on the Commonwealth, been convinced that satisfactory arrangements for these countries could only be found by speeding up the application of a Community common commercial policy. Because the exports of these countries were mostly low-priced products, arrangements had to be made at the same time to avoid any major disruptions in the European market. Moreover, the arrangements could not be allowed to contain anything which, like the inclusion of safeguard clauses against market disruption, could in the end lead to freedom of trade being interrupted inside the Common Market. The main features of the solution

reached between the Community and Britain were: (a) Britain should give up all claims to a preference on goods from these countries imported to the British market after the end of the transitional period; (b) the early negotiation of a generous commercial agreement between the Community as a whole and the Commonwealth countries concerned; and (c) during the transitional period there would be a reduction of the duty on tea from 20 per cent to zero per cent, as well as a number of safeguard clauses. The agreement reached between the Community and India, Pakistan, and Ceylon was a 'creative achievement' of the Community that had important economic and political implications.

Heures décisives

The marathon negotiations between Britain and the Community in July 1962 presented London with two choices: (i) it could sign the Treaty of Rome immediately, thereby making a possible French veto of the negotiations more difficult, if not politically impossible; or (ii) London could continue to hold out for further concessions for the Commonwealth. Meetings in July were weighed down by discussions on tariffs for individual items and no substantive negotiations were concluded. It was, after all, the Commission that had proposed the previous summer that a product-by-product examination was required in order to find agreement on the Commonwealth question. A year later, this negotiating model proved cumbersome, if not debilitating.

On 30 July, Macmillan and his cabinet decided that 'Britain would stand by the Commonwealth'.[131] This decision was made after a week of intense negotiations with the Community, with significant input from the Commission. At issue was the future of imports into the Community of temperate foodstuffs from Canada, Australia, and New Zealand. Canada traditionally exported hard wheat to the British market while Australia exported soft wheat. New Zealand exported a vast amount of lamb and dairy products. It was, therefore, up to the British delegation to protect these interests by securing favourable terms from the Community. London had hoped to satisfy the Commonwealth interests by the simple solution of 'comparable outlets'. This proposal implied that Commonwealth countries would be guaranteed agricultural markets within the enlarged Community as large as their existing markets in Britain. However, Heath and Dixon slowly came to realise that this was not possible, and accordingly advised London to drop most of their remaining demands related to temperate foodstuffs.[132] Instead, they pinned their hopes on getting Community safeguards for the Commonwealth under two other headings: worldwide agreements and price policy. The first implied that the Community would undertake to negotiate worldwide agreements with the Commonwealth and other exporters of temperate foodstuffs, setting the minimum quantities of each agricultural commodity that would in the future be brought into the Community from outside.

The British delegation also hoped that the price policy of the enlarged Community would be such that internal food prices would be maintained at reasonably low levels. This would allow overseas exporters to supply part of the European market.

On 25 July, Eugène Schaus, Luxembourg chair of the enlargement conference for July and August, stressed that Britain had to accept that no special provisions could be made for the Commonwealth beyond the agreed transition period. Between 25 and 27 July, there was solid support among the six and the Commission in defending the Community's negotiating position, with Schaus arguing, for example, 'We cannot submit the Common Market Agricultural Policy to annual discussion'.[133] While the meeting was dominated by discussions of products rather than the bigger issues, the Commission rejected a number of proposals from Heath. Mansholt was particularly vocal in defending the CAP against British demands for the Commonwealth. On 26 July, the Dutch Commissioner stressed: 'It is impossible to make specific exceptions for the Commonwealth'.[134] A day later, after much pleading from Heath, Hallstein intervened, pointing out the many concessions that the Community had already made for the Commonwealth during the negotiations. The British, he said, 'have not appreciated what the Six have done to meet their point of view'.[135] Rolf Lahr, German State Secretary, Schaus, and Spaak agreed with Hallstein that the British had to go further. Moreover, the Commission President believed that the negotiations were becoming repetitive, evidenced by Heath's repeating the words 'access, access, access' like a litany.[136] By 27 July, a breakdown was looming large in the Brussels negotiations. There was open disagreement between the French and the British, and cracks began to emerge in the Community's united stance. The Commission had presented the negotiating conference with a paper on temperate agricultural products from the Commonwealth countries.[137] The five, France's EEC partners, had put forward amendments to the Commission's paper, 12 in total, which were subsequently rejected by Hallstein and Olivier Wormser at the French Foreign Ministry, in another show of Commission–French unity, on 1 August. It was at this point that Hallstein suggested to Heath that the British put forward their own amendments. The cohesion between the Community's negotiating teams had been severely strained after the 1 August meeting.[138]

The Commission's position paper on temperate agricultural products from the Commonwealth was never intended to act as a final solution to the Commonwealth issue. In many ways, the document was written to please the member states, and France in particular, since its terms would almost certainly never be accepted by the British or Commonwealth countries. This was another example of the Commission siding with the French when it was politically expedient. It was also another attempt by the Commission to protect its flagship agriculture policy. The Commission was clearly conscious of the French position on granting access to the white, developed

Commonwealth dominions. The French argued that New Zealand farmers were economically better off than the peasant farmers in Italy and France. Sensing that no agreement was possible between the six, and fearful of internal cracks in relations among the member states, Hallstein encouraged London to adopt a more pragmatic position to the issue of access. Hallstein was in broad agreement with the French position on granting access to the three Commonwealth countries. The French and Commission positions were very similar, but for different reasons. Paris wanted to protect its export market from outside competition while the Commission officials feared creating precedents on the question of access to the Community's markets. Granting access to the Canadians, New Zealanders, and Australians would have placed pressure on the Community to grant similar concessions to the United States and Japan.

The British took Hallstein's advice, and on 3 August produced their own set of 24 amendments. Although they were 'technically sound', the Dutch delegation, who had been shown a copy of the British changes in advance, believed that in the current environment the amendments were 'politically extravagant'.[139] At the internal meeting of the six, prior to the ministerial meeting with Britain, Couve de Murville, French Foreign Minister, rejected all of the British amendments. However, when the British delegation joined the six and the Commission at the negotiating table, some progress was made on temperate agricultural products, and the atmosphere was generally harmonious between France and its EEC partners. Nevertheless, this progress was short-lived. In the early hours of 5 August, Heath refused to accept the package of measures agreed hours before until he received more information on the EEC's price policy. It was at this point that that Couve 'sprang the trap'.[140] After Schaus, who had been chairing the meeting, was taken out of the negotiating conference having collapsed with exhaustion, and replaced by Emilio Colombo, Italian Foreign Minister, the negotiations had firmly shifted to the positions of France and Britain. Couve demanded that the British negotiators accept the text of Regulation No. 25, drawn up not by the French but by Marjolin and presented to Heath at 4 a.m., before the French agreed to support what had been achieved the previous day.[141] A text of the deals agreed on 4 August was presented to the delegations on the morning of 5 August, but French approval was withheld because Britain did not agree to Regulation No. 25. Colombo suspended the negotiations until October. Heath argued on his return to London that it was not a complete breakdown; this attitude was adopted largely to remain positive in advance of the crucial meeting of the Commonwealth prime ministers in September.[142] Similarly, Camps paints a brighter picture of the results of the tenth ministerial meeting, preferring instead to stress the positives.[143] In his memoirs, Dixon states: 'Then everyone went on holiday. It was 5th August 1962. That was really the end of the Brussels negotiations'.[144]

In retrospect, as Milward notes, the summer recess of the enlargement conference signalled the collapse of the whole negotiation, but that France could bring this about was still, in August 1962, uncertain.[145] Ludlow disagrees, arguing that the results of the tenth ministerial meeting did not necessarily mean that the negotiations were doomed to fail.[146] Instead, this protracted meeting should be examined in the light of developments that occurred between October and the end of January, when the French formally rejected enlargement of the Community. Perhaps for the first time since the negotiations commenced in October 1961, the Commission achieved far greater prominence during the tenth ministerial meeting than at any other time in the previous eight months of talks. At times playing the role of honest broker between the member states, and occasionally between the six and Britain, the Commission more often than not sided with the French position on the Commonwealth problems. This was partly because the Commission and France had what Lucia Coppolaro calls 'an almost identical vision'.[147] The British believed that 'Hallstein is delaying the negotiations' and had 'corroborative evidence that Hallstein is to some extent following instructions from Adenauer'.[148]

When the enlargement talks resumed in October, the Commonwealth issue had been overshadowed by discussions on British agriculture, which merely served to highlight in starker fashion the problems that existed between the Community and London. British proposals on transition periods were met with counter-proposals from the Community. By the end of November, it was clear that 'the atmosphere in Brussels, as well as in London, had deteriorated dangerously and that the negotiations might run into the sand'.[149] Mansholt's appointment to head a special committee aimed at resolving the impasse over agriculture was a strong indication of how important the Commission had become within the enlargement talks.[150] Indeed, all eyes remained fixed, yet again, on a Commission-led committee charged with finding an acceptable solution to a major European set of negotiations. For a short while, at least, the Commission was able to determine the timetable of the enlargement negotiations. However, before the Mansholt Committee had concluded its work, General de Gaulle vetoed the British application on 14 January 1963.

End of round one

By the summer of 1962, some of the key actors in the Brussels negotiations were from the Commission. It was a position far removed from the uncertain role assigned to them at the outset of the negotiations. Mansholt played an indispensable role in explaining to the six and Britain the intricacies of the CAP proposals and how they affected the member states, and the enlargement negotiations. He did not simply confine his contribution

to matters exclusively related to bread and butter issues. Hallstein served as the Commission's moral voice and guardian of the *acquis* at meetings between the six and at the conference talks with the British delegation. At official level, during meetings of the Committee of Deputies and COREPER, Hallstein's voice was heard through Deniau. The French Commission official provided the Commission with reports on the negotiating positions of the various delegations, and at times intervened with the six when the *acquis* was threatened.[151]

Success or failure of the negotiations, von der Groeben argues, depended upon the political currents in the various member states.[152] To a large extent, this was true. Enlargement was a political decision that could only be taken unanimously by the six. However, in order for Britain to join the Community, it needed allies. Towards the end of July 1962, five of the six member states showed signs of breaking with the French position on the Commonwealth question, with Germany in particular supporting the principle of Britain's membership more than it had previously done. The Commission, throughout the negotiations, never adopted a similar attitude. Hallstein and his colleagues supported Community enlargement in principle, but, after the breakdown of the FTA talks in 1958, they had naturally argued that enlargement had to comply with the Treaty of Rome and the *acquis*, the ever-growing body of Community decisions. The detailed reports it presented to COREPER and the Council were heavy on technical detail and short on specifying how the Community could overcome the obstacles presented by the British application. The nature of the Commonwealth discussions, and in particular the sensitive nature surrounding the product-by-product analysis, coupled with the refusal of the British and French negotiators to make adequate concessions, made the Commission's position difficult. Its '*système de décalage*' advanced the negotiations before the August recess, but far too much time had been spent either explaining or examining the CET. This was, of course, where the Commission excelled. It had greater insight into the *acquis* than the member states or the applicants. However, there is very little evidence to suggest that the Commission tried to accommodate British interests over those of the member states. Negotiations on the Commonwealth revealed that the Commission would not bend the rules even if it risked prolonging the negotiations and contributing to their eventual collapse.

How did the other actors at the negotiating conference perceive the Commission's role? Ludlow argues that, had the negotiations succeeded, it was likely that a great deal of the credit would have been due to the Commission in general and Mansholt in particular.[153] However, General de Gaulle's veto changed the way the Commission was perceived by the British negotiators and the six. During the last two weeks of January 1963, attention focused on the political heavyweights in London and the capitals of the member states. Indeed, Hallstein and his colleagues became 'no more than

bit players in the political drama' in the dying days of the enlargement talks.[154] Prior to the crisis that erupted after 14 January, London had a mixed opinion of the Commission. The British negotiators remained critical throughout the enlargement talks of the way in which the Commission placed the interests of the Community and the member states before those of the British. London had concluded at the start of the negotiations that it was better to deal directly with the six rather than have the meddlesome Commission involved in the talks. It feared, rightly, that Hallstein, his colleagues, and their officials would insist on the complete adoption of the *acquis* and the Treaty of Rome. The Commission's input during the Council and COREPER meetings did not make things any easier for the British negotiators. The Commission showed, not surprisingly, little flexibility on the issue of granting concessions to the developed Commonwealth countries, even though the Macmillan government was under great pressure to accommodate them. When the talks hit troubled waters after de Gaulle's veto, the British government focused its diplomatic attention chiefly on the German government, and Adenauer in particular. Of all the actors involved in the enlargement debate, Germany was seen as the one participant that could change the General's mind.

Throughout 1962, the Commission played a valuable role advising the six on the *acquis* and insisting that the applicants had to accept the provisions of the Treaty. This was a position that the six agreed to follow. Where disagreement was recorded, it was due to the pace of the negotiations, over which the Commission had no control. It was not in the Commission's interest to try and force the pace of such a complex and protracted negotiation, because such a move risked sidestepping sensitive issues. Based on the negotiating position adopted by the Commission, it was no surprise that France would have welcomed the role played by the Commission as a dogmatic defender of the *acquis* and the Treaty. While not staunch supporters of either, French negotiators, as well as the other Community negotiating teams, supported the product-by-product analysis for Commonwealth goods that was suggested by the Commission. This had, perhaps, the unintended result of slowing down the negotiations. By adopting a *communautaire* outlook, as was its function, the Commission ensured that the existing Community rules, from which the French and others largely benefitted, were not compromised. Arguably, given the cold reception that some in the Commission gave to the British application and their annoyance at the timing of the attempt at enlargement, it was never likely that the Commission would deviate from its role as guardian of the Treaty. At a minimum, it was able to advise the applicants on the technical aspects of the *acquis*, which would not have incurred the wrath of the French or other member states. The Commission could be seen as a bridge-builder, not between the Community and London, but between the member states themselves. Hallstein, Mansholt, Deniau, and others offered solutions during difficult COREPER meetings

on how to present a unified position to the applicants. It clearly saw itself as an impartial actor defending the *acquis*, but was also conscious of the need to maintain stability in the Community, which was equally important. Although the negotiations ended in failure, the Commission could at least be content knowing that the Community's book of rules had not been compromised, and therefore, as far as Hallstein and some of his colleagues were concerned, it was a job well done.

2
The Commission and the Irish Application

Chapter 2 examines further aspects of the European Commission's influence on the first failed attempt at Community enlargement through an analysis of Ireland's application for membership. Ireland's application did not generate the same level of excitement or political complexity in Brussels or elsewhere as the British application, and this is also reflected in the state of primary and secondary literature on Dublin's application.[1] Indeed, as a measure of the importance of Ireland's application and the impact it had on the Community, it is worth noting that Robert Marjolin makes no reference to the application in his memoirs. Yet, Chapter 2 explores two significant problems that the Irish applications posed for the Community, problems that the Commission had not encountered during negotiations with the British. The first was the question of economic suitability and whether the Irish economy could compete in open markets without privileged trading agreements with Britain. The chapter focuses on the attempts made by Irish policy-makers to convince the Commission of Ireland's economic readiness for membership. The second problem was equally important. The Irish application opened up a debate within the Community on whether it was wise to allow neutrals and non-members of NATO into the EEC. The central question in this chapter is how the Irish application helped increase the Commission's influence over the enlargement process.

Ireland and the European project

Though politically independent from Britain since the 1920s, the Irish Republic was wedded to the British economy. For decades after independence, Irish agricultural exports relied heavily on the British market; its economy was an appendage of Britain's. From the late 1930s, there existed a free trade agreement between both countries that guaranteed low or no tariffs on the movement of goods between the two islands. Economically, Ireland cultivated a close relationship with Britain, much to the exclusion of trade with other western European countries after World War Two. Indeed,

Ireland had closer economic, cultural, and political relations with Britain and the United States during the first half of the twentieth century than it did with continental Europe. Ireland's history and geographical position meant that Britain was the obvious location for its exports, while many Irish citizens emigrated either to the United States or to English cities from the late nineteenth century onwards. At least until the late 1950s, this economic position suited Irish political elites, who were content at having secured political independence and sovereignty. However, the 1950s brought this myth of independence to the fore for policy-makers in Dublin when the economic climate started to change.[2] For the first time in the history of the state, politicians at all points of the political spectrum believed something had to be done to stem the tide of emigration and rebalance the Irish economy between Britain and the wider world.

Initially, at least, Ireland shared many of Britain's views on the European trading environment after the EEC was established. As Miriam Hederman makes clear, Britain's refusal to join the EEC on day one 'upset no Irish apple-carts'.[3] While Ireland acknowledged the existence of the EEC, it nevertheless hoped for an OEEC-led economic bloc and was extremely fearful of a two-tier Europe divided by tariffs. At a meeting between senior government ministers and officials in December 1958, the dominant view was that Ireland's interests were best served within the framework of the OEEC.[4] This was a predictable policy option to adopt. At the top of Ireland's list of priorities was its economic relationship with Britain. In the absence of other concrete economic opportunities, Irish policy-makers sided with London because the FTA model posed the fewest risks to the Anglo-Irish trade agreement. However, when the FTA negotiations failed, officials in Dublin began to assess the possibility of applying for EEC membership. Two factors led to this review. First, in 1959, when the Scandinavian countries, together with Britain and Portugal, formed the EFTA, Ireland received no invitation. Even at this late stage, Taoiseach (Prime Minister) Seán Lemass hoped that an agreement to end Europe's economic split could still be found within the framework of the OEEC.[5] However, when the Stockholm Agreement was signed in November 1959, Lemass admitted to the Dáil (the Irish Parliament) that participation in the EFTA offered little advantage to Ireland. He insisted that it was no cause for concern that Ireland found itself excluded from both of Europe's economic trading blocs at the end of the 1950s, and argued, rather unconvincingly, that it was a more a question of whether 'we would wish to join'.[6]

In the period between the creation of the EFTA in late 1959 and spring 1961, Irish officials wasted little time in examining the implications of Community membership under Article 237 of the Treaty of Rome. This assessment was in itself a bold move, insofar as the government was exploring membership rather than associate membership. This burst of activity was grounded on the assumption that Britain would make a similar move in

the direction of the Community. Economic dislocation from the EEC, with Britain as a member, was enough of a worry for the Irish government that it only ever seriously considered full membership. Indeed, policy-makers ruled out associate membership because that would have put Ireland in the same 'underdeveloped' category as Greece and Turkey.

The 1961 Irish general election was remarkable for the absence of any debate on the EEC. One reason for this was, according to Hederman, 'because "Free Trade" was never popular, never attractive in Ireland', after decades of economic protectionism.[7] As late as 21 June 1961, Lemass denied that any move towards the EEC was imminent, but by the first week of July, and after the publication of a White Paper on the subject, the Taoiseach acknowledged: 'The government have taken steps to inform each of the six governments of the European Economic Community and the Commission of the Community in Brussels that, in the event of the United Kingdom applying for membership of the EEC, we also will so apply'.[8] The evidence suggests that the Commission did not expect the Irish government to make a bid for membership when it did. In mid-July 1961, Emile Noël, Secretary General of the Commission, outlined the implications for the Community '*dans le cadre de l'hypothèse d'une adhésion du Royaume-Uni à la Communauté*'.[9] He concluded: '*Le problème principal qui peut se poser en ce qui concerne la Commission est celui du nombre des participants à cet organe. L'adhésion du Royaume-Uni, de la Norvège, et du Danemark porterait vraisemblablement ce nombre à 13 membres*'.[10] This was despite the fact that the Irish government presented to the six and the Commission an *aide mémoire* in early July outlining its intention to seek membership 'in the context of a decision by the United Kingdom to apply to become a member'.[11]

On 31 July 1961, the same day that Harold Macmillan made his statement on the British application to the House of Commons, Ireland became the first country to formally apply for Community membership.[12] COREPER was asked to formulate a response to the *aide mémoire* and the application, because the prepared one was inadequate '*depuis la déclaration de M. Macmillan du 31 juillet 1961*'.[13] Replying to the British application, Erhard said: 'I . . . have arranged for the procedure envisaged in the Treaty to be set in motion as soon as possible'.[14] As one Irish official noted, the Community's letter to Dublin gave 'no such indication' that negotiations would commence soon.[15]

The myth of economic independence

Prior to the application, informal meetings took place between the Commission and Irish officials at social gatherings in Brussels; the topic of conversation usually centred on Britain's reluctance to join the EEC. In July 1960, Jean-François Deniau told Denis McDonald, Ireland's ambassador to Belgium, and head of mission to the Community, that Ireland's case was

perhaps 'the most special of all' because he did not seem hopeful that Britain would enter the Community in the 'foreseeable future', and that, therefore, relations between the Commission and Ireland would 'probably have to await discussion'.[16] Clearly aware of the close economic ties between the two countries, Hallstein expected an Irish application in the event of a similar move coming from London.[17]

There were some attempts by policy-makers in Dublin to present the myth of economic independence to the Community despite the economic ties that linked Ireland to Britain. For example, Ireland's *aide mémoire* to the six, in July 1961, sought to 'convey a picture of a dynamic and rapidly growing economy'.[18] This was an attempt to neutralise the impressions, negative or otherwise, that may have been created by the Commission and the six during the FTA discussions. What Ireland feared most was being placed in the same economically underdeveloped category as Greece and Turkey. Subsequently, policy-makers in Dublin highlighted the country's *Programme for Economic Expansion* and its willingness to work with the Community in order to speed up its economic development in domestic industry and agriculture. However, despite these efforts, many in the Community were unconvinced of Ireland's ability to succeed in the Common Market. On 1 September 1961, a Council note revealed that most of the member states had economic concerns about the Irish application. The German, French, and Italian delegations concluded: '*En effet, l'homogénéité économique et politique de l'Irlande avec les Etats membres de la Communauté semble ne pas être suffisante pour permettre d'envisager une adhésion*'.[19] Germany even raised the alternative possibility of '*une association avec perspective d'adhésion*'.[20] Even though there is no record of the Commission's comments at this meeting, it was clear that Ireland faced an uphill struggle in its attempts to gain membership and that the Commission likely shared the Council's views. It would certainly not be a case of entering the Community on the coat tails of the British application. Similarly, there was no suggestion from the six that negotiations would open with Ireland.

That same month, Mansholt informed Dublin that the Commission was pleased with Ireland's application and that he welcomed it personally.[21] Yet, he accepted that the membership of Denmark and Ireland, both large agricultural exporting countries, would add to the general agricultural difficulties within the Community. There was an unbalanced situation between agriculture and industry in the EEC due to the lack of progress in the implementation of the CAP. Mansholt was firm that the six could not delay work on the agricultural policy until after the negotiations with the applicant countries were completed; no distortion would be allowed to take place in the Common Market. Economic considerations played a significant part in the decisions of the Community, not least because admitting a relatively weak economy would place a heavy burden on the financial resources of the six, and Germany as paymaster. At a Council meeting in late

September, the Commission clashed with France over how best to respond to the application. Jean-Marc Boegner, French permanent representative to the Community, presented the Council with a draft of a French plan that would simply provide a limited statement on intent that outlined how the six viewed the Irish application with '*sympathie et compréhension*'.[22] Boegner claimed that the problems associated with the Irish application '*méritaient un examen approfondi*', though he failed to specifically mention what these problems were and whether it was Ireland's neutrality and non-membership of NATO or its relative economic weakness that was of concern to Paris.[23] Lahr argued that the Community had to find a solution to the Irish question, either through membership pursuant to Article 237 or by an '*autre forme de lien avec la Communauté – qui sera retenue en définitive dans le cas irlandais*'.[24] However, Hallstein believed that it was best to wait until the Commission had examined the Irish application in greater detail before sending Dublin a reply, given that nothing had been agreed by the Community on how best to handle the application. Neither the Commission nor the Council raised any doubt as to the suitability of the Danish application. The Community's archival material reveals that a greater proportion of the Commission's time was spent discussing the position of Austria, Sweden, and, to a lesser extent, Switzerland than on the Irish application.[25] Although Irish diplomats in Brussels were only vaguely aware of problems with the application, informal discussions continued to take place between Commission and Irish officials on economic issues. By October 1961, the Commission began requesting information from Dublin, such as the latest trade and shipping statistics, but it was another six months before more detailed information was sought by the Community.

Discussions in the Council in early October revealed that the Irish application was not in the same league as the British and Danish applications; the Commission stressed '*la situation particulière*' of the Irish bid.[26] It highlighted the political and economic aspects of the application, namely, Ireland's non-membership of NATO and its level of economic development, and suggested that a '*réunion préparatoire*' was required to provide an adequate response to the questions raised by the application.[27] Meanwhile, the Community pressed ahead with the British and Danish negotiations. The Community finally came to a decision about the Irish application at the end of October. In a brief statement, the Council announced that a meeting would be held in January 1962 between Ireland and the Community to discuss '*les problèmes particuliers que pose le demande du Gouvernement irlandais*'.[28] The meeting would give the Irish government an opportunity to argue its case for membership. Moreover, it would allow the Commission to clear up any particular issues it had concerning the application, especially from an economic perspective.

There was a growing unease within some sections of the Community about whether Ireland was a suitable candidate for membership, with doubts

surfacing in Paris and elsewhere. Doubts, of course, were also expressed by the Commission and certain member states about the desirability of having Britain in the Community, but these were not serious enough to block the opening of enlargement talks. Rather, officials in the Commission were becoming concerned that Ireland's economy would not maintain the pace. Frank Biggar, Ireland's ambassador to the EEC, advised Dublin that if Ireland was to avoid having to accept association, instead of membership, it would have to convince the Council and the Commission that accession would 'not distort the economic equilibrium' of the Rome Treaty, retard the development of the Community, or weaken its efforts towards political integration.[29] Towards the end of 1961 and the beginning of 1962, Hallstein began to seriously question Irish officials about the application. Arguably, the hesitation displayed by the Commission and the six on the issue of opening negotiations with Dublin was aimed at stonewalling the application rather than opening a third negotiating front and stretching the Community's resources even further.

Lemass's speech before the Community on 18 January 1962 was striking for the way he attempted to deal with the indirect criticisms of the Irish application. The Taoiseach spoke in detail about the CAP, the economic links with the British market, and the challenges faced by the agricultural and industrial sectors in Ireland. He acknowledged that 'Our principal concern in the agricultural sphere relates to the manner in which British agricultural and food import policy will be harmonised with that of the Community'.[30] On the industrial question, he was less upbeat, but attempted to assuage fears by presenting a picture of an industrial sector on the rise. He claimed that his government's approach to modernising Irish industries was consistent with the Community's policy in this area. He promised to 'promote energetically' the adaptation of Irish industry to Common Market conditions, noting that a comprehensive series of industrial surveys had been initiated.[31] Lemass was the only head of government to present his country's case before the Community. It was a speech that went further than the other two governments in accepting the Treaty of Rome and the *acquis*, without setting the same preconditions that Heath had outlined months earlier.

The Commission's response to the speech was wholly positive; it could not have been otherwise, since the application raised so few issues in comparison to London's.[32] Deniau believed that the speech raised very few problems, much fewer than in the case of Denmark and, of course, far fewer than the British application. Biggar argued that the statement was intended to get negotiations started as soon as possible, since negotiations had already begun with Denmark and Britain. The French Commission official remarked that meetings between the Community and Denmark so far had been simply 'to amuse the people', to which Biggar bluntly responded: 'I appreciate this but our people had to be amused too'.[33] However, all this was not enough to inspire the Community to open negotiations. After Lemass spoke, Council

chairman Couve de Murville simply noted that the Community would make no immediate promise on negotiations. The Community, formally at least, refused to take a position on the application, and it remained on the back burner of Council meetings over the following two months. Arguably, the refusal by the Community to go further during the January meeting was an indication that the French government did not wish to begin negotiations with a third country. While there is no evidence to suggest that France was blocking Ireland, it did hold the presidency of the negotiations and hence tended to make most of the public statements about the views of the six. Lemass's statement had been clear on the main issues. It remained to be seen what further information the Community required. Moreover, neither the Commission nor the five felt compelled to question Couve's judgement or insist on the immediate opening of enlargement talks.

In March, a date was set for a meeting between COREPER and high-level Irish policy-makers.[34] The meeting, scheduled for 11 May, would discuss further the issues raised in Lemass's speech. The French, rather than the Commission or the five, seemed to direct the Council's decisions on the Irish application. A note prepared by Axel Herbst of the Commission's secretariat revealed that COREPER was in agreement with Boegner's suggestion that further questions should be sent to Dublin.[35] The Community officials made it clear that the meeting in May was not an indication that formal negotiations would open.[36] On the contrary, the Council maintained that it was still in discussions with the British and the Danes, and, instead, suggested that a list of economics related questions should be sent to Dublin in advance of the meeting.[37] A questionnaire was drawn up by the Commission and COREPER. The questions related to economic aspects of the Irish application. This type of approach by the Community was not completely new, since the British and the Danes had received similar questionnaires.[38] Of the 15 questions, two related to agriculture and the remainder focused on how Irish industry would adapt to the rules of the Community's Customs Union. The key concern for the Commission was the timetable that policy-makers in Dublin had in mind for the elimination of tariffs and quotas to Community trade and full acceptance of the CET. In response, the Irish government proposed a timetable of annual tariff reductions that would begin on the date of Ireland's accession to the Community and would be completed on 1 January 1970. Irish officials were optimistic that the country could secure an early entry to the EEC, and its policy outlook was geared towards this goal. Moreover, policy-makers were aware that January 1970 was the expiry date of the transitional period stipulated by the Treaty of Rome. The Commission took particular interest in Lemass's suggestion, during his January speech, that Ireland would need relief under Article 226 of the Treaty of Rome for some industries that would find it too difficult to comply with the proposed general rhythm of tariff reductions.[39] It wanted to know the industries that would be affected, whether the provisions laid down in the Treaty of Rome

were enough to deal with these industries, and, if not, the industrial products that would need special provisions in any final deal between Ireland and the Community.

These questions were almost impossible to answer. The Irish government was awaiting the results of the industrial surveys initiated the previous year to examine the impact of free trade and tariff reductions on indigenous industries. The Community's questionnaire was aimed to elicit information on the state of the country's economy. The replies to the questionnaire presented ammunition to those within the Community, especially Germany and Belgium, who believed that association rather than membership was the preferred option for economically weaker European countries. But, even if this was the case, neither the Commission nor the six seized the opportunity at their meeting with the Irish delegation on 11 May to make such a point. Senior Irish officials in Brussels impressed upon COREPER the need for an early ministerial meeting between Dublin and the six to mark the opening of negotiations, while the Community promised the Irish delegation that it would respond to the questionnaire in due course.[40] The Community was unable to set a date for the opening of negotiations. As Denis Maher notes, 'The summer of 1962 went by without any indication from Brussels of when negotiations proper on the Irish application for membership were likely to commence'.[41] Between May and October, Dublin received 'soothing assurances' that, even though the Danish and the newly received Norwegian applications had been processed first, little to no progress had been made during these negotiations and that the Irish application 'presented so few problems that it could be dealt with very quickly'.[42] At a COREPER meeting on 12 July, the Dutch argued in favour of opening negotiations with Ireland and '*une date à l'automne de cette année pour le début des négociations*'.[43] Even though the French delegation disagreed with this position, successfully pushing for a 'wait and see' policy until the outcome of the British negotiations was clearer, what was noticeable was the lack of any input from the Commission. It was not until September 1962 that the Commission's analysis of the Irish questionnaire was presented to COREPER.[44] Its short, four-page examination of the questions made no recommendations to the Council on whether it believed the answers were convincing enough to warrant the opening of negotiations. A frequent response from the Commission stressed: '*Il est à observer à cet égard qu'une solution en cette matière dépendra des résultats des négociations avec le Royaume-Uni*'.[45] Yet, both the German and Dutch governments, under diplomatic pressure from Dublin, were in favour of immediately opening negotiations with Ireland.[46] Despite this, the French delegation, supported by the Italians, was reluctant to commit to such a move and argued that the Community's future relations with Ireland should be based on the EEC's negotiations with Britain, agreeing with the Commission's public position: '*Il ne faut donc statuer sur l'ouverture des négociations avec le gouvernement irlandais que lorsqu'on apercevra la fin des négociations avec*

le gouvernement britannique'.[47] There was a clear division within the Community over the Irish application. As the previous chapter has argued, by September 1962 the French had decided that on-going negotiations between some of the applicants had already stretched the Community's resources, and they may well have decided that the British negotiations were doomed to failure; opening talks with Ireland would only add to the complications surrounding the existing arduous talks in Brussels.

Yet, in October, and despite the lingering problems affecting the British negotiations since the previous August, policy-makers in Dublin adopted a two-front attack towards the Community aimed at opening negotiations. First, the government encouraged the Irish Council of the European Movement to invite journalists to Ireland from the leading European daily newspapers to dispel the myth that Ireland was an economically stagnant country. Second, Lemass decided to visit the Commission and the capitals of the six to secure public displays of support for the Irish application and, more importantly, attempt to force the Community to set a date for the opening of negotiations. The core message of Lemass's pilgrimage was that Ireland was seeking membership on an equal basis to that of the six and not something similar to the Greek model of association. However, by the beginning of October, the Council was still considering both options for Ireland and the Community was still engaged in negotiations with Britain, Denmark, and Norway, the fourth country to submit a membership application. On 5 October, the French delegation, for example, continued to express reservations at opening negotiations with a fourth country under Article 237 and, therefore, no agreement was reached on what course of action the Community would take.[48] For its part, the Commission reiterated its recommendation made to the Council on 9 October 1961, namely, that negotiations should be opened with Ireland based on Article 237 but without insisting on a specific timetable. Instead, as with previous Council meetings, the decision on Ireland's application was postponed until the end of the month.

The month of October proved decisive for the application. In the space of two weeks, the Community had cast aside all doubts over Ireland's application. From 7 to 14 October, Lemass met the leaders of Belgium, Luxembourg, the Netherlands, France, and Italy, as well as Hallstein in Brussels. He argued passionately at each meeting that the delay in opening negotiations was having an adverse effect not only on public opinion but also on Ireland's industrial growth. The six governments 'showed sympathy with, and understanding of, the Irish government's position'.[49] At a meeting of COREPER, four days into Lemass's tour, the decision was taken to agree to the opening of membership negotiations with Dublin.[50] In a brief note to the Commission explaining this decision, Herbst stated that the formal announcement would be made by the Council on 22 October.[51] There was no indication, from the minutes of the COREPER meeting, why the Community had

changed course. Yet, Lemass's lobbying had paid off. His personal diplomatic efforts were certainly crucial. The decision to open negotiations with Ireland was clearly a political one.

NATO and neutrality – 'a stick to beat the dog with'

While the Irish government was able to present the Community with statistics and trade figures that showed how Ireland's economic fortunes were rising, reservations about the politics of membership were less easy to deal with. Ireland's neutrality and its non-membership of NATO became unexpectedly caught up in its application. The question being asked in Brussels was whether military neutrality was compatible with the vague political ideas hidden in the Treaty of Rome. Two issues are central to this discussion. The first was timing, and the second related to Ireland's foreign policy after the outbreak of World War Two. While there are no political aims enshrined in the Community's founding treaties, the reference in its preamble to 'an ever closer union' implied that the EEC was more than an economic union. As Hans von der Groeben states, the preamble confirmed that the establishment of the Common Market 'was not seen as an end in itself, but as a means of creating and further developing the Community's political power to act', but he acknowledges that 'no specific objectives or procedures were laid down because there was no agreement on these points'.[52] The Common Market highlighted what one Commission official called 'the growth of political awareness and the pressures of economic necessity'.[53] Hallstein's vision for the Community was clear: 'Yes, the European Economic Community is political, and in a way which differs from that in which even a structure such as the Little Free Trade Area is of course political'.[54] Certain political events had occurred which made greater political solidarity among the member states more necessary than ever.[55] The French President hoped to build a European confederation with the strength to deal with the United States and the Soviet Union from a position of equality. As Jeffrey Giauque points out, de Gaulle's political union would become a 'third force' and bring 'the bipolar international system of the Cold War to an end'.[56] The Bonn Declaration of 1961 grew out of a meeting between the six in Paris the previous year, when it had been agreed to hold another meeting in Bonn in May. In the interim period, a committee was established made up of senior diplomats from the member states. The Fouchet Committee, as it became known, was charged with examining other problems concerning European cooperation.[57] The committee met throughout 1961 and into 1962 and was noted for the amount of disagreements that arose between France and its EEC partners, which were sceptical about French intentions, especially in relation to NATO. The Dutch eventually withdrew from the committee in protest at Britain's exclusion from political union talks, and the discussion broke down in April 1962.[58] Talks on a possible political union among the

six increased pressure on Dublin to take seriously the issue of political integration. The member states were actively seeking to develop a foreign policy coordinating mechanism. Therefore, neutrality mattered, because a foreign policy such as this was seemingly incompatible with the type of policy being discussed by the six and pursued by de Gaulle.

The Commission had its own ideas on political integration, and these became more defined after the failure of the Fouchet Committee talks. The Commission saw integration as a continuous process which, as the Common Market progressed, would extend into other areas, such as economic policy, monetary policy, and foreign policy. This deepening and widening of the integration process would provide the Commission with more influence in the policy arena. In the political field, the Commission believed that by furthering economic integration the institutions would gain greater powers.

As Róisín Doherty points out, Ireland's neutrality emerged prior to the outbreak of World War Two and 'has been maintained since in the absence of any strategic necessity'.[59] Ireland's stated position on neutrality was in many ways different from that of the more established European neutrals, Austria, Sweden, and Switzerland. Switzerland's neutrality, for example, dated back to the fourteenth century, and during the Cold War it refused to join either the EEC or the United Nations (UN) in order to maintain its economic and political independence. By 1961, Ireland's neutrality had become entangled with its non-membership of NATO. In 1949, the American government had invited Ireland to join the newly formed military alliance. The Irish government rejected the request and Washington did not insist, 'partly on account of American ambivalence in Anglo-Irish conflicts'.[60] Membership of NATO meant acceptance of the existing border divisions of its members. In Ireland's case, this implied acknowledging a 26-county republic with six countries under British sovereignty; no Dublin government was prepared to accept this reality. The founding members of the EEC were all members of NATO, although there was nothing in the Treaty of Rome that stated new members had to join that alliance.

In April 1961, the German government had discussed the possibility of neutrals joining the Community. In conversation with American officials, Heinrich von Brentano, German Foreign Minister, pointed out that the EEC 'has political character and motivation' and, more importantly, the 'EFTA has neutral member-countries who may have difficulty in associating themselves with the Common Market'.[61] George Ball, Under-secretary of State in the Kennedy administration, for example, believed special arrangements 'would be needed' for Portugal and the neutral countries.[62] Edward Heath agreed that arrangements for neutrals 'would have to be looked at individually on merits and approval could not be given in advance'.[63] No specific mention was made of Ireland. What is revealing about these EEC – United States meetings is the way in which, indirectly at least, a political philosophy on enlargement was emerging. Ministers and officials

from the Community were expressing their own ideas to a largely pro-British audience, something that was not possible to do in Europe. This frankness showed that, on the question of neutrality, the emphasis was placed on the EFTA neutrals and not Ireland. The evidence suggests that American officials did not recognise the independence of the Irish application. In October 1961, a circular telegram issued by the State Department to some of its missions in Europe noted that the 'Department is studying intricate problem of possible association of countries with EEC posed by entry of UK and Denmark'.[64] This was three months after Ireland had submitted its application. In many ways, this was a positive development in that, despite the diplomatic *faux pas* of failing to acknowledge the independent Irish application, US officials were not singling out Ireland's neutrality as an issue that posed a problem for further European integration. The Americans were not alone in forgetting that Ireland was also an applicant for membership under Article 237 of the Treaty of Rome. In their July 1961 examination of the changes in the voting structure of the Council in the event of enlargement, the Commission allocated eight votes to Britain and three each to Denmark and Norway, while no mention was made of Ireland. Similarly, the Commission's assessment of the implications for the Commission as an institution in an enlarged Community believed its membership would rise to 13 with '*L'adhésion du Royaume-Uni, de la Norvège, et du Danemark*'.[65] Speaking at a closed session of the Foreign Affairs Committee of the French National Assembly, Couve de Murville made references to the enlargement question, saying: '*La véritable question qui se pose est de savoir de quelle Europe l'on parle, quel sera son contenu. Se fera-t-elle à six ou à neuf, avec la Grande-Bretagne, le Danemark, la Norvège? Cela est le véritable problème*'.[66] Denis McDonald, Ireland's Ambassador to France, wrote to Dublin in response to Couve's comments, saying: 'It is not new to us, in any event, that Mr Couve de Murville seems to regard the entry of Ireland simply as an accessory to the entry of Great Britain into the Common Market'.[67]

During a visit to Switzerland in November 1961, Hallstein made his views very clear on the issue of neutrality and its compatibility with Community membership. Speaking in a country where neutrality was the cornerstone of its foreign policy, he stressed that the economic and political aspects of the Community, as they had developed and would develop, were inseparable.[68] If Switzerland wished to make a move towards the six, it would therefore have to take a political decision. In a fully integrated Europe of the future, he could see no role for a policy of neutrality. There was a perception that membership under Article 237 was not open to European countries that pursued a policy of military neutrality or were outside NATO. The six had mixed views on the neutrality question. At a meeting of the Council on 1 September 1961, the Belgian delegation made an indirect reference to Ireland's semi-flexible neutrality policy:

> *se demandait si le cas de l'Irlande n'était pas un cas particulier se distinguant par exemple, de celui de la Suède, de l'Autriche ou de la Suisse. En effet, il semble qu'au contraire de ces pays, le Gouvernement irlandais ait la possibilité et la volonté de modifier sa politique pour l'aligner sur celle des Etats membres*.[69]

Senior members of Adenauer's administration argued against Hallstein's Swiss position. Von Brentano had reassured Irish officials that neutral countries would not have to join NATO to secure membership of the EEC. At a press conference in Dublin, he stressed:

> Economic and political co-operation within the European Economic Community has nothing whatever to do with the North Atlantic Treaty Organisation, and I am convinced that a number of countries which pursue a neutralist policy to-day can participate in the Common Market, and that this would have no effect on membership of NATO either directly or indirectly.[70]

Yet, the Belgian Foreign Minister disagreed, siding more with Hallstein's view. Speaking with Douglas MacArthur, US Ambassador to Belgium, in November 1961, Paul-Henri Spaak expressed 'very serious reservations about developing trend to downgrade importance of political integration', particularly in connection with the French plans for a political union and the association of neutral and other countries with the EEC.[71] This situation, Spaak believed, coupled with the fact that some countries sought membership of the EEC only for economic and commercial advantages, 'presents considerable danger to continued progress in field of political integration'.[72] Referring specifically to the neutrals, Spaak agreed that they should be allowed to obtain all the commercial benefits of the Common Market through 'association' without accepting the political philosophy of the Treaty of Rome. Indeed, he used Greece as an example of a country that shared both the political and economic objectives of the Treaty but was 'economically not yet able to assume full membership'.[73] Two months later, in January 1962, Spaak told an audience in New York that he had 'misgivings and an unfavourable reaction' to admitting neutrals as associate EEC members.[74] What was important, from Ireland's perspective, was that some in the Community understood the subtleties surrounding Ireland's neutrality and that these made it distinct from the more established neutrals. Ireland was not opposed to political integration, but may have underestimated the political significance of this for the Commission and the six. Instead, Ireland had to face the integrationist agenda that Spaak was pursuing, not just within the EEC but also across the Atlantic with his friends in the Kennedy administration. By early 1962, stronger links were being

made between Community membership and participation in NATO, though neither the Commission nor the Council adopted an official position.

During his meeting with the Community in January 1962, Lemass attempted to rid the Community of lingering doubt about Irish foreign policy. He made it clear that 'the political aims of the Community are aims to which the Irish government and people are ready to subscribe and in the realisation of which they wish to play an active part'.[75] In a definite answer to the 'perplexity expressed more or less openly in certain circles' about the fact that Ireland had accepted the political aspects of membership when it was not a member of NATO, the Taoiseach made his strongest remarks, stressing:

> While Ireland did not accede to the North Atlantic Treaty, we have always agreed with the general aims of that Treaty. The fact that we did not accede to it was due to particular circumstances and does not qualify in any way our acceptance of the ideal of European unity and of the conception, embodied in the Treaty of Rome and the Bonn declaration of 18 July last, of the duties, obligations and responsibilities which European unity would impose.[76]

Lemass went much further than an established neutral would have ventured in speaking about NATO and neutral states in the EEC. Indeed, both the Swiss and Swedish governments emphasised at the Council of Europe six months later that neither country would abandon their neutrality, with the Swiss stating:

> *La Suisse doit aussi se demander si, en acceptant ces obligations (celles du Traité de Rome), elle ne créerait pas l'impression d'être prête à abandonner sa neutralité ou au moins à s'engager dans une voie qui la conduirait tôt ou tard à l'abandon de sa neutralité*.[77]

Lemass was not going to allow his country's pre-war policy of military neutrality derail its chances of gaining membership of the Common Market, and, of necessity, seemed willing to sacrifice it.

Yet, members of the Commission remained divided over the issue after Lemass's speech. Some argued that the neutrality was a deal-breaker, but others stressed the economic weaknesses inherent in the Irish application. Hallstein was convalescing in the Canaries when Lemass made his statement before Community; he believed that it showed a sincere approach on Dublin's part to membership.[78] Hallstein, whose *cabinet* papers are interspersed with speeches on NATO and the Atlantic cooperation made by influential US officials, felt that a change in Ireland's attitude towards NATO would be helpful in relation to its application.[79] For Hallstein, European economic integration was 'not merely a step on the way to political integration: it is already political itself'.[80] His views on the politics of

membership were widely known. In his introduction to the Commission's memorandum of 24 October 1962 on 'The action programme for the second stage in the development of the Community,' he stressed:

> The so-called economic integration of Europe is essentially a political phenomenon. The European Economic Community, together with the European Coal and Steel community and the European Atomic Energy Community, is a 'European political union in the economic and social field'.[81]

Mansholt adopted a similar attitude to Hallstein's. When he met with Irish officials after Lemass's statement, agriculture was not the subject that dominated discussions. The Commissioner was exceptionally well briefed on issues other than those that involved his Directorate. As David Coombes notes, Mansholt's *cabinet* concentrated 'overwhelmingly not on running the Directorate General of Agriculture, but on keeping their Commissioner informed of activities elsewhere in the Commission and of advising him on matters outside agriculture'.[82] This was most evident in his assessment of Lemass's speech. While Mansholt accepted that Lemass's statement had been excellent and that it had raised very few problems of an economic character, he said that the question of NATO was extremely important for the Commission; in fact, it was 'decisive'.[83] At least two countries – and he named France specifically – were opposed to Ireland's application on the grounds of its being outside NATO. He acknowledged that COREPER had discussed the application with specific reference to the NATO question. Mansholt wondered whether the Irish government had considered making, at an early date, a declaration of willingness to accede to NATO in the event that the EEC negotiations had disposed of all other problems. He added: 'you could make the declaration now and join in twelve months time'.[84] The Dutch Commissioner believed that such a declaration would virtually assure Ireland's entry to the Community and would put the government in a very strong position to negotiate favourable terms.

Other members of the Commission believed that the problems following the Irish application rested elsewhere, and not with its non-membership of NATO. Jean Rey believed that the principal difficulty for Ireland would lie in the field of agriculture. Indeed, he placed greater emphasis on removing the barriers to intra-Community trade than on the political aspects of Lemass's speech.[85] Giuseppe Caron, Italian Commissioner, stressed all the positives from the speech.[86] Like Rey, Caron, too, pointed to the CET, in which Ireland had a particular interest. The Italian Commissioner's comments suggested that there would be no difficulty about minor adjustments to meet particular cases provided these were not too numerous. At official level in the Commission, Deniau expressed his relief that Ireland had paid such attention to the political aspects of membership. He stated that the question of

Ireland's association with the Community raised many grave problems, since association at an economic and commercial level *only* entailed a severe risk of preventing the growth of a strong Europe, which was the Community's aim.[87] The Irish case risked becoming entangled with those of the three much more problematic neutrals, namely, Austria, Sweden, and Switzerland. While none of the three had applied for membership, there was some speculation in the Commission that they would, especially if the EFTA were to be emptied of most of its contents by Community enlargement. And, were this to happen, a precedent for accepting a neutral state in the form of Ireland might well have made the EEC's position that much more difficult. Though Biggar argued that it would be difficult to see how, under the terms of the Treaty of Rome, membership could be denied to any European country that was prepared to sign the Treaty and accept the political obligations, Deniau replied that it depended on what one meant by European. He asked the question: 'Could one really regard Norway as European and what about, say, Albania?'[88] For him, the real Europe was the Europe of Charlemagne or of the thirteenth century; no country that had been Christianised after the Reformation was genuinely European. He seemed to feel somewhat dubious about Britain's title deeds (in view of its Protestantism); as for Ireland, the Europe of the seventh century was, he declared, an Irish creation.[89] It is questionable how widespread these views were in the Commission. However, there was a good deal of relief among Commissioners and officials that Ireland had dealt adequately with the neutrality question in its January statement.

In October 1962, Lemass went on a tour of EEC capitals outlining Ireland's case for membership prior to the Council meeting on 22–24 October. Briefing notes for Lemass's trip re-evaluated the positions of the Commission and the six *vis-à-vis* the application 15 months after it had been submitted. Germany, the Netherlands, and Italy all gave their assurances that they would do 'their utmost to secure a decision of principle satisfactory to us, i.e. negotiations directed to membership'.[90] Gerhard Schröeder, German Foreign Minister, was slightly hesitant. Accepting that his predecessor, von Brentano, had assured Dublin of German support, he stated that the question being debated within the Community was whether membership of the EEC automatically implied membership of the proposed political union. This was a question on which, by September, the Community had failed to reach agreement, and was one of the reasons why negotiations with Ireland had not moved more quickly.[91] The Foreign Minister's remarks did not seem to exclude the possibility of Ireland being relegated, even if in the company of Norway and Denmark, to a second-class category of European countries characterised by exclusion from the political union, and either full membership or associate membership of the economic union. The Irish ambassador to Bonn was less than impressed:

> I fear there is always a tendency for great states to try to deny a voice in political matters to small nations which don't contribute enough in power to compensate for their nuisance value; adults may have to be dealt with on equal terms, but children should be seen and not heard.[92]

On Belgium's support for the application, Dublin concluded:

> there is probably no good reason to doubt that Belgium will, in fact, vote for the opening of negotiations with a view to membership, despite the existence at present of a school of thought (to which, for safety, we must assume that Mr Spaak at least belongs) that only Britain should be admitted as a full member.[93]

Policy-makers had hoped that Lemass's trip to Paris would be sufficient to convince General de Gaulle and Couve de Murville that Ireland was ready to sign up to the economic and political implications inherent in membership. Then there was the lingering question over the Commission's position. Dublin accepted that the Commission entertained some doubts about 'our acceptability as a member of the Community', although policy-makers did not specify anyone in particular. The Department of External Affairs believed 'there would seem to be no really good reason to fear that the attitude of the Commission at the forthcoming Council will be such as to prevent a decision to open negotiations with us'.[94] Policy-makers argued that it was both optimistic and unrealistic to expect a decision that committed the Community to accept Ireland as a member. Some members of the Community had not decided whether to allow neutrals to enter the EEC. Therefore, Dublin's sources in Brussels indicated that the Council's decision would be rather vague, an outcome that would be 'better than no decision at all'.[95] Ireland's membership, Lemass would argue during his tour, posed no threat to the Community's attempts at political union. However, the necessity for Lemass to embark on a tour itself highlighted the seriousness with which Irish policy-makers viewed the precarious position that the application was in towards the end of 1962.

In Bonn, Adenauer offered Lemass his government's full support, while, more importantly, in Paris de Gaulle said he had no objections to having Ireland in the Community.[96] In Brussels, Hallstein reiterated that the delay in reaching an agreement on how best to deal with the Irish application was not due to any ill will on the part of the Community, from either an economic or a political perspective. On the contrary, he stressed that Ireland enjoyed a great deal of sympathy among all member governments.[97] The delay, he argued, was caused by the strain on the Community's resources and not as a result of any issues raised by the application. Why did the Commission and certain of the member states place such an emphasis on this issue during the

period of the 1961–1963 negotiations? Was this simply a case of federalists, like Hallstein and Spaak, attempting to shift the EEC in a particular direction, realising that they had United States support in the political field and in the absence of any enlargement doctrine? It was perhaps easier during this period than in 1967 or 1970 for federalists to influence policy-making. Much of this had to do with attempts by the Community at political union. Despite the failure of the six to forge closer links in this field, as they had in the economic sphere, there was no reason not to believe that at some point in the future there would be another, more successful, attempt at political integration. There was a good deal of uncertainty, which was reflected in the public and private comments made by Commission and other Community officials, about where neutral countries would fit into a political integration framework that might involve the member states adopting a military position.

A sense of failure

The Irish application forced the Commission to tackle some difficult issues. Foremost among these were whether there was a place within the Community for neutral countries and whether associate membership was a suitable alternative for those countries with weaker economies. The Commission failed to adequately address those questions during the period of the enlargement negotiations. Timing was a major issue. But, in light of the archival evidence, this argument does not seem plausible. Rey, for example, devoted a significant amount of time to analysing the associate membership of Austria, Sweden, and Switzerland, even though those countries had made no formal approach to the Community. Indeed, there is far more archival documentation on these states than on Ireland's application. Moreover, Hallstein claimed that the Community was simply too preoccupied by dealing with Britain. Opening negotiations with Ireland would have stretched the Commission's resources further, despite the fact that the Commission was also engaged in trade negotiations with many other non-European countries, such as Israel. Israel's desire to have closer ties to the Community was, of course, not tied to the success or otherwise of the British membership bid. There was, thus, no logical reason for the latter to be given priority. Ireland, by contrast, was seen, rightly or wrongly, as approaching the Community in the baggage of the British. If the British bid failed, the Irish problem would therefore go away. In such circumstances, it made sense for an overstretched administration to concentrate its resources on Britain and Israel, not Britain and Ireland.

The largely informal debate surrounding Ireland's economic and political position might have been averted had the Commission produced its *avis* in the autumn of 1961. What resulted, instead, was a multitude of views from the Commission and the six about how best to deal with the

problems raised by the Irish application. Leading figures and their officials each had their own views, but there was no doctrine of membership setting out a unified position. The economic and neutrality problems reached a peak in January 1962 and gradually subsided towards the end of the year. The October decision to open enlargement negotiations with Ireland was a token gesture, because the Community failed to specify a date for the first meeting. Ireland's first application for Community membership exposed many conflicts in the Commission's attitude towards enlargement and the direction of the integration process.

3
From Veto to Veto: Britain and the Commission

Charles de Gaulle's determination to keep the Community's door firmly shut to Britain and the other applicants led to the EEC's first crisis in January 1963. This chapter examines the period between the end of the first enlargement negotiations in January and Britain's second attempt at membership in mid-1967. It focuses on the fall-out from the veto and assesses the Commission's response to the breakdown of the negotiations. The chapter traces the ways in which the Hallstein Commission, and later with Rey as President, dealt with the enlargement question between 1963 and 1967. In particular, Chapter 3 examines the events that led to the Commission's *avis* on enlargement in 1967 and explores how its views influenced the outcome of the second attempt at membership. A continuing theme running through the chapter is the importance of the membership question to the Brussels executive and the evolution in its thinking on the policy.

After the veto

British Prime Minister Harold Macmillan accepted that de Gaulle's veto 'does not come as a surprise'.[1] He advised his cabinet to avoid the subject in public and thought that the anger of France's EEC partners would be enough to change the General's mind. Macmillan dismissed the idea of associate membership, hinted at during de Gaulle's press conference, as being 'irrelevant to the present situation'.[2] He believed that the veto was not permanent and the possibility existed that de Gaulle could be convinced that British membership was vital to the Community's interests. Two weeks after the press conference on 14 January 1963 when the veto was announced, the Brussels negotiations formally ended. Edward Heath would later describe the talks as 'perhaps the most complex negotiation in history'.[3] Anglo-French relations had been severely damaged. A fundamental aspect of French policy appeared to exclude Britain from the European project.[4]

The fall-out from the negotiations dominated relations between the Commission and British officials for much of 1963; it was the most frequent

topic of conversation between the two sides. The British, as well as the Irish and the Danes, were quick to renew contacts with the Commission after the negotiations had finished at the end of January.[5] There were a number of reasons for doing so. Principal among these was the level of support received from some Commissioners and officials after the veto. The British recognised that it was important to capitalise on this goodwill. Arthur Tandy at the British mission in Brussels argued for the need to strengthen the delegation in order to 'follow developments in the Community' more fully and 'to attempt to show which developments will stand to harm our interest and those of the Community whether we finally accede or not'.[6] He also recognised that 'it seems advisable to take further steps in cooperation with the Community institutions and with the Five or the Six Governments as appropriate'.[7] Almost immediately, the British mission suggested that an invitation be issued to Hallstein to visit Britain; Hallstein had accepted one from the National Association of British Manufacturers, a convenient pretext to hold political talks in London without offending Paris. Heath would then 'invite him to a meal' in London.

Informal discussions between the Commission and London continued nicely. Hallstein met Heath in late March in Brussels.[8] He acknowledged that the Commission had considered whether it should or could make some positive and dramatic move after the breakdown of the negotiations, but concluded that there was really nothing that it could have done which did not carry with it the risk of another failure. Hallstein also recognised that the General was not for turning; it was not in his interest to damage the Commission's relations with Paris over a British application that the Commission was equally not keen on advancing. He did not think de Gaulle's suggestion of associate membership for Britain was a starter, but he did not exclude it altogether. He felt that some form of consultative procedure could be conceivable in this respect. His comments were in keeping with the broad outlines of de Gaulle's own thinking on the British application. The British government was anxious to be 'in really close and fruitful contact on all issues of mutual concern so that we could project UK views and understand Community thinking'.[9] This was what the Commission wanted. The diplomatic route was Hallstein's preferred option for this type of *tête-à-tête* rather than any form of institutional consultations. At a deeper level, Hallstein was likely to have been worried about the suggestions, already doing the rounds in Brussels, that the British should be given an institutionalised link to COREPER. This was something Hallstein was very keen to resist because he believed, with some justification, that it would give London an undue ability to involve itself in internal Community deliberations. Moreover, he feared that it would increase the centrality and power of a committee that he already believed played too central a role in the EEC's operations. Not surprisingly, his preferred alternative was to increase the size and role of the Commission's representative office in London.[10] Hallstein was aware of

the need to keep all channels of communication open between Brussels and London, and the role of some kind of honest broker clearly appealed to him.

London had concluded in the aftermath of the veto that the Commission would be a vital component in gaining greater information on the activities of the six. It had ruled out the Council secretariat as a vehicle for cooperation. The Foreign Office believed that the secretariat would not be of much help because its officials 'tended to be under the spell of the French and defeatist as far as our own negotiations were concerned while their Community spirit contains a fairly strong anti-American element'.[11] London also ruled out seeking the support of the European Atomic Energy Community (EURATOM) on the grounds that its President was a Frenchman, and its Commissioners 'are a second-rate lot'.[12] Therefore, it was the Commission and COREPER that Whitehall believed would be the most useful collaborators.

In the aftermath of the veto, Hallstein quietly attempted to steer the Community away from discussions on the breakdown and towards the future development of the Community. It was believed in some well-informed circles in Brussels that the Commission President was 'willing to follow blindly the Chancellor [Adenauer] who follows blindly de Gaulle'.[13] In order to limit the amount of damage that de Gaulle's veto had inflicted on the EEC, Hallstein embarked on a tour of the capitals of the six. Adopting the role of honest broker, he impressed upon the member states the need to move on from the failed negotiations and work towards the continued implementation of the Treaty of Rome. His principal objective was to avoid a split in the Community over the enlargement question. There was far more at stake than just the British application; the unity of the EEC was the Commission's main concern. If the best route to maintaining this unity was by following Adenauer's lead in not condemning French unilateralism, then this is what Hallstein appeared to do. During his tour of the member states, Hallstein advised each of France's Common Market partners against retaliatory measures that would damage the Community. This position was in response to reports reaching the Commission, and published widely in newspapers, especially in Britain, that France's EEC colleagues would disrupt the workings of the Community on issues vital to French interests, such as CAP and the negotiations with the Community's AOTs.[14] At a meeting with the Italian Prime Minister in February, Hallstein reaffirmed his wish to see Britain as a member of the Community and viewed the breakdown of negotiations as temporary.[15] He respected Britain's refusal to accept de Gaulle's offer of associate membership. Instead, he envisaged a form of partnership between the Common Market, the United States, Britain, and the Commonwealth, most likely within the realm of GATT. The Community's agenda was also moving in this direction with the imminent start of the new Kennedy Round of GATT negotiations, in which vital EEC economic interests were at stake.[16] Hallstein's tour reinforced the need to present a united front.

Unity was a key theme in Hallstein's speeches during the months that followed the veto. Speaking before the European Parliament in March, he placed heavy emphasis on the forward movement of the Community. The EEC, he argued, had to maintain its impetus and carry out its aims 'until a day when, as we suppose, the United Kingdom will have to become a member of the Community'.[17] As an intermediate measure, he stressed the availability of associate membership under Article 238, admitting, however, that the British position on this was one of reserve.[18] It was a key concern of Hallstein that the Community business was not hampered by lingering thoughts about what might have been had the enlargement talks been successful. The Commission's *Sixth Report* on the activities of the EEC, presented to the European Assembly in March, highlighted the many strides taken by the Community during the enlargement negotiations. Covering the period from May 1962 to March 1963, the Commission placed a heavy emphasis on the Community's successes, such as the introduction of anti-trust legislation, and the reduction, by 50 per cent, of customs duties in the Community on industrial products traded between the member states. The Commission noted that the EEC and Greece had signed the association agreement that entered into force on 1 November 1962. A new agreement between the Community and its AOTs had also been negotiated, and would enter into force by January 1964. The *Sixth Report* acknowledged the breakdown of the enlargement negotiations and admitted that the veto had created for the first time 'a major crisis in the Community'.[19] The Commission accepted that each member state held a veto over new members to the EEC, and regretted the way in which 'the decision to suspend the negotiations had been taken and announced'.[20] While the Commission promised closer relations with Britain, it stressed: 'These contacts must not, however, slow down the preparation of Community decisions, and must be maintained in the spirit of strict reciprocity'.[21] The report attempted to pacify those in the European Parliament calling for the reopening of negotiations by stressing its support for Britain's closer relations with the EEC but not going so far as to support those calls. The Commission's presentation to the European Assembly focused almost entirely on the Kennedy Round of GATT talks and relations with third countries such as the United States. The *Sixth Report* reflected Hallstein's short-term outlook for the Community. The trade talks would act as a glue to keep the six committed to the further integration of the Community. Enlargement, as an issue, was no longer on the Commission's agenda, but Hallstein understood that the issue was merely on ice. Through a coordinated campaign immediately after the veto that accentuated the benefits to the member states of staying on course, he gradually shifted the spotlight away from the British application. By stressing associate membership, he was appealing to the five that all was not lost: the Community's door was open to London, even though the acceptance of such an offer was highly improbable. The GATT negotiations were important for '*la vie de la Communauté*'.[22]

Trade on a global scale would soften the negative commercial consequences of the ongoing divide between the six and the seven. Hallstein's approach was strikingly similar to the one adopted by the Commission after the breakdown of the FTA negotiations in 1958. It was clear that the Commission President was essentially preaching reliance on global improvements as the best solution to the EEC–EFTA split in the hope that this would be enough to pacify, in the short term at least, those member states supporting the British bid.

After months of mending fences within the Community between the six, Hallstein turned his attention to London and the lingering resentment over the veto. Speaking before the National Association of British Manufacturers in May, he stressed that the end of enlargement negotiations was also 'a severe blow to the Community itself'.[23] Yet, he made it clear that no reasonable person could expect the Community to grind to a halt because the British did not achieve membership. Despite the public disagreement over the direction of Community enlargement among the six, the EEC was, he argued, making economic progress. Hallstein declared boldly: 'We have had setbacks before, and we shall have them again. But the movement is too big a thing to be permanently arrested'.[24] Having spent the previous three months bringing the six closer together, in his London speech he was not only making a further attempt to build closer links with the British, but, more importantly, taking another occasion to draw a line under the acrimony that had resulted from the veto. His message was simple but necessary: the Community had to go on in a *communautaire* fashion and implement the Treaty of Rome. The enlargement negotiations were over and would not be reopened in the foreseeable future. There was an offer of association from de Gaulle, but the British question had to be put aside.

Despite Hallstein's attempts to unify the Community in the aftermath of the veto, divisions within the Commission were visible. He appeared far more concerned with the way in which the negotiations ended, the method, rather than with the consequences for Community enlargement. These concerns were also reflected by Hallstein's colleagues. Marjolin, for example, appeared relaxed about the veto. In his memoirs, he states:

> *En ce qui me concerne, j'accueillis la rupture de janvier 1963 avec soulagement, non que je fusse opposé de l'Angleterre dans la Communauté, mais parce qu'il m'apparaissait que l'évolution des esprits outre-Manche n'était pas arrivée à son terme et aussi parce que je souhaitais que les Six disposassent encore de quelques années pour terminer ce qu'ils avaient entrepris*.[25]

Mansholt, however, was most vocal in criticising de Gaulle. His early public comments on the breakdown of the negotiations reflected those expressed by the Dutch government. Within days of the negotiations ending, he argued that no further advances could be made in the Community until

the fundamental issues created by de Gaulle's veto had been resolved.[26] The Europe of the six had to decide whether it wanted to become merely an old-style coalition under the hegemony of a single state practising a policy of balancing between East and West, or an integrated whole firmly linked in Atlantic partnership. He went so far as to question whether any further progress would be made in the implementation of the CAP for the remainder of 1963. His criticisms continued through to May, although they were directed in private and towards the French President rather than at questioning the future of the integration process. In a frank conversation with President Kennedy in Washington on 9 April, Mansholt believed that the Community was in a state of grave crisis provoked by the refusal to allow Britain to enter the Community.[27] The Franco-German Treaty, signed days after the veto, contributed to the general sense of crisis. It was clear that Mansholt 'is not putting any water into his wine in opposition to Gaullist policies in Europe'.[28] The British seized on Mansholt's criticisms of the French President, eager to exploit differences within the Community and further isolate the General. Galsworthy approached officials in Mansholt's office and 'injected our views into the Commission [...] and urged that they should lend their support to the idea of consultative arrangements in Brussels'.[29] Galsworthy's lobbying paid off. Later in April, the Community agreed to hold talks between the British Mission in Brussels and the Commission or COREPER.[30]

By the summer, Mansholt had watered down his criticisms of the veto. He no longer predicted difficulties in finding agreement in the Council on the outstanding issues surrounding the CAP. By May, the agriculture ministers of the six had settled many of the unresolved problems. By the end of that month, there was a greater sense of unity among the Commissioners in their approach to the enlargement question. Indeed, Mansholt joined the chorus of Commission voices arguing in the months that followed that there could be no resumption of the enlargement negotiations until after agreement was reached on the Kennedy Round of GATT talks.[31] Mansholt's about turn was pragmatic rather than ideological. Adopting an anti-French position would not have advanced his plans for the CAP in the Council or COREPER. He may also have decided that Hallstein's approach was the better one to follow. Far too much had been achieved between the various actors in the GATT talks to allow everything to fail because of Britain's exclusion from the Community, exclusion that many believed would not be permanent.

Informal contacts continued between the Commission and the British into the summer of 1963. These took place at a senior level, usually between Commissioners and high-ranking officials from the British Foreign Office or the Treasury. Unsurprisingly, the French veto continued to preoccupy the British. Officials in the Cabinet Office believed that the time had come to draw a line under the veto and move on, but others continued to debate the issue with the Commission, looking for answers and solutions.[32] Heath still

harboured resentment over the French veto, refusing to accept de Gaulle's decision to keep Britain out. During a meeting in July 1963, Rey argued that the integration of Europe would continue despite the apparent setback that the veto had caused. He told Heath that the enlargement of the Community was making progress in other areas, such as the negotiations with Turkey and the commencement of talks for association with Austria, one of Britain's EFTA partners.[33] To Heath, this represented the integration of only part of Europe; the real body of integration was at a standstill.

Clash of visions?

The Commission's ideas differed significantly from those of the British on how best to approach the question of consultative arrangements in the post-veto period. Between December 1963 and November 1966, the archival evidence suggests that neither side fully engaged with the agenda of the other. For its part, the Commission continued its attempts at unifying the six during the autumn of 1963. France's interest in the completion of the CAP, coupled with Germany's interest in advancing the Kennedy Round, was 'skilfully exploited by the Commission' to restore momentum in the Community.[34] Internal negotiations, which at times resulted in public bickering between the six and the Commission, were beginning to resemble those that had taken place prior to the French veto in the previous January. On 18 December 1963, the Commission proposed a fresh approach to the disparities regarding the GATT problems, and five days later, after a marathon Council session on agriculture, agreement was reached on agricultural issues and the future policy for the Kennedy Round. However, despite these results, British policy-makers adopted a wholly negative approach to this newly re-created *communautaire* spirit in the EEC. The Foreign Office was instead preparing for the collapse of the Community. R. A. Butler, Foreign Secretary, believed that de Gaulle could potentially bring an end to the Common Market or, alternatively, keep the Community in place but get his way 'enough to leave a smouldering crisis and make the position of the Kennedy Round much harder'.[35] Butler thought that, if the Community collapsed, the British government would have to intervene. In a memorandum to Alec Douglas-Home, who had replaced Macmillan as Prime Minister in October 1963, Butler argued: 'This would be an opportunity to take an initiative to reshape Europe nearer to our own ideas'.[36] Any British plan to salvage a European trading settlement would necessitate proposals for an industrial free trade area open to all European countries with a framework for political cooperation between those countries wishing to take part. Butler's memorandum advocated an FTA-type settlement. His analysis of the political environment in the EEC at the end of 1963 was influenced by reports from Pierson Dixon, Britain's ambassador to France, who highlighted an

imminent crisis among the six over CAP and the Kennedy Round.[37] Dixon believed that the Community's impasse over agriculture would result in a direct, possibly fatal, attack by de Gaulle on the Community's institutions. From a closer analysis of Butler's comments, it seemed clear that certain elements within Whitehall, and particularly in the Foreign Office, wished to see an end to the EEC and to have it replaced with a looser economic alliance. It also highlighted the continuing attachment to the FTA plan within Whitehall. Butler had always been doubtful about British membership and dismissive of the EEC.[38] He had famously spoken dismissively of the 'archaeological excavations' going on at Messina in 1956 as the six negotiated the Treaty of Rome.[39]

Nevertheless, the results of the marathon Community negotiations had the effect of ending the EEC's worst year on a hugely successful note. While Ludlow argues that success was achieved in late December only because 'many of the most problematic decisions had been postponed to a later date,' its impact on the Community cannot be underestimated.[40] Mansholt believed that the successful conclusion to 1963 had formed a basis that allowed the Community to move rapidly ahead in 1964.[41] The British question no longer dominated discussions among the Community actors to the extent that it had months earlier. If there was talk of crisis, it rested more on the concerns of the six and their national interests, to questions about cereal prices and GATT, rather than enlargement. Butler's memorandum reflected a misguided belief in the Foreign Office that the British question continued to play an important role in the decision-making process of the five. However, this was not the case. British membership was a delicate subject in relations among the six, but, despite the harsh words levelled against de Gaulle after his veto, it was never the intention of the five to consider a break-up of the Community. Arguably, Butler's and Dixon's mistake was to underestimate the interest that France had in maintaining the EEC, not to underestimate the patience of France's partners.

For the Commission, agreement in the Council on the Community's approach to the Kennedy Round presented an opportunity to move beyond the open hostility that the enlargement question had caused. As Coppolaro makes clear, the Commission saw the EEC's participation in the trade negotiations as a way of reaffirming the role of the Community in world economics and trade.[42] Equally, the member states were as eager as the Commission in wishing to press ahead with the trade negotiations. Germany wanted to use the GATT talks as a means of smoothing divisions among the six. France, on the other hand, wished to 'avoid the appearance of new and serious difficulties'.[43] Trade negotiations continued throughout 1964, with the Commission acting as the chief negotiator for the Community in Geneva under the watchful eye of the six. The Commission attached great importance to these talks, while Hallstein acknowledged privately that nothing should be

done by the other governments to increase France's reluctance to see the Kennedy Round go forward.

The question of continuing a dialogue with Britain persisted in shadowing the Community. One solution to this problem was to move the discussions to the Western European Union (WEU). This was an institution far enough removed from the day-to-day business of the six that the Community actors could talk with the British without the need to create a formal consultative procedure. This arrangement contained enough to please all of the six, and the Commission would also be present at the debates.[44] Therefore, with the enlargement question firmly off the Commission's radar, Commissioners pressed ahead with implementing the second phase of the Community's development. In January 1964, Marjolin won widespread praise for a speech to the European Assembly that warned of the dangers of inflation in the Community.[45] There was further cooperation between the Commission and the Council on a wide range of proposals throughout 1964. During a meeting with United States officials in March, Rey, Marjolin, and Mansholt painted a picture of a dynamic Community moving forward on all cylinders, and highlighted the GATT talks and the proposed fusion of the executives of the three Communities as further examples of this momentum.[46] In September, the Commission launched 'Initiative 1964', a 20-page action programme that contained proposals for the future development of the Community, with a central role accorded to the Commission.[47] The 'Initiative' was a continuation of Hallstein's policy of accelerating the implementation of the Treaty of Rome, initiated with such speed and determination by the Commission after the failed FTA talks in 1959. The action programme focused on the role that the Economic Communities could play in the movement towards political union and the measures that the Commission believed were necessary if the Community was to recover from its recent setbacks and regain its sense of purpose. It represented, according to Wilfried Loth, an attempt by the Commission to expand its sphere of influence and at 'federalising Europe'.[48] It was the Commission's demand for 'a core position' in the European integration process.[49] The report also served to remind the member states that the Commission already represented a nucleus, possessing staff and executive power, around which political union should be built, and to which members of the Commission attached significant importance.[50] The report, drawn up under the direction of the Commission President and approved by all Commissioners, stressed that there were two main elements to political union. The first was the process of European unification through the common economic and social policies of the EEC. The second involved '*améliorer la structure institutionnelle européenne*'.[51] 'Initiative 1964' was another example of the high level of activity that characterised the Commission in the months after the French veto. It reflected the Commission's determination to influence the economic and political development of the EEC. Prior to the publication of this report, the Commission had played a

minor role in the debate on political union, in which discussions were held between the six. Hallstein, believing that the time was right to launch the initiative, attempted to move the Community's institutions to the centre of this debate.

The Commission maintained high-level contacts with the British government throughout 1964 and 1965; discussions ranged from the Kennedy Round to closer contacts between the EFTA and the EEC.[52] In the spring of 1965, bridge-building proposals were eventually put forward by Harold Wilson, whose Labour Party ousted the Conservatives from power in 1964. The aim of these proposals was to bring the two European trading blocs closer and establish a Joint Council.[53] The complete package of measures, referred to as the 'Vienna initiative', received little support in the Commission, which was highly suspicious of creating a further level of intergovernmental discussions prior to important decisions, since these would lessen the chances of its own legislative proposals getting through and would increase the prospect of the dividing the six even further. Meeting on 31 May 1965, the deputy heads of the EFTA delegations noted that Hallstein was worried that the seven's efforts to build bridges would play into the hands of the French.[54] The Commission President was also concerned that, if meetings at ministerial level were held between the six EEC member states and the seven ETFA countries, the Commission's role would be reduced. Moreover, the Commission was fearful of initiating new negotiations with third countries, with no clear agenda, while the GATT negotiations were still in progress. Speaking with Per Hækkerup, Danish Foreign Minister, on 2 June, three senior Commissioners (Mansholt, Rey, and Colonna) stressed that important trade and tariff negotiations were already under way in Geneva and that it was therefore desirable to avoid taking any steps which would prejudice the success of the Kennedy Round.[55] They expressed some sympathy with the idea of harmonising arrangements between the EFTA and the EEC in special fields, but were highly suspicious of bridge-building initiatives of the type under consideration in Vienna by the EFTA secretariat.

The 'Vienna Initiative' was an unwelcome distraction for the Community. Spaak agreed that building bridges between both trade groups was important, but he did not want the Community distracted with new initiatives during the Kennedy Round, an opinion also shared by the French and Luxembourgois members of COREPER.[56] Wilson's initiative implied that the EFTA and the EEC were in some way equal, which was not the case, at least from the Commission's viewpoint.[57] But a more important consideration when evaluating the British move was that the political will was absent in the Community for a number of reasons, the primary one being the Kennedy Round. Furthermore, the move was badly timed by Whitehall, and greater consultation could have taken place with officials from the Commission as a means of gauging political reaction within the six. The Community's 'empty

chair' crisis, which erupted during the second half of 1965, ensured that no further consideration of the 'Vienna Initiative' was possible.

The outbreak of the crisis had a negative impact on London's bridge-building initiatives.[58] With the Community in a state of near paralysis, there was little activity on the enlargement question until after France resumed its seat at the Council in January 1966 once a deal had been reached among the six on voting rights.[59] Despite the crisis, it was highly improbable that Wilson would make an early bid for membership so soon after the veto. As Parr argues, a policy platform centred on entry into the EEC would have appeared incredible.[60] The Labour Party had won the October 1964 general election with a majority of just four seats. Such a result made it unlikely that the Wilson government would embark on a policy as contentious as Community membership. Therefore, the election, and the crisis that engulfed the Community in 1965, served to put on hold any discussions in Britain about membership.

Though it had nothing to do with the enlargement question, the crisis had an important indirect impact on this policy area. Hallstein was the main casualty of the crisis.[61] The crisis was as much about policy as it was about personality, especially between Hallstein and de Gaulle. It was not without a touch of irony that the main victim of the General's attack was someone who had shared some of his hesitations about enlargement and his replacement by someone who was firmly in favour of Community enlargement. Despite their very public differences over the direction of the EEC and some of its policies and institutional procedures, such as the qualified majority voting so central to the 1965 crisis, Hallstein and de Gaulle shared similar outlooks over the enlargement question. Both were fearful of British membership and the impact it would have on the institutions and policies of the Community. Even though both supported calls for an enlarged Community, enlargement, they believed, could only occur at the right time and under the right set of circumstances. Hallstein and de Gaulle were far more conservative on the enlargement question than majority opinion among the five. Hallstein's departure as Commission President in 1967 left de Gaulle as the lone voice in the Community arguing against Britain's membership.

Two years on from the veto, there was little progress in bringing together the EFTA and EEC countries in a formal consultative arrangement. There was scope for the Commission to play a greater role in bridging the gap between the six and the seven prior to the 'empty chair' crisis, but instead its focus remained fixed on accelerating aspects of the Treaty of Rome. Wilson's slim parliamentary majority was not congenial to grand policy gestures. However, the political environment between the six and the applicants for membership changed once a compromise was reached in Luxembourg in January 1966 that ended the internal Community crisis. Seventeen months after defeating the Conservatives, Wilson called a snap election to boost his majority in the House of Commons. His decision paid off handsomely,

with Labour returned to power with a majority just short of 100 seats. Both events led to increased speculation that Britain might revive its application for EEC membership. Some referred to Wilson's victory as '*une phase nouvelle*' in relations with the EEC, but cautioned that timing was everything.[62] Speaking with senior US officials in July 1966, Wilson said that Britain was at a crossroads and had to come to some conclusions about its future role. Under-secretary of State Ball encouraged Wilson to make a move towards the six and claimed that he visualised 'the UK's leadership as taking Europe out of its inwardness'.[63] While Ball did not know the strategy or the timing to achieve this, he believed that the 'UK and the US should begin to work out jointly the UK's role in Europe'.[64] Wilson's chief concern was that Britain would enter the EEC on good terms but not on French terms. Crucially, he accepted that the time would come when 'the UK could enter Common Market under satisfactory terms but that time was not now'.[65] Burke Trend, Cabinet Secretary, believed that, even if Britain agreed to sign an accession treaty, France would find other reasons to prevent its entry.

Relations between the Commission and London continued to experience a fraught relationship in the post-crisis period. Meeting with James Marjoribanks, head of the British mission in Brussels, in July 1966, Hallstein suggested that arrangements should be put in place to significantly increase the stream of high-level British visitors to Community institutions.[66] The Foreign Office agreed. Indeed, this had been the Commission's initial suggestion in the months after de Gaulle's veto, but it had fallen by the wayside. Yet, the Foreign Office viewed Hallstein's offer rather sceptically. The conclusions reached in London were wholly negative. Whitehall viewed the offer as an attempt by Hallstein at rebuilding his own and the Commission's status in the aftermath of the 'empty chair' crisis. The presence of this ulterior motive need not necessarily have meant that the idea had no advantages. Its rejection, therefore, suggests that some of the Foreign Office's underlying suspicion of the Commission was still in place. However, there was some real benefit in Hallstein's suggestion. Throughout 1964 and 1965, neither the Conservative nor the Labour government saw advantages in having some form of permanent machinery in Brussels, and there were still many arguments against doing so.[67] This represented a total *volte-face* from 1963. The problem, as the British viewed it, was that to establish it at such a late stage ran the risk of opposition from the French, while, on the other hand, it could be seen by the five as provoking the French. Aware that the Commission would be of immense help, London nevertheless concluded:

> it will be the attitude of the Six Governments which is decisive in any attempt to enter the Community. We certainly do not want to overlook, still less offend, the Commission, but special machinery does not commend itself.[68]

Moreover, the Foreign Office stressed that it was not wise to cultivate contacts with the Commission at the expense of losing favour with the member states.[69] What was being considered was machinery which would facilitate contact between Britain and the Commission, rather than the sort of British participation in COREPER which had been considered in 1963. The caution displayed by the Foreign Office reflected a growing awareness on its part of the politically sensitive position that the Commission found itself in less than nine months after the 'empty chair' crisis had been resolved. Moreover, despite the rather quick renewal of contacts between the Commission and London in the aftermath of the 1963 veto, attention seemed to have shifted in London towards nurturing links with the six, where political influence rested, rather than increasing the size of its representation in Brussels to court the Commission.

Arguably, the rationale behind Hallstein's insistence on increased British activity in Brussels resulted from a desire to increase the prestige of a demoralised Commission in the aftermath of the Luxembourg Compromise. Such an initiative presented him with an opportunity to begin a new project, even though the British were less than receptive to the idea. It is notable that, between 1963 and early 1966, he showed little enthusiasm in bridging the gap between the six and the EFTA countries. The Commission was making significant progress in many fields, such as the implementation of the CAP, and trade negotiations in Geneva. Equally, Wilson's precarious parliamentary position did not lend itself to mutual cooperation. However, by mid-1966, there was a gradual shift in the way the Commission approached the question of British membership. Enlargement, to include Britain, was no longer being seen, at least in some quarters of the Commission, in a wholly negative light.

The second application

Despite Wilson's uncertainty over the Europe question, he nevertheless decided to press ahead with a second bid for Community membership.[70] On 10 November 1966, he told the House of Commons that the government would launch a 'probe' to discover whether it was possible to join.[71] Wilson, along with his Foreign Secretary, would tour the capitals of the six and visit the Commission during the early months of 1967 to ascertain whether the conditions were ripe for a second application. Britain, he said, had no objection to entry into the Common Market so long as essential Britain and Commonwealth interests were safeguarded.[72] The government had carried out extensive reviews of all aspects of Britain's European policy, the Treaty of Rome, decisions taken subsequent to its signature, and all the implications and consequences which might be expected to flow from Britain's entry. While Wilson did not set down the same conditions for membership that the Conservatives had done in 1961, he stressed a number of redline economic

issues, in particular the view that the international role of sterling as a trade and reserve currency was not in itself an obstacle to membership. British membership was not being sought as a means of overcoming its economic difficulties, especially in its balance of payments. Wilson reaffirmed that membership would only follow when Britain had secured a healthy economy and a strong balance of payments with the pound sterling standing on its own. The Commons speech was short of an outright application for membership. Indeed, parallels could be drawn with Macmillan's 1961 letter of application seeking to discover whether the terms existed for membership, although Macmillan did apply in 1961 and Wilson had yet to do so in 1966. When he did, his approach would be far less weighed down with conditionality than Macmillan's.

The aim of Wilson's tour was simple: to discover whether the conditions were favourable for a formal application. The timing of the move was highly questionable. Even if Wilson had a strategy for dealing with the six by unequivocally accepting the *acquis*, the noises emanating from Paris were highly negative. On 23 November 1966, for example, Georges Pompidou, French Prime Minister, asserted, that even though Britain was certainly geographically close to Europe, whether it was close in every respect was more doubtful.[73] A day later, Charles Bohlen, United States ambassador to France, reported to Washington on a conversation he had had with de Gaulle. The French President believed that Britain was not ready for membership and felt that London would seek concessions from the five.[74] The problem of the pound sterling was a significant issue that had to be settled: 'it was not possible for a member of the Common Market to have the burden of sterling balances or the pound with its position as a reserve currency'.[75] This was certainly not a propitious start to a second British application.

Even inside Wilson's Cabinet, one of his most senior ministers cast doubt on the success of a second attempt. James Callaghan, Chancellor of the Exchequer, told Henry Fowler, his American counterpart, at Chequers in mid-January 1967 that the odds were against a successful effort to gain entry into the Common Market.[76] Callaghan admitted that work was being carried out in various government departments, on a purely hypothetical basis, on the possibility of an Atlantic free trade area as an alternative to membership of the EEC, and the Chancellor wondered whether at some stage it would be useful for the two Treasuries to carry out a joint factual study on this subject, which would be kept top secret. London was keen to keep one foot in the Atlantic, given the strong anti-French stance towards Wilson's latest EEC overtures.

Due to the nature of the British move, the Commission was not required to issue a formal *avis*. Similarly, no action was required by the Council until the British decided to make a formal application. The main focus at the beginning of 1967, therefore, shifted to Wilson's tour of the capitals of the six, with commentators referring to the next Battle of Waterloo.[77] The European

newspapers began an analysis of what Wilson meant by 'safeguarding British interests', with some newspapers arguing that the British Prime Minister had a significant number of questions to answer, including how the British position on membership of the EEC had evolved since the breakdown of negotiations in January 1963.[78] Jean Monnet broadly welcomed Wilson's statement of intent.[79] Speaking with British diplomats in Bonn in January 1967, he argued that London should not worry about persuading the French President; the success of the British initiative would depend essentially on the British. If they could make their approach very simple – a request for entry based on acceptance of the Treaty of Rome and of the decisions taken under it, with a transitional period – the only way in which de Gaulle could block enlargement would be by raising as an obstacle the problem of sterling. Rather, Monnet felt that the British would benefit from investing more time in bringing the German government on to their side, a view that was echoed elsewhere in the Community.[80] The Italians, he maintained, did not have as much clout among the six, but German support was crucial. Both Monnet and certain German officials were pushing the British for a simplified application if, and when, one was made.[81] British Foreign Office officials were also aware that a policy of delaying an application and undertaking a further period of prenegotiation had grave disadvantages.[82] Marjoribanks advised George Brown, the pro-European Foreign Secretary, to make an early application and thus avoid the problems caused by delays during the previous round of enlargement negotiations from 1961 to 1963.[83] By delaying the formal application, the British risked the accusation of wasting the Community's time with exploratory talks. If the British were really prepared for membership and therefore accepted the EEC, then there was no reason why the decision had to wait.

It was no surprise that Mansholt enthusiastically welcomed the prospect of a second application for membership.[84] By 1967, Mansholt had little to fear from enlargement. The CAP was firmly in place, and it was highly improbable that the entry of three, or possibly four, new countries would change the fundamentals of the Commission's flagship policy. The Agriculture Commissioner's motives for supporting enlargement were largely political, believing, as did the United States and others, that enlargement to include Britain would significantly weaken French power in the Community. London had to accept the existing arrangements for funding the agricultural levy system, which were due for renegotiation in 1969. He went so far as to argue that, even if Britain was not a member of the EEC by then, its participation in these CAP talks was essential.[85] He was certainly hopeful that Britain would be a member before the CAP finance question had to be examined before the end of 1969. By early January 1967, the Agriculture Commissioner hoped that a second round of enlargement negotiations would not be as rigid as the 1961–1963 talks. However, Rey disagreed with his colleague's assessment; he did not believe enlargement negotiations

would be opened immediately between Britain and the six, and thought it was unlikely that Britain, as a non-EEC member, would be invited to the CAP talks.[86] The Belgian Commissioner's views were similar to those later expressed by de Gaulle, who told Wilson that Britain would be unable to accept the Community's regulations.[87] Many senior officials in the Commission also disagreed with Mansholt's views on the British question. For example, Karl-Heinz Narjes, Hallstein's long-serving *chef de cabinet*, did not believe Wilson would accept the supranational elements of the Community and was '*très négatif*' about the outcome of Wilson's proposed tour of the EEC.[88] Moreover, Mansholt had told Kohnstamm that Hallstein was not in favour of allowing the British voting rights in the Commission or in the Council until after the transition period had expired and was firmly against giving non-Community actors a voice in discussions on financing of the CAP.[89] While it would be unwise to conclude that the weight of opinion in the Commission was firmly against a second British application, it was clear that the Brussels institution was far from united on many aspects of the enlargement question.

For enlargement to proceed, French backing was vital. Each member state held the power of veto, although the only country likely to use this power was France. Since the 1963 veto, Anglo-French relations had slightly improved, as demonstrated by the agreement to build Concorde together. As Anthony Adamthwaite points out, on the French side, there were severe limitations on the development of a foreign policy that would promote *entente* with Britain.[90] The biggest obstacle to this was General de Gaulle himself; it was widely acknowledged that he decided France's foreign policy, not the government or his prime minister. Even if Pompidou, and his predecessor Michel Debré, were open to British membership as a counterweight to what they perceived as an increase in German power, they were too loyal to go against the will of the General. The continuity of French policy towards the British was further evidenced by the longevity of the key officials in the French foreign ministry. Couve de Murville, for example, was one of Western Europe's longest-serving post-war foreign ministers during a period (1958–1968) in which he saw five British foreign secretaries come and go.[91] In many ways, nothing had changed during the previous three years, with old prejudices holding strong. The challenge for Wilson would be to succeed where Macmillan had failed and convince de Gaulle that British membership was not a threat to France's influence in the EEC.

Paris was the second capital on Wilson's tour. The meeting with de Gaulle did not give the British application the boost it needed. Indeed, most of this meeting focused on the General, who argued against enlargement and, in particular, British membership.[92] On returning to London, the Prime Minister told his cabinet colleagues that in terms of 'personal relationships' the meeting had gone 'well'.[93] There was little else to report. The stark reality was that de Gaulle's attitude to British membership of the Community had

not changed and that he continued to prefer a Common Market without London. Despite the uninspiring signs from Paris, London decided to press ahead with a new application. Brown was conscious that the Community institutions closed down for some of the summer, and therefore a move in May was vital if something was to be achieved before the holiday period.[94]

On 12 May 1967, the British government wrote to the Council requesting membership of the Common Market.[95] Whatever the private divisions within the British cabinet, the prevailing mood in Downing Street was in favour of a second attempt.[96] The application was well received in the Community. The editorial of *Agence Europe* commented: '*La demande britannique d'adhésion aux Communautés est un événement historique qui doit être accueilli comme il se doit, c'est-à-dire avec satisfaction, avec sérénité, et avec gravité*'.[97] The application was followed closely by similar membership requests from Denmark and Ireland.[98] Norway's delayed application was, according to Hans Otto Frøland, the result of a deliberate choice, 'and what appeared to be paralysis was a policy of no-decision'.[99] However, before the Council had an opportunity to discuss the application or ask the Commission to prepare its 'Opinion', the French President intervened. Unlike the first attempt at enlargement, which resulted in 15 months of negotiations before he vetoed the process, de Gaulle decided at the outset to make his objections clear. In one of his meticulously planned press conferences on 16 May, he cast serious doubt on the strength of the British economy and its membership of the Community.[100] He attacked Britain's last relic of empire, the pound sterling, arguing that its position as an international currency prevented the Common Market from incorporating Britain as a member. He argued that it was the monetary parity and solidarity of the mark, the lire, the florin, the Belgian franc, and the French franc, the currencies of the Community, that allowed the EEC to work so well. The only way in which Britain would be allowed to enter the Community would be if the pound were to appear one day in a new situation, with its future value assured. Britain also had to free the pound from its role of a reserve currency and reduce the country's deficit within the sterling area.[101] In the light of these criticisms, the General ruled out the use of the veto, no doubt in the hope that his objections to British membership would be enough to strangle the application at birth.[102]

Reaction to de Gaulle's press conference did not occasion the same level of hostility that had arisen after his January 1963 veto. He had raised similar issues with Wilson at their meeting the previous January, and it was widely believed that his views on the enlargement question had not changed considerably since 1963. Rey gave a resounding 'Yes' when privately asked by American officials whether Britain would enter the Common Market.[103] He argued that de Gaulle's press conference was designed to delay the admission of new members, especially Britain. He believed that the procedure under Article 237 of the Treaty of Rome would be followed. If the Council requested the opinion of the Commission on the enlargement question, Rey stressed

that 'the Commission will undoubtedly take the position that it must talk to the British'.[104] He doubted that France would use a veto. Rey's optimism was typical of the discourse that existed during Commission meetings with Americans. At various meetings between Brussels and Washington since the early 1960s, the Commission, with the possible exception of Hallstein, had expressed support for British membership, encouraged discussions between London and the six, and downplayed the significance of France's opposition to enlargement. However, Rey's tone was different from the one used by Hallstein. The Belgian Commissioner did not pepper his comments to the United States with 'ifs' and 'buts', set conditions, or express fear over the impact that British membership would have on the way the Community worked. Hallstein was a master of at once supporting enlargement and raising doubts about the timing of membership negotiations. Rey's comment on the likely conclusions in the *avis* was another example of the shift in position being adopted by the incoming Commission President.

Despite de Gaulle's position on the enlargement question, the Council pressed ahead with an examination of the British application, along with the applications from Ireland and Denmark. For the Commission, the second attempt at enlargement greatly added to its burden of work. Not only was the Community faced with the merger of the three executives – the EEC, European Coal and Steel Community (ECSC), and EURATOM – but a new Commission was taking up office in Brussels, headed by Rey. The executives of the three Communities were being merged together by virtue of the Treaty providing for the fusion signed on 5 April 1965 and scheduled to come into effect on 1 July 1967. In January 1966, the member states had been unable to decide on the individuals to be appointed to the newly merged Commission for the four-year period. The Hallstein Commission was, therefore, not holding office by virtue of the appointment by governments for a period of four years, but was working under Article 159 of the Rome Treaty, and thereby remained in office until provision was made for its replacement. The Commission, therefore, existed to some extent under the shadow of the impending fusion of the three executives. Hallstein resigned before the merger took place, and with this ended a messy debate among the member states over the exact timing of his departure, insisted upon by de Gaulle.[105] Marjolin announced on 18 May that he too would not be part of the new Commission, citing personal reasons. Of the new 14-member Commission, six were from the Hallstein executive (Rey, Mansholt, Guido Colonna, Lionello Levi Sandri, Henri Rochereau, and von der Groeben) while the remainder were recruited from the executives of the ECSC and EURATOM or new appointees such as Jean-François Deniau.[106] It was against this backdrop of activity in the Commission, and in light of de Gaulle's comments, that the Council, at its meeting on 5 June, requested the Commission to produce an *avis* on the implications for the EEC of enlargement. Rey promised a thorough examination as well as to reflect the view of the member states

and the attitude of the applicants.[107] Finding a balance among the various opinions was never going to be an easy task for the new Commission.

The state of the British economy had been the source of much debate towards the end of 1966 and throughout the first half of 1967. It was a problem that could not easily be ignored. Members of the Commission responsible for economic and monetary issues, such as Raymond Barre, a brilliant French economist who succeeded Marjolin as the Commissioner responsible for economic and financial affairs, were well aware of the economic crisis in Britain. In March, before he left office, Hallstein had warned British diplomats in Brussels that London's balance of payments problem caused him a great deal of concern and might affect the membership negotiations.[108] Marjolin, too, voiced similar concerns to his colleagues on his return from a trip to London that same month. During this visit, the French Commissioner told Marjoribanks that he could not disarm the Community's fears by merely pointing to a surplus at the end of 1967, while stressing that no one would believe Britain could continue indefinitely with an unemployment figure of 700,000.[109] For Marjolin, Britain had to present evidence of a credible programme that permitted a reasonable expansion in productivity over a three to four-year period.

The Commission spent the summer of 1967 working on its *avis*. Each of the Commissioners examined ways in which enlargement would affect the Community. The process of gathering the information and liaising with the services of the Commission was coordinated by Axel Herbst, Director-General of the Directorate for External Relations.[110] A great deal of preparatory work had been done during the first enlargement round in 1961–1963. The main issues had not changed greatly during the interim period, so Commission officials were able to draw on material from the failed Brussels negotiations. By mid-July, the general layout of the *avis* had been developed.[111] The first part would deal with an examination of the problems posed to the EEC's overall development, while the second section covered the more specific problems associated with Britain's application. This second section focused on the CAP and monetary problems (politicised after the General's press conference), Commonwealth relations, the EFTA, and the effects of British membership on the ECSC and EURATOM.

Unsurprisingly, the three applicants actively lobbied the Commission and individual Commissioners over the content of the *avis*. British, Danish, and Irish government ministers made 'courtesy' calls to Brussels in July.[112] The Danish government, for example, sent the Commission a report outlining its support for the Treaty of Rome and the positions it would adopt during the enlargement negotiations.[113] George Brown had made a high-level appeal to the Community, via a speech to the WEU, soon after the new Commission took up office in early July. In it, he stressed that his government was prepared to accept the Treaty of Rome, the CAP, and the CET.[114] Lobbying by British officials became even more necessary in light of the second

failed summit meeting between Wilson and de Gaulle on 19 June, when the British leader had 'failed to elicit a change in de Gaulle's attitude'.[115] The Commission was clearly conscious of the coolness that existed between Paris and London, and was thoroughly aware of de Gaulle's arguments against British membership. During the preparation of the *avis*, it is remarkable how little debate was recorded in the Commission's archival material over the enlargement question and Anglo-French relations in particular. The archival material paints a picture of a rather harmonious institution, with no evidence of disagreements between the Commissioners. Indeed, during a discussion on the *avis* in mid-July, the Commission adopted, '*sans modification*', the section on economic and monetary issues and the analysis of the Commonwealth problems.[116]

The *Avis de la Commission* was presented to the Council on 29 September and its contents were leaked soon after to the media and national delegations.[117] At the outset, perhaps conscious of the drama that would follow, the Commission overemphasised that this was a preliminary report. The preamble to the *avis* added that only when concrete solutions to problems 'come in sight towards the end of negotiations, can the Commission deliver a definite statement'.[118] In general, the *avis* stressed that the Community was faced with a choice of major importance on which the future of the economic and – in the long term – the political relations between European states depended.[119] While acknowledging that enlargement carried with it a number of risks, particularly the risk of weakening the cohesion of the Community, the Commission believed that unquestionably the EEC had to accept certain risks when an undertaking of this importance – the achievement of European unification – was to be attempted. It stated: 'Today, belonging to the Communities necessarily means accepting not only their original charters – the Treaties – but also the objectives of political unification affirmed by the preambles to the treaties of Paris and Rome'.[120] Added to this, the Commission noted that new members had to accept the *acquis*, and decisions taken since the Treaties were adopted: 'It would be impossible and illusory to call them into question'.[121] Moreover, echoing the 1961 position of its predecessor, the Rey Commission emphasised that the Communities' internal integration and development would not be put on hold or slowed down during the period of negotiations. As an example, the Commission recalled that important decisions were taken during the previous accession negotiations, especially those relating to the CAP. Commissioner Martino was chiefly responsible for these comments, which were a direct response to Brown's call, during his WEU speech, for '*un* "standstill" *d'un an*'.[122] The *avis* qualified these comments by pushing for negotiations to be held as quickly as possible. Britain's accession, the Commission believed, although it would bring great change to the Community, would not modify its fundamental objectives. This was another marked change in the Commission's attitude to the enlargement question since the beginning of the decade. In 1961,

Hallstein had given implicit warnings about the impact that British membership would have on the Community's institutions.[123] The Rey Commission had changed its mind on this issue.[124] As a result, the *avis* made no mention of the institutional implications. Nor were there any concerns expressed in the Commission regarding Britain's opposition to supranationalism, another point frequently made by Hallstein years earlier.

However, the *avis* was not an equivocal endorsement of EEC enlargement. Under the heading of economic and financial problems, largely prepared by Barre, the Commission stated that the disequilibria affecting the British economy were such as to put serious difficulties in the way of fulfilment of the normal obligations that would be entailed by joining the Community and complying with the Treaties and the *acquis*.[125] In any case, adaptation was necessary. Moreover, the Commission stressed: 'It is for the British authorities to decide on the steps they have to take'.[126] It noted that improvements in the British economy had not been maintained heading into 1967, when the British balance of payments situation deteriorated in the first and second financial quarters, with a basic deficit of the order of £39 million in the first quarter and of £120 million in the second.[127] During the summer months, the information reaching the Commission suggested that the payments situation was deteriorating further and that the forecast for the full year 1967 showed that the payments balance would again show a deficit. Fluctuations within the sterling balances were another source of concern.[128] Monetary officials within the Commission believed that the sterling balances constituted a factor of disequilibrium and a source of difficulty for the Community if Britain were to join. In a final analysis, the Commission stated: 'in view of these considerations, it is clear that the accession of the United Kingdom to the Community would raise economic and financial problems which will have to be examined in depth'.[129] These comments immediately produced a negative reaction from Whitehall and in large sections of the British media.[130] The British government, according to Catherine Schenk, did not consider sterling to be a European issue, but, at the other end of the debate, the EEC did not agree that the future of sterling could be sidelined in the accession negotiations.[131] For the Community, and especially the French and some Commissioners, a solution to the future of sterling was a prerequisite for British membership.[132] Schenk, therefore, viewed the *avis* as being 'highly critical' of the British application and showed the Commission siding publicly with France's view that the weakness of sterling, and the potential volatility of the sterling balances, was indeed an obstacle to British accession.[133]

The Commission attempted to juggle two competing Community viewpoints. The *avis* offered something to both the supporters of the enlargement and those who wished to keep Britain out. For the five, the Commission urged the immediate opening of negotiations with the four applicants.[134] France's EEC partners had been arguing for this, and it was a position that

had changed little from the early 1960s. Nevertheless, the French government had been raising the issue of Britain's balance of payments crisis for over a year and had serious reservations about the role of sterling. To exclude these concerns from its analysis would no doubt have incurred the wrath of de Gaulle, and would have been a dereliction of its duty, since sterling was a genuine problem, and it would have been dishonest of the Commission to sweep the issue under the carpet.

The Commission, and especially Barre, came under strong attack in early October. Headlines in many of the widely read newspapers, especially in Britain, ranged from mild to extreme criticism of the Commission with allegations of French collusion in writing the *avis*. So heated had the discussion become that Bino Olivi, Commission spokesman, labelled as 'complete nonsense and irresponsible distortion' a report in the *Daily Telegraph* claiming that Barre and Deniau, the two French Commissioners, had injected highly partisan material about Britain's economy into the *avis* on the instructions of General de Gaulle.[135] Olivi stressed that he had been present throughout all the Commission meetings leading to the adoption of the report. As *Le Soir* noted, '*L'accusation est d'une gravité extrême*'.[136] Walter Farr, writing in the *Telegraph*, led with the story that the *avis* had been 'vetted' by de Gaulle prior to its submission to the Council and that the General had asked the French Commissioners to 'inject critical references to the British economy and the pound'.[137] His story was based on information from German sources in COREPER. The *Sunday Telegraph* focused on the 'enigmatic M. Barre', the Commissioner 'cast in the mildly sinister role of the assassin of Britain's case for membership of the Common Market'.[138] The paper claimed that Barre was responsible for 'that savage, against-the-grain chapter in the EEC's report on the British application'.[139] Some newspapers adopted a more positive line, arguing that the report belonged neither to the European technocrats nor to national bureaucrats but to the European public.[140] It was no secret that Barre took a leading role in drawing up the chapter on Britain's economic problems. The *Times* argued that it was no reflection on Barre, a distinguished economist, to reflect something of his national training and background in his ideas – 'it could hardly be otherwise'.[141]

It was highly unusual for the Commission to go to such lengths to deny a newspaper story. But this was no ordinary reporting on a Commission document. Newspaper articles challenged the very basis of policy-making in the Commission, and, more importantly, they questioned the institution's independence. On 11 October, in an unprecedented move, the Commission issued a press *communiqué* that defended both the *avis* and the College of Commissioners. Written by Rey's *cabinet* and approved by the Commission, it declared:

> *La Commission des Communautés Européennes vient de rendre public l'avis qu'elle a adressé au Conseil de Ministres, au sujet de l'élargissement des*

> *Communautés. Elle tient, en présence de certains commentaires, à rappeler que cet avis a fait l'objet de longues études préparatoires dans les divers services de la Commission et de discussions très approfondies entre tous les Membres de celle-ci. Il est le résultat d'un travail collégial, élaboré en pleine indépendance et adopté à l'unanimité.*[142]

Both Rey and Martino insisted that the *avis* had been agreed and approved by all 14 Commissioners. The document became a lightning rod for those opposed to British membership. Speaking at a Council meeting in late October, Couve de Murville again reiterated his country's opposition to British membership, and both the Germans and the Dutch seem to have regarded Couve's stance as a *de facto* veto.[143] De Gaulle's long-serving foreign minister paid particular attention to the controversial aspects of the *avis* to further the French case against opening negotiations. Words such as '*la déception et la frustration*' were used by Commission officials in London to describe Whitehall's reaction to Couve's speech.[144] Two weeks later, a British cabinet minister was reported to have made veiled threats at an EFTA meeting in Geneva on the consequences for the six if France vetoed the British application.[145] In many ways, the *avis* served to heighten existing tensions between the British and French governments. Though supportive of enlargement, Rey spent most of October staunchly defending the Commission against charges of national interference in its functions while, almost with the same breath, stressing the collegiality of the Commission's policy-making process.

While nothing of substance occurred in the weeks immediately after the end of the October Council meeting, events took a dramatic turn in mid-November. The pressure on the pound sterling throughout 1967 eventually forced Wilson to devalue the currency on 18 November, in what the *Economist* described as a 'botched, panic-stricken flight from an overwhelmed parity'.[146] At a Council meeting three days later, Barre presented an analysis of the Commission's views on the British devaluation.[147] He focused exclusively on the implications for the Community and the international financial systems. It was only when Amintore Fanfani, Italian Foreign Minister, spoke after the French Commissioner that the issue of British membership arose and dominated the remainder of the meeting. In the 68 pages of minutes from this meeting, Barre made no reference to the implications of devaluation for Britain's EEC membership. Instead, he spoke of the unity among the six during a time of monetary crisis and of the importance of working together as a group. The political debate continued among the six, but no solutions emerged about how to get the enlargement negotiations started. Less than two weeks later, this deadlock was broken.

On 27 November, de Gaulle took advantage of Britain's economic woes. At a press conference in Paris, he said:

> The Common Market, finally, is incompatible with the state of sterling – as revealed again by the devaluation and by the loans which proceeded and accompanied it. Moreover, in view of the pound's position as an international currency and the enormous external balances which weigh it down, the state of sterling would not allow it at present to become part of the solid, interdependent, and assured society in which the franc, the mark, the lira, the Belgian franc, and the guilder are joined.[148]

The focus of the attack was sterling. As Parr notes, 'devaluation supplied unequivocal evidence of Britain's political and economic weakness,' which encouraged de Gaulle 'to advance his public rebuttal'.[149] He had issued a veto, yet Wilson remained defiant. The British government would not withdraw its application, and so the issue dragged on into December. Parr argues that keeping the application active was part of Wilson's long-term strategy. Even if, as some had expected, the French President vetoed the British bid for membership, Wilson would leave the application sitting on the Council's table indefinitely. While Parr presents convincing evidence to support this claim, the success of this strategy, if indeed there was one, rested primarily on the continued support of the five and the Commission. In the aftermath of the 1963 veto, much to the dismay of the British, the Americans and some of the member states, the unity of the five did not hold, and, within months, the British question was off the Community's agenda. It was a high-risk assumption for Wilson to think the five would oppose the will of the General. The final weeks of 1967, and especially the Council meeting scheduled for 18 December, would set the scene for the months ahead.

Heures décisives pour l'Europe?[150]

In scenes similar to those after the 1963 veto, there was renewed talk in the Community and London on the question of associate membership for Britain. By the first week of December, Lord Chalfont, British Minister of State for Foreign Affairs, firmly rejected the idea. Any negotiations between Britain and the Community, he argued, 'must be directed towards full membership'.[151] Rey echoed these comments at a Council meeting four days later. Ruling out association, he stressed: '*le Gouvernement de Londres n'a pas de sympathie pour la recherche d'une solution dans la voie de l'association avec la Communauté*'.[152] The outcome of the 18–19 December Council meeting was ambiguous. There was a clear difference of opinion among the member states, and emotions were running high.[153] Of the Community actors, the Commission sided with the five in support of the opening of enlargement negotiations with the four applicants. France stood alone in opposition. The *communiqué* issued by the six stated that they could not reach agreement on the enlargement issue, and, therefore, in the future another examination of the possibility of enlargement would take place.[154] Both Monnet and Fanfani declared that the Council's decision was '*une grave erreur politique*'.[155]

The year 1967 ended 'on an emotional and potentially worrying note' for the Community.[156] The Commission had come off the fence and taken the side of the five in supporting enlargement. This was a significant policy change since 1963. While the position of the five had remained relatively stable since 1961 on the British question, the most notable change was the position adopted by the Commission, an institution whose 180-degree turn concluded that enlargement was a necessary development for the Common Market. By 1967, the Commission had little to fear from expansion, and de Gaulle was looking increasingly isolated. The aim for Rey was to ensure that, when, not if, the enlargement talks eventually opened, the Commission had to have a front-row seat to influence the outcome and with a watchful eye on guarding the *acquis*.

4
Ireland and the Policy of Failure

Chapter 4 explores the European Commission's relations with the Irish government from the breakdown of the Brussels negotiations in January 1963 through to Ireland's second application for EEC membership in May 1967. The period witnessed a flurry of activity between the Commission and Dublin as Ireland attempted to secure interim trade deals with the six in the absence of Community membership. The chapter examines the role played by the Commission in Dublin's foreign and economic policy formulation during this period. It sheds new light on the early initiatives taken by the Irish government in the period after the 1963 veto aimed directly at the Commission. The chapter assesses how the Commission responded within the overall enlargement debate, and contrasts these efforts with the way in which other applicants pursued their own European policy. It also highlights the limits of the Commission's influence over policy areas not bound to the founding treaties.

'Time to allow tempers to cool'

Ireland's first application for membership ended alongside those of Britain, Denmark, and Norway in January 1963. De Gaulle did not refer specifically to Ireland in his press conference; instead, he focused his attack on the British application. Ireland was not, as some have argued, excluded from membership of the Community because of the French veto.[1] However, the economic, and indeed political, reality meant that it was pointless to pursue its application when Britain remained outside the EEC indefinitely. Moreover, while economic links with Britain played a key role in determining the fate of the Irish application, in the immediate post-veto period no serious attempt was undertaken by Dublin to pursue an independent application, and such an alternative was never seen as a viable option by Irish policy-makers. On 30 January 1963, Taoiseach Seán Lemass said he deeply regretted the situation that had arisen in Brussels with the suspension of the enlargement negotiations.[2] He acknowledged in a speech to the Dáil

that reconsideration of 'our application for membership of the Community is inevitable'.[3] However, he remained upbeat, declaring that the government would continue to 'prepare and plan for our entry to an enlarged Community, taking every step that will further this objective and avoiding any that might make it more difficult to attain'.[4] This was to be his guiding maxim for the remainder of his time in office. In contrast to Britain, both Ireland's domestic and foreign policy considerations remained fixed on eventual membership of the EEC, despite the French veto.

The British and the Danes had renewed contacts with the Commission earlier than the Irish following the veto.[5] This was partly due to advice from Frank Biggar, head of the Irish mission to the Community. On 1 February, he pushed for a policy of 'wait and see', and advised the government to avoid statements or actions on the breakdown; it was widely believed that the Community would continue, but with greatly reduced dynamism.[6] He added that there were no grounds for believing that negotiations with Britain would resume in the near future. Denmark and Norway, he believed, were definitely not pursuing their applications. What was needed was 'time to allow tempers to cool and patient diplomacy to get under way again'.[7] It was on the basis of this information that the Committee of Secretaries – a powerful group of policy-makers made up of the heads of the four main government departments (Finance, External Affairs, Agriculture, and Industry and Commerce) – advised its European embassies. Dublin stressed: 'We do not wish you to make direct official approaches but rather to glean all possible information through social contacts etc'.[8] The instruction contained a special message for Biggar in Brussels, stating: 'This of course means that you should not make official enquiry to the Commission about our application. You will appreciate importance maximum information as basis for new policy here'.[9] In the immediate aftermath of the veto, Dublin was pursuing the diplomatic strategy of dignified calm. Due largely to the uncertainty over the future of the Common Market, this seemed like a sensible policy to adopt.

The Irish government's 'wait and see' policy was followed into the summer of 1963. It was not until September that the Department of Finance thought it wise for further thought to be given to the possibility of establishing an interim link with the EEC, which would: 'Assure us some degree of preferential treatment in the matter of access for our exports to the Community without damaging repercussions on our present trading relations with Britain'.[10] The idea of an interim trade link with the Community was based on Turkey's associate membership of the Common Market.[11] The Department of Finance viewed this agreement as being of particular relevance for Dublin because, unlike the Greek association model, the Turkish agreement granted preferential trading concessions during a preparatory phase without imposing any corresponding obligations on Ankara. Dublin believed a similar deal with the Community held out the possibility of some measure

of preferential access to the Common Market for Irish agricultural exports either by way of quotas or by the application of levies at the lower intra-Community level. This policy approach did not find favour with other policy-makers. J. C. Nagle, Secretary of the Department of Agriculture, voiced his concern, highlighting two elements of the Turkish–EEC arrangement that made it an 'unsuitable headline for us to follow, i.e. association and underdevelopment'.[12] He made clear that Ireland was not as underdeveloped as Turkey and, therefore, it was not in Ireland's interest to approach the Commission on similar grounds. It was recalled in Chapter 2 that Greece, Ireland, and Turkey were closely associated during the FTA negotiations during the late 1950s, but it was clear that Nagle wanted to put some distance between that episode and Ireland's continued interest in EEC membership. He feared, perhaps rightly, that a negative impression would be created within Community circles that would imply that Ireland was an economic liability. Nagle added that seeking such an arrangement would 'be tantamount to putting ourselves back in the underdeveloped class, whereas we have, in the past few years, taken the line that we are more in the Denmark-Norway category'.[13] Instead, Agriculture wanted a continuation of the 'wait and see' policy. To have applied for association – especially at a time when Britain, Denmark, and Norway had rejected this option – would have proved the doubters in Brussels correct.

However, Finance was adamant that something had to be done about Ireland's relations with the Community. Six months had passed since the breakdown of negotiations, and Dublin's counterparts in London and Copenhagen had already renewed contacts with the Commission. From July onwards, the Irish mission in Brussels took tentative steps towards the Commission and the Council.[14] In July, Biggar held meetings with Spaak, Antonio Venturini, Italian permanent representative, and Hans Tabor, Denmark's EEC ambassador. At each meeting, he stressed that Ireland's economic progress was grounded on eventual EEC membership.[15] The aim of these meetings was to look for some signs from the Community side that would indicate that, although membership was not possible as a short-term goal, it was a real possibility for the future. Such a public pronouncement from the Community to the Irish public would give Lemass the ammunition he needed to keep the industrial development drive alive. During his meeting with Tabor, Biggar discovered that the Danes were seeking regular meetings with the Community, and with the Commission in particular.[16] At this stage, it was not clear what Biggar or policy-makers in Dublin had in mind regarding a new approach. They clearly realised that, if the Danes were speaking with the Commission and certain member states, then Ireland would have to do the same. Moreover, the archival evidence shows that the Commission made no direct contact with the Irish government throughout this period. Even though they maintained links with the British, the priority accorded to Dublin by Hallstein and his colleagues was negligible. As the previous

chapter argued, the Commission President had quickly turned his attention away from the enlargement question and towards the internal work of the Community immediately after the veto. It was, therefore, the responsibility of the applicants to keep open the channels of communication with the Community institutions.

Sympathy but little else

By October 1963, the Irish government had reformulated its EEC policy by proposing a schedule of meetings between the government and the Commission.[17] The first formal meeting between the two took place on 29 November. The Commission's Directorate-General for External Relations did a good deal of preparatory work in advance of the meeting. Officials examined the state of the Irish economy, its attitude to tariffs and trade, and its position towards the Treaty of Rome.[18] To show the seriousness with which Dublin regarded this meeting, the Irish delegation consisted not only of Frank Aiken, Minister for External Affairs, but the country's most senior policy-makers, including Ken Whitaker, head of the civil service. Rey and Mansholt, along with their officials, represented the Commission. During the meeting, Rey expressed his satisfaction at the initiative shown by Dublin in renewing the contacts within the Community.[19] In his turn, Aiken noted that the breakdown of negotiations had been a great disappointment not just to his government but also to the Irish people. This setback was, he hoped, no more than 'a temporary disruption' of the movement towards European unity.[20] Aiken added that Community membership remained a guiding principle in Ireland's economic policy and added that 'our economic and social policies should be consistent with the objectives of membership of the Community'.[21] In addition, he stressed that, in order to achieve this, occasional meetings 'as and when convenient' between the Commission and Dublin would be important.[22]

The meeting itself was dominated by a discussion of agricultural exports to the Community. Nagle stressed that cattle and beef were important not only to Ireland's agricultural sector but also to its economy generally. Until EEC membership became a reality, Ireland hoped to see its exports to the Community area continue and, where possible, see an increase. In a more subtle move, Nagle stated that it had been suggested (in reports reaching Dublin from its foreign embassies) that other countries (Denmark in particular) were anxious to discuss the possibility of special arrangements for the export of cattle and beef to the EEC. If any such arrangements were being contemplated, Nagle expected the Community to look favourably on Ireland's position not only as an exporter of these commodities but also as an applicant for membership. The Danes had made a similar request a month earlier when they asked the Commission to consider their agricultural interests when making decisions on the CAP.[23] Conscious that the

Irish delegation were aware of Denmark's discussions with the Community, Mansholt admitted that Denmark had asked for a tariff quota with reduced levies for a certain quantity of cattle exports to the Common Market based on an existing Danish export treaty with Germany, which was due to expire at the end of 1965. The issue would be discussed in the Council when the draft regulation for beef was ready. The Commission was, he stressed, not in favour of quota arrangements, with an implicit suggestion that it was powerless to prevent them.[24] He promised that, if any special arrangement was made with Denmark, Ireland would be treated similarly. The Commission may not have liked the German–Danish agreement, but it had little power over it, nor could it prevent its extension. The Commission only had competence over new trade agreements that involved the member states, and Germany had a long-standing import treaty with Denmark. On the trade issue, the Danes had quickly abandoned intensive lobbying of the Commission, realising that the Commission would not offer preferential treatment to third countries, and as a result ended formal meetings on the subject. Yet, Ireland persisted, believing that the Commission was an important actor in its quest for an interim trade agreement prior to membership. Rey dampened those hopes, making clear that any special arrangements for Ireland would have to come under the terms of GATT; he emphasised that the Community was 'debarred by the GATT rules from granting preferential treatment'.[25] This response was somewhat disingenuous, given the frequency with which the Community would flout such rules and grant preferential treatment to its 'near abroad'. Rey suggested that representatives from both sides should meet at expert level for a *tour d'horizon* to examine what was possible. This offer at least represented half of what Aiken had requested.

By the end of 1963, the Community's agreement on the CAP was seen as the final confirmation that the first veto crisis was over. At the same time, the six were near agreement on the organisation of the internal market for beef and veal. This included provision for the import from Denmark to Germany of 16,000 head of cattle during the 'off-the-grass' season in 1964 and 1965. It also made provision for dairy products regulation.[26] These decisions sowed the seeds for future discord between Dublin and the Brussels institutions throughout 1964 and 1965. As Denis Maher points out, such arrangements would have been regarded as satisfactory if Ireland had been a member of the Community.[27] Instead, the Irish government took particular exception to Denmark's beef deal. Though much smaller than that enjoyed by Denmark, German–Irish trade had an important impact on Irish market prices, particularly for certain grades of cattle and beef, and was, therefore, of economic significance. For a number of years after the Treaty of Rome came into effect, this trade had been regulated by a quota system under the German–Irish Trade Agreement, the last such quota having been established for the three-year period that ended on 31 December 1963. The value of the quota was 20 million deutschmarks.[28] Ireland did not seek to renew

these arrangements in the expectation that, in accordance with the basic principles of the Treaty of Rome, bilateral quotas would be abolished in 1964, and a non-discriminatory import regime substituted for third countries like Ireland and Denmark. Dublin anticipated that, as a country which had liberalised the bulk of its trade towards the Community, and had in no way discriminated against it, Ireland would be given equivalent treatment for its small export trade in cattle and beef. In March 1964, the Commission received the second *aide mémoire* from Dublin making this case clear.[29] The government argued that the common tariff on fresh mutton and lamb should be reduced by 50 per cent, and that the Council should recommend to the member states that, in drawing up import arrangements for mutton and lamb and other commodities not subject to Community market organisation, account should be taken of the special position of Ireland.[30] This was asking a lot. Policy-makers in Dublin were seeking a review by the Community of these decisions in light of the principles of non-discrimination designed by the institutions themselves. There was a certain amount of naivety in Ireland's decision not to push for a renewal of its trade deal with Germany in 1963. Its diplomatic sources in Copenhagen should have informed Dublin of Denmark's intentions to maintain its agreement with Germany. Moreover, it showed that the Danes managed to circumvent such rules with some success and without significant opposition from the Commission or Germany's Community colleagues in the Council. Of course, the Danish agreement lasted two years longer than the Irish deal, and as such had a stronger justification for compensatory mechanisms arranged at the end of 1963 than an Irish deal which was due to expire at the same time. Ireland's readiness to allow its treaty to lapse may have reflected an Irish failure to properly understand how to negotiate in Brussels and to identify the important actors.

On 13 March, Irish officials met with the Commission's Agriculture Directorate, chaired by Louis Rabot. The meeting was devoted almost wholly to the question of agriculture.[31] On the Irish side, Nagle reiterated the points which he had put forward at the November meeting with Rey and Mansholt, restating that the EEC should remain non-discriminatory *vis-à-vis* third countries, and requested that Ireland be granted parallel treatment to that given to Denmark. He also dealt with the imbalance in Irish trade with the Community, the liberality of Ireland's import regime, and the rapid rise in imports from the Community. He put forward the suggestion for a concession on mutton and lamb as a contribution towards increasing Irish exports to the Community that would help justify Ireland's tariff reductions to the Irish public. Rabot, whose views on trade relations with third countries were very similar to Mansholt's, again stressed that the Danish agreement with Germany was a special situation involving a long-term contract until 1965, and that the decisions in its favour would terminate that year. This confirms the point made above about the vital difference between a deal ending

in 1963 and a deal ending in 1965. If the Danes had obtained very special and temporary concessions, this was only on the express condition that these would end in 1965. Rabot added that it was a moot question whether the *acquis* had precedence over bilateral agreements. The Commission was concerned to ensure that the exceptional Danish agreement 'should not be considered a precedent for new discriminatory practices – this would lead to the downfall of the Community's agricultural policy'.[32] Frankly, Rabot did not see much hope that the concessions could be repeated. Ireland did not have the claim which the Danes had, nor was Ireland in a position to exert pressure on Germany. In addition, this would suggest that Germany was indeed pressing Denmark's case within the EEC. The question of principle aside, Ireland was assured that in practice it was unlikely to suffer any economic loss. The member states were having difficulty with beef production; there was a large deficit and even the French were looking for beef. Though this may have been the case, for Ireland, it was as much about exports as it was about the principle of the concession to the Danes and the public perception that it created in Ireland. Notwithstanding the fact that the Danish deal was a long-standing one, Dublin felt aggrieved. Biggar stressed repeatedly that it was a matter 'of great public importance in Ireland that we should be seen to have the same treatment as Denmark'.[33] While this was a useful discussion that allowed the Irish to air its views, there was very little that their Commission hosts were willing to do, other than consider the points made at the meeting and send Dublin a reply. This meeting and the *aide mémoire* are significant. They showed that Ireland was closely monitoring Community developments, while the Danish agreement served as a wakeup call to policy-makers in Dublin concerned with increasing Ireland's agricultural exports in the absence of Community membership. More importantly for the Commission, it showed how limited its influence was to grant even the slightest hope of concessions, arguing that these were outside its remit. The Commission regretted having had to allow the Danes special treatment. Its priorities were, understandably, to maintain the integrity of the new CAP, and to avoid having its flagship policy undercut by too many parallel special deals.

The Commission and the six did not regard Ireland's economic anxieties as being of prime importance. This was reflected in the length of time they took to reply to the Irish delegation's questions from the March meeting. It was not until the end of September that Biggar received the Commission's response addressing Ireland's economic concerns. In a three-page letter, Axel Herbst, the Commission's top official at DG External Relations, noted that, after a new and careful examination of the situation, the Commission's position on preferential trade arrangements had not changed from the meeting in March. With reference to the Danish case, Herbst stressed, 'the Council decision regarding commercial exchanges between Denmark and the Federal Republic is quite exceptional and its validity has been limited to the expiry

of the commercial agreement in force'.[34] Again putting the issue of principle aside, the Commission noted that, in its opinion, exports from Ireland to the Community would not be affected because of the measures approved in the case of imports from Denmark. The suppression of all quantitative restrictions decided by the Council in the beef sector, on the one hand, and the foreseeable increase in consumption of this product within the Community, on the other hand, would enable Irish exports at least to be maintained regardless of the juridical position affecting trade between Denmark and the Federal Republic. If there was a noticeable reduction in Irish exports to the Community, the Commission promised to re-examine possible solutions with Irish officials, but would provide no further guarantees. Herbst also made reference to the Community's involvement in the GATT negotiations as a further reason behind its decision not to grant any preferential treatment through bilateral arrangements. This was not the response Dublin had hoped for and expected: 'When it [the Commission's reply] did come – it was, on the subject of agricultural products, wholly negative, and, on the subject of industrial products, wholly silent'.[35] Donal O'Sullivan at the Department of External Affairs described the atmosphere with a note of dejection, saying: 'to be quite realistic, all we have to complain about on the agricultural side at present is that there has been discrimination in favour of the Danes'.[36] At the end of 1964, there was a sense of acceptance in Dublin that very little was possible in their drive to gain concessions from Brussels, and equally the Commission had no real interest in pushing the Irish cause within the Community. Moreover, Ireland did not have the same historic trading links with continental Europe that Denmark had. Danish–German relations were of greater importance to Bonn, and this may have helped Copenhagen secure the beef deal. This is not to say that Ireland lacked powerful allies in Europe. De Gaulle was, after all, of Irish descent, although it was highly unlikely that the General would march to Brussels to lobby on behalf of Irish beef exporters. What was clear from the outcome of these meetings between Dublin and the Commission was that the latter was trying hard to ensure that one exception (of which it disapproved but which it was powerless to prevent) did not become two exceptions, thereby increasing the breach in the general rules and principles it was treaty-bound to defend.

Towards the beginning of 1965, Irish policy-makers continued their preparatory work for a non-preferential trade agreement with the six. This new review was based on the successful non-preferential trade agreements signed between the Community and Iran and Israel. These were non-preferential in the sense that the tariff reductions conceded by the Community were in accordance with GATT rules, against discrimination, and made available to the world at large.[37] On 26 January, the Commission hosted another meeting with Ireland, this time headed by Charles Haughey, Irish Minister for Agriculture. Replying to a question from Haughey about whether there was any new thinking in Brussels on Ireland's suspended

application for membership, Rey referred to the Community's negotiations on associate membership with Austria, but it was not easy to see how negotiations could be resumed with Ireland and Denmark until a certain stage had been reached between the Community and Britain.[38] London had shown no interest in renewing its application, and no move was expected by the Commission for some time. The Commission believed that the key to the enlargement process rested with Britain and depended on improved relations between London and the six; until this happened, there was very little the Commission was prepared to do even on the subject of trade with the applicants. Rey made clear that there was no doubt that the EEC would expand, but it was impossible to say when this would happen. In keeping with the line of discussion from previous meetings with the Commission, Haughey asked Rey and Robert Toulemon, one of the Commissioner's senior officials, whether they had any thoughts on an interim status for an applicant country, especially the possibility of making special arrangements for individual items.[39] In this context, he reminded Rey that Ireland had not done as well as the Danes, who seemed to have been given certain advantages that Ireland had not received. This was well-explored territory. Perhaps a better question would have been what Dublin should be doing to promote its case for full membership, association, or an item-by-item agreement. Rey said Ireland's question was difficult to answer and that he did not have the authority to reply. One option was to put a question directly to the Council, but, personally, he thought it was very difficult to say whether Ireland could do anything until the outcome of the Austrian negotiations became clear. Individual commodity arrangements with the Community were possible, but Rey emphasised that it would need the Council's authority to conclude a commercial agreement. The Commission could only speak within the framework of existing regulations, and these had to be non-discriminatory; it was not prepared to envisage bilateral negotiations during the course of the Kennedy Round of GATT talks. Commission officials stressed that the Danish cattle agreement would end in 1965, and confirmed with great emphasis that nothing exceptional, from the point of view of the EEC, had been done for the Danes. The Community had merely honoured an existing agreement between Denmark and a member state, as it was obliged to do under the treaties. The conversation throughout was characterised by a note of cordial frankness. There was nothing policy-makers in Dublin could do to make membership a reality, and Rey made clear that this was also the opinion of his Commission colleagues. In addition, the Commission stated quite clearly that no exceptions could be made for preferential arrangements until the Kennedy Round had concluded. Some, such as Mansholt, predicted that these negotiations in Geneva would drag on into 1966. It was, therefore, reasonable to assume that Ireland's chances of achieving trade agreement with the Community looked bleak for the year ahead.[40] There is no archival evidence to suggest that the Commission was intentionally

obstructionist towards the Irish request. On the contrary, the Commission's minutes of these meetings indicate that its officials were fully aware of the Irish economic interest in the EEC but were also conscious of the charged political atmosphere within which they were operating, especially with the GATT talks. It should, of course, be made clear that expressions of sympathy did not necessarily imply a genuine readiness to do much about Ireland's problems.[41]

The 1965 'empty chair' crisis hampered further attempts by the Irish government to realise any concessions from the Community during the second half of 1965; Ireland could do nothing productive other than wait and see how the crisis unfolded. The question of a closer link with the six receded into the background until early 1966, when interest in membership of the Common Market was once again reignited.[42] Six months after the crisis had ended, speculation was raised to new heights about a possible move by London to apply for membership. Irish policy-makers, nevertheless, persisted in their courtship of the Commission with another ministerial meeting scheduled for September 1966.[43] This meeting was partly in response to domestic media criticism of the government's handling of Ireland's EEC application and the lack of movement towards membership.[44] Rey, accompanied by Commissioners Mansholt and Marjolin, was impressed by Ireland's continued interest in the Community despite the difficulties that had existed since 1963. He believed that the political situation had changed considerably since that period, and that the enlargement question was once more becoming a live issue. Though the mood in political circles in Britain was evolving, the attempts at bridge-building between the EFTA and the EEC were not sufficient. Moreover, Rey pointed out that, if enlargement negotiations reopened, there would be less emphasis on detail, something that had weighed down the 1961–1963 talks. However, before any negotiations could resume, the Kennedy Round had to be completed. The balance of payments problems in Britain and monetary problems in general were also key concerns for Rey, Mansholt, and Marjolin. After a lengthy and largely fruitless discussion about Ireland's less than favourable trading arrangements with the six, both Rey and Mansholt sympathised with Ireland's difficulty. There was a sense of *déjà vu* about this meeting, compounded by Mansholt's remarks that he did not like the Danish agreement with Germany. His suggestion was not, therefore, to bring Ireland up to the level of Denmark, but to bring Denmark down to the level of Ireland; or, in Mansholt's terms, to ensure that the Community's rules on the export of beef were uniformly applied without any discrimination between third countries. However, Frank Aiken asked whether there was anything Dublin could do, consistent with the GATT, to secure an interim arrangement with improved access for Irish exports to the Common Market. Rey confirmed that there was no change in this position, and that any preference accorded to Irish exports would have to be extended to the goods of other third countries in accordance with the

provision of the GATT. Dublin and Brussels agreed to further meetings at ministerial level later in the year and at the beginning of 1967. Both sides were going around in circles; in three years of meetings and positions papers, nothing had been achieved.

Round two

Before further meetings between Irish and Commission were arranged, Harold Wilson had reopened the debate over British membership with his speech to the Commons in November. Prior to his announcement, James Marjoribanks, head of the British Mission in Brussels, informed Seán Morrissey, Ireland's ambassador to the Community, that Wilson had definitely made up his mind on the question of Europe.[45] He added that it was not a case of whether Britain could afford to join the Common Market, but of whether it could afford to stay out. Marjoribanks was sure of one thing: France would undoubtedly expect Britain to pay a high price for its entry. A second British application, he stressed, would be activated in the summer or autumn of 1967. Therefore, much attention switched to the British move on membership, but attempts at securing an interim arrangement with the Brussels institution did not stop, even though the Commission was repositioning itself as one of the new supporters of enlargement. The political climate in Dublin and Brussels had altered as 1966 ended, but the political uncertainty over accession remained strong.

Lemass had resigned as Taoiseach on 10 November 1966 and had been replaced by Jack Lynch, Minister for Finance. The new Fianna Fáil leader stressed the continuity of the government's quest for EEC membership. Writing to Lynch, Rey emphasised that the Commission was confident that under his leadership Ireland would continue to draw closer to the Continent and 'one day happier circumstances will make possible the realisation of the hope [membership] we both cherish'.[46] Indeed, no sooner had the ink dried on Rey's message than Lynch proceeded to sound out Wilson's plans for membership. Speaking to Lynch on 19 December 1966, Wilson believed that the circumstances for joining were more opportune, adding that five of the six member states favoured EEC membership for Britain, and that the problems of the past did not present the same difficulty.[47] He emphasised that Britain, Ireland, and Denmark would make a substantial contribution to a wider Europe, although he was not so sure about Norway's position towards the EEC. Wilson promised to keep Dublin informed of any further developments between London and the Community, but stressed that nothing would occur until he had visited each of the member states.

Irish ministers met with the Commission in January 1967, eager to discover whether it was advisable for Dublin to negotiate entry before the British.[48] Rumours had reached Dublin the previous month indicating that the Community would deal with the minor applicants first and Britain

second. However, Mansholt was firm in his response, stating that the Commission had taken no decision on the matter of negotiations with the British or with the other applicants. The timetable, he said, for such negotiations 'is primarily a political matter'.[49] He advised Dublin to push for parallel or simultaneous negotiations. In private discussions with Max Kohnstamm that same month, Mansholt appeared '*très détendu et très positif*' when they discussed the possibility of a second British application.[50] Indeed, Mansholt hoped to see Britain as a member before 1969.[51] However, the Commission's own view, and Mansholt believed that he was at one with Rey on this issue, was that British membership was unlikely before the end of 1969.

The political environment surrounding the enlargement question was filled with pessimism. Diplomatic reports reaching Dublin contained mixed signals about the attitude of the Community actors to enlargement. Éamonn Kennedy, Ireland's ambassador to West Germany, wrote that the prospects for Wilson's new move towards Europe 'do not look at all bright here in Bonn'.[52] He noted that his British counterpart in Bonn, who had seemed more optimistic the previous November, was expressing his concern about membership prospects, as were the Norwegians and a number of their EFTA colleagues. Kennedy acknowledged that no one in official circles in Bonn was pushing for the widening of the Common Market. Willy Brandt, German Foreign Minister, was extremely pessimistic when Kennedy met him at a New Year's function for the diplomatic corps. Similar reports to Dublin stressed French anxiety at the prospect of having to open negotiations with the applicants, especially the British. When a journalist asked Couve de Murville, in an interview with *France Inter*, whether he would pose any political preconditions for the entry of Britain, he replied: 'I don't know what you mean by political conditions. When the issues are important, they are always political – even when they are economic'.[53] Of course, it was of vital importance that Wilson's probe was successful. After all, it was not just British membership that was at stake; three other applications rested on the success or otherwise of Britain's diplomatic efforts.

Based on these negative assessments in early 1967, Ireland's attention shifted from the Commission to the six. It was clear to policy-makers that its avenues of enquiry with the Commission had been exhausted, and the spotlight was therefore turned on the member states. In The Hague, for example, J. W. Lennon, Ireland's ambassador to the Netherlands, focused attention on the type of negotiating procedure likely to be adopted by the Community, especially whether Ireland should seek to open negotiations before Britain. Dutch officials stressed that, while it was not impossible in theory, it was only possible on the understanding that the conclusions reached would not become effective unless Britain joined.[54] Moreover, they could not see what advantage Ireland would gain from such a solo move. They advised Dublin to await the outcome of the British negotiations when they opened. Crucially, the Dutch Foreign Ministry thought that London's chances of

admission were nil. This coincided with the de Gaulle–Wilson meeting in January, examined in the previous chapter.[55] T. V. Commins, Ireland's ambassador to France, reporting on the meeting, wrote dejectedly to Dublin: 'I am afraid to say, it is a far from optimistic outlook for the entry of Britain to the EEC in the immediate future, or indeed, within any immediate measurable period of time'.[56] He stressed that, on the economic and financial fronts, the problems had become more accentuated; the talks between the two leaders served more to circumscribe the problems than to seek anything like solutions for them. If these diplomatic reports were accurate, Britain and Ireland, along with the other two applicants, faced strong headwinds against their second application.

Irish officials continued their protest with the Commission over Denmark's increasingly favourable position within the German beef market. Despite having received assurances from Rey and Mansholt on the subject, policy-makers in Dublin became 'seriously perturbed' when the Council agreed at a meeting on 28 July 1966 to allow Germany to buy a further 16,000 head of cattle from Denmark.[57] This was renewed for 1967. The Commission had claimed that all agreements between the Community and third countries had to go through the GATT. Nevertheless, from this episode, it is clear that Ireland did not have the diplomatic influence in Bonn that Denmark possessed. Moreover, it showed that the Commission was not concerned enough with the plight of the Irish farmers to propose a similar arrangement for Ireland with the Community or even to go so far as to protest to the Germans about the renewal of the beef agreement. The Director-General of Rey's department accepted that the Commission had given Dublin assurances that the German–Danish trade agreement on cattle would not extend beyond 1965.[58] In September 1967, the Irish government again wrote to the Commission, protesting at the way Ireland had been excluded from the renewal of this agreement.[59] Dublin finally succeeded in November in having the issue addressed in its favour. After three years of fruitless discussions, the Council agreed to offer Ireland a similar concession in the beef export market in the Community.[60] Hard diplomacy eventually paid off. However, the sceptic might stress that it took three years for the Council to grant Ireland similar concessions and, added to this, the Danish government had benefitted a great deal more in the interim by bypassing the Commission and appealing directly to Bonn. Part of the background to this was the gradual realisation on the part of the EEC (including, therefore, the Commission) that the basic principles of the CAP were unlikely to be honoured in as stringent a way as Mansholt and some of his colleagues had originally hoped. The backsliding on Denmark (and then eventually on Ireland) thus mirrored the acceptance, as part of the Community's December 1964 deal on the CAP, whereby some national subsidies to farmers could continue in tandem with the European subsidies – a stance which Mansholt would have regarded as anathema just a couple of years earlier.

On the eve of Britain's second application to the six, Wilson informed Lynch that he intended to make a statement to the House of Commons on Britain's relations with Europe.[61] The second application would not take the same form as the first; Britain would decide on a completely fresh start. He hoped negotiations would get underway with the minimum of delay, if possible before the Community summer vacation at the beginning of August. Moreover, while Wilson promised Lynch his full support if Ireland decided to make a similar application, Britain, he added, did not want to be tied too closely to the other applicants. Referring to the likely outcome, he felt that the French would resort to the tactic of 'playing the British along for some years'.[62] Within a week of Lynch's meeting with Wilson, Ireland and Britain, followed closely by Denmark, had submitted their second applications for Community membership.[63] The previous chapter has discussed de Gaulle's press conference on 16 May at which he outlined his opposition to the British bid without issuing a direct veto.[64] Despite his opposition to enlargement, the Council and the Commission continued to examine the enlargement question. Significantly, the Irish 'application' ceased to exist after the Council session on 26 June. André Feipel, deputy chief in the *cabinet* of the Secretary General of the Council, informed Irish officials that the Council had decided from the outset that, for ease of reference, the phrase 'the British application' would be understood to include the Danish and Irish applications.[65] There is no archival evidence, in either the Community or Irish archives, to suggest that Dublin objected to this move by the Council. One could argue that policy-makers in Dublin were able to put nationalistic issues aside when the greater good was at stake. The overriding concern for the Irish government was membership of the EEC, and they were willing to achieve this at almost any cost.

The French objections to enlargement did not deter Ireland or the other applicants.[66] On the contrary, they nevertheless prepared a busy schedule of meetings with the Commission and the member states during the months that followed. The Commission was preparing its opinion on the applications. Dublin wasted little time in lobbying the Brussels institution to ensure a favourable assessment of its application. On 27 July Rey, newly installed as Commission President, and other colleagues met Lynch for a wide-ranging discussion on the enlargement process and the implications of de Gaulle's press conference. Rey assured Lynch that neither he nor the other Commissioners found any significant problems with the Irish application, and fully approved of the government's economic modernisation policy.[67] The nature and relative size of the Irish economy would not lead to a disruption of the Common Market. It was, therefore, pointless for the Commission, now in the pro-enlargement camp, to raise doubts about minor details. Rey was also on record as stating that he wanted a rapid conclusion to the enlargement talks. The Commission raised a number of issues that they believed had a negative bearing on the application and where further clarification was

required. The first of these related to Ireland's declared position on military neutrality. This issue had arisen during the 1961 application, and Lynch's predecessor had had no hesitation in stating then that he fully accepted the political aspects of the Treaty of Rome, implications inherent in the phrase 'an ever closer union'. Rey stressed that a firm declaration on neutrality was required because, as he saw it, the basic cause of the 1963 breakdown of the enlargement talks had been defence and nuclear issues. The government reiterated that Ireland accepted the political and defence implications entailed in membership; this satisfied the Commission. This was further evidence of the changing approach adopted by Rey. His predecessor had turned the NATO issue into a serious obstacle to Irish membership in 1961. However, by 1967 neither Rey nor his colleagues saw the issue as a deal-breaker.

It is difficult to pinpoint the reasons for another *volte-face* by the Commission on issues surrounding the enlargement question in the absence of more detailed Community archival material. However, during the 1961–1963 negotiations, parallel talks on a political union were in progress between the six, and as such it was an important issue for Hallstein. Inevitably, there was a certain amount of spillover from the political union talks to the enlargement negotiations, especially on the issue of neutral countries joining the EEC. Four years after the breakdown of both the political union and enlargement talks, Rey did not repeat Hallstein's concerns. Instead, a simple declaration of support for the political objectives inherent in the Treaty of Rome was sufficient. On the subject of the future course of events, Rey added that the Council would take about two months to examine the Commission's *avis*, and hinted that no member state would block this consultation process. The impression given at this meeting was that the Commission's *avis* would be favourable to the Irish application for membership. Indeed, by the end of July, Lynch had met with five of the six member states, and the Irish application was greeted with general enthusiasm.[68] Ireland would easily be absorbed into the fabric of the Community without any great fuss. These meetings with the EEC during the summer of 1967 gave policy-makers in Dublin a real hope that entry negotiations would commence in 1968, and Lemass's original aim of membership by 1970 was a distinct possibility.[69] However, France's opposition to Britain's membership still loomed large over the whole process. No amount of discussions with the Commission or the five could change this.

There was very little in the 180-page *Avis de la Commission* to cause worry for the Irish government.[70] As already noted in the previous chapter, the Commission devoted the greater part of its attention to Britain, while the other applicants posed few problems for the Community. The *avis* recommended the immediate opening of negotiations and, more importantly for the Irish government, simultaneous entry for all four applicants. However, because of the emphasis placed on Britain and the key role of France, neither the Irish government nor the Commission was expecting a rapid conclusion

to the negotiations. A more vital consideration for the Commission in drawing up its opinion for the Council was to pinpoint major economic problems that enlargement would cause, and therefore the spotlight fell on the British application. Some Commission officials held strong views on the enlargement issue, on France's opposition to it, and especially the British application. Speaking to the Irish ambassador in September, Edmund Wellenstein, one of the Directors-General in the Rey Commission, was optimistic about the opening of negotiations but could not say that they would take place in the immediate future.[71] He added that London was foolish in claiming that no problems existed in the economic sphere, and remarked that they (the British) would be advised to admit the existence of a major problem (sterling) and bring it out for discussion.[72]

The major obstacle to each of the applications was de Gaulle. Having received broad support from the five and the Commission, Ireland's seat at the Council table was within reach. Lynch had more grounds for optimism after the Council meeting in Luxembourg at the end of October 1967. At this meeting, the French Foreign Minister was careful to emphasise that France was not, in principle, opposed to the enlargement or to the entry of Britain. With a hint of ambiguity, Couve added: 'British membership will be possible when, effectively, it will be possible'.[73] Dublin was hopeful ahead of Lynch's meeting with the General two weeks later in Paris. On 3 November, Lynch travelled to the French capital. De Gaulle stressed that France had no objection to Ireland's application, and he looked forward to the day when Ireland would become part of the Community. While Ireland posed only minor problems for the enlargement process, de Gaulle made it clear that Britain's economic woes were an obstacle to the extension of the six. He therefore suggested that association was the best interim solution for Britain. He sympathised with Lynch's position, and understood Ireland's close economic links with the British economy and the difficulty of accepting membership so long as Britain remained outside. Meeting Lynch a day later, Couve repeatedly stressed that Britain's economy and the position of sterling were the problems in the second round of applications. If negotiations started in 1967, he said, they had the potential to drag on for anything up to three years, and would result in bad feeling. He saw no political objections to Ireland's membership of the EEC. The meetings did not affect the status of the application. General de Gaulle broadly welcomed the Irish application, as he had done in 1961, and, apart from general concerns about the Irish economy, raised no serious objections with Lynch. On the other hand, the General and his foreign minister made it very clear that they would not support the British application, for reasons discussed in the previous chapter. This left the Irish government in a precarious situation.

The meeting made the front pages of most of the major European newspapers. The *Guardian*, whose headline read: 'The Irish in de Gaulle comes out – in a touch of Blarney,' acknowledged that, but for the little detail of Britain's

economic difficulty, de Gaulle's reception of the Irish delegation would have been one of 'unmitigated joy'.[74] The *Irish Press* declared triumphantly that the 'Door is open to market' and that France was ready to support the Irish bid for membership.[75] There was certainly a hint of envy in the columns of the British papers. Had Wilson received a similar welcome during his meetings in Paris, the political climate surrounding enlargement would have been very different. Yet, Italy's *La Stampa* accurately noted that Lynch had failed in his mission with de Gaulle, because if the latter said 'No' to London then this also applied to the Irish application.[76] This was a more realistic assessment of Lynch's visit.

Policy-makers in Dublin expected a long delay in the opening of negotiations, while 'the prospect of negotiations was receding into an uncertain future'.[77] Lynch's visit simply highlighted de Gaulle's continued antagonism towards enlargement of the EEC to include Britain. The British devaluation of the pound two weeks later was a stark reminder of the scale of the problems facing the British economy. Moreover, it led to greater uncertainty over the future of Community enlargement. Devaluation was the opportunity needed by the French President to sink the British application before negotiations opened. De Gaulle's comments on the British application at the end of November had a double significance. Not only was his press conference intended to put a stop to the British attempts at membership of the EEC, but, indirectly, it also ended Ireland, Denmark, and Norway's prospects of getting into the Community on the coat-tails of the British application.[78]

The outcome of the 18–19 December Council meeting is examined in the previous chapter. It is worth recalling that the Commission's contribution to the debate on the applications was wholly positive. In the *communiqué* issued after the meeting, the Commission stressed that its opinion on enlargement had not changed since it had been published four months earlier.[79] It hoped that negotiations would open so that a solution could be found to the issues affecting the applicant countries, such as transitional arrangements and so on. Instead, the Council meeting noted that there was no agreement between the member states on the next steps to be taken.[80] Neither the Commission nor the four applicants were surprised by the Council's decision. France had a right to say no – fortunately for Ireland, few of the five shared this view – and most political commentators understood that Ireland was unfortunately stuck in the crossfire.

The Council's decision meant another round of policy analysis in Dublin. At the core of any new policy shift in Ireland was the awareness that the Irish application had secured the goodwill of not just the Commission but also of the six, and this was political capital worth preserving in the months ahead. In conclusion, the second Irish application for Community membership was, in a way, more successful than the British application. Even though neither country passed the finish line, Ireland was at the very least content in the knowledge that, once France overcame its differences with

the British, membership would be guaranteed. A small consolation, perhaps, but the second application showed that the issues of NATO membership and neutrality played no major part in the Commission's thinking about Ireland's membership, and no reference was made to these topics in the *avis*. However, the ultimate aim of the Irish government and its policy-makers was membership, and, in any final assessment of their second attempt at entry, the end result was failure. Moreover, those waiting with bated breath in Dublin and London for a change of leadership in France in order to see a positive shift in France's EEC policy were expecting to wait until the presidential elections in 1972. For Ireland, the other applicants, and, indeed, the Rey Commission, the road to membership seemed endless during this period. The Commission played an important role in Ireland's foreign economic policy considerations between 1963 and 1967, though its influence was limited. It could not ignore Ireland's pleas for equal treatment in the export market for third countries, but neither had it the power to overrule bilateral agreements between a member state and a third country. If nothing else, the Irish application tested the Commission's limited influence in this particular field.

5
Navigating the Gaullist Veto

There was a definite sense of *déjà vu* and exasperation at the end of 1967 both within and outside the Community. The second French veto presented the enlargement actors with challenges similar to those faced in January 1963. The six and the Commission had to maintain the forward momentum in light of de Gaulle's *non*, while the applicants had yet again to reassess their European policy. This chapter focuses on how the Commission, as well as the British and Irish governments, responded to de Gaulle's obstructionism between December 1967 and December 1969. It assesses the impact that the veto had on the two candidates' European policy, and the very different approaches that Dublin and London adopted with the Commission during that period. Chapter 5 also analyses the Commission's influence over the many bridge-building initiatives drawn up in the aftermath of the veto aimed at resolving the enlargement crisis, and assesses its effectiveness as an honest broker between the six and the applicants. Finally, the chapter explores the Commission's attempts to steer the enlargement issue in the aftermath of de Gaulle's sudden resignation in 1969.

British impatience

The way in which Rey approached the second veto differed considerably from how Hallstein had managed the 1963 enlargement crisis. Unlike his predecessor, Rey did not embark upon a unity tour of the capitals of the six. He accepted that there would be no immediate start to enlargement negotiations between the Community and the four applicants.[1] The outcome of the Council meeting on 19 December would confirm this. Instead, Rey went to London in early December to assess the British position. Sensing an opportunity, Rey believed that the Commission could play a useful role in the months ahead, filling the political vacuum caused by the worsened Anglo-French relations. He had asked British officials in Brussels whether Downing Street was prepared to explore solutions other than full membership if invited by the six. It is unclear what Rey had in mind, although

he was certainly familiar with Britain's attitude towards associate membership. London had rejected the option in 1963 and, unlike Ireland, had made no approach to the Community on the subject between applications. British officials in Brussels warned Whitehall against giving 'any encouragement to such thoughts and advise him [Rey] of advancing them prematurely'.[2] The implication of this final word, though, is that a time might arrive when such arrangements could be usefully advanced. Yet, these same officials were astute enough to add that it was unwise to do anything to give Rey the impression of: 'Our being too stiff-necked since the Commission are obviously anxious to maintain what has been by and large a most helpful role and their continued support is essential to us'.[3] Like Hallstein, Rey was concerned to avoid either deadlock or controversy in the Community. In London, he told Harold Wilson that the Commission would continue to support Britain's membership bid, but he warned against moves to divide the six.[4] In scenes similar to January 1963, Rey argued that it was better to 'wait and see' rather than make any sudden moves. This was certainly a conservative approach for Rey to propose. The British, after all, had shown over the previous six months that waiting around for something to happen was not part of their strategy. Wilson and George Brown, Foreign Secretary, had to keep the pressure on the five in order to keep the British application alive.

Rey's advice went largely unheeded in London. Brown was convinced that France's EEC partners would rally around the British application and force Paris to open negotiations. Britain's EEC policy was formulated on this assumption after the second veto. Brown believed that France was susceptible to pressure from the five, and, if pressed, 'the French will agree to negotiations'.[5] He also ruled out consultations with the Commission as an interim measure prior to full negotiations – a view that later drew criticism from Dean Rusk, United States Secretary of State, during discussions with his British counterpart. Brown made it clear that dealing with the Commission was 'not an acceptable substitute because they are not with the principals in the Community and could further erode the UK negotiating position by leading to a premature sacrificing of some issues important to the UK'.[6] He was focused on the ultimate goal of negotiations leading to membership, and believed that the five and not the Commission were best placed to achieve this; he was not interested in an arrangement or '*pré-adhésion*'.[7] Rusk questioned Brown's approach. Echoing Rey's own position, Rusk believed that Brown's policy would force the five into a confrontation with France 'with possible repercussions on the Communities'.[8] Instead, the Secretary of State argued the merits of talks with the Commission that would maintain some degree of momentum 'and should be looked at carefully'.[9] He recognised that the Commission had an important role to play, possibly as an honest broker but certainly as a link between the British and the member states. Yet, Brown was not swayed by these views. On 20 December 1967, he announced before the House of Commons that the government would

propose consultations with the five.[10] The purpose of these meetings would be to explore the possibilities of cooperation between the five and the four applicants. Rey's first attempt at easing the tensions created by the veto had failed, and its influence was considered in London to be of limited use.

The British government refrained from spelling out publicly the kind of cooperation it had in mind, although it was likely to embrace cooperation in technological and political matters. It was clear that Britain saw little possibility of action in the trade field because of GATT rules and Community regulations. In fact, Foreign Office officials ruled out any economic cooperation 'as long as the Five maintain their obligations as members of the EEC'.[11] Whitehall officials followed the Foreign Secretary's announcement with energetic action through diplomatic channels, and discussions at ministerial level to secure support among the five and the applicant countries. The Foreign Office wanted the Italians to propose a meeting of the five and interested countries, or, failing this, the Belgians and/or the Dutch. Britain could not be seen to be interfering in the Community by launching a plan that had the potential to destabilise the Community. The meeting would be attended by Britain, the five and as many of the applicants as possible. The exclusion of France played a major part in Brown's agenda, while no mention was made of the Community's institutions. According to a Foreign Office memo:

> It will be essential that the French should take no part. French behaviour in obstructing all attempts to get working arrangements between Britain and the Six after the 1963 veto shows that we cannot have working arrangements in a forum where France has a veto on progress.[12]

Of the applicant countries, Denmark and Norway gave positive replies; Ireland suspended judgement until more was known about the reaction of the five. Germany showed little enthusiasm for the proposed consultations, which appeared all too clearly as an attempt to keep France isolated.[13] The Germans, sensitive about their relations with France, thought that the possibility of a commercial arrangement between the Community and the applicant countries, hinted at in de Gaulle's press conference of 27 November 1967, should first be explored. Notwithstanding this check to their hopes, the British appeared to be prepared to go ahead with consultations on a four/four basis. Their initiative, however, was further blunted by a decision on the part of the Benelux countries to put forward proposals of their own that superseded the British plans.

Ireland – sitting on the fence

The Irish government refrained from adopting as adventurous a policy as the British after the Council's December meeting. Policy was reformulated based

on reports emanating from its embassies in the member states, and the decision was taken to 'wait and see' without making any rash decisions about the Irish application. Reports to Dublin revealed that the British negotiating team had been dismantled, and it was made quite clear that London would make no further approach for membership during de Gaulle's presidency.[14] Policy-makers in Dublin explored options that were closely linked to the economics of membership. The first of these was whether to abandon the idea of a trade link with the six. The second was to look for association following the Greek model, while the third option was to explore the possibility of an interim link with the Community. They ruled out the first option; simply abandoning the hope of attaining membership was out of the question. When faced with the reality of being tied to the apron-strings of Britain or the purse-strings of Europe, Dublin had become firmly of the opinion that Brussels had the greatest appeal. However, in the short term, any decisions that Irish policy-makers took had to reflect the reality of Ireland's economic relationship with Britain. It is in this context that the second option was scrutinised. The economic ties between Ireland and Britain were, on the one hand, extremely important for Irish exports, but, on the other hand, a weakness in terms of a possible associate link with the EEC. Acceptance of the Community's CET was a precondition for countries contemplating associate membership under Article 238 of the Treaty of Rome. Applying the CET would have had significant implications for the Anglo-Irish trade agreements, the last of which had been signed as recently as 1965. Dublin could not have a free trade agreement with Britain while enjoying the high prices guaranteed for its farmers under the CAP. In the short to medium term, at least, policy-makers realised that Ireland had more to lose than to gain from associate membership that excluded Britain. This, in effect, ruled out the second policy option under review, unless, of course, the British too were to go down the association route. The third idea, that of some type of interim link with the EEC, was first mooted by de Gaulle during a meeting with Lynch in November 1967, although the terms of such an agreement were not discussed at that time. It should be recalled that, at numerous meetings between Irish and Commission officials between 1963 and 1967, Hallstein, Rey, and others went to great lengths to emphasise that the Community could not offer preferential treatment to any third country outside the framework of the GATT negotiations. This was despite the fact that Germany had a long-standing trade arrangement with the Danes.

The outcome of these policy deliberations was the decision to probe the French further on de Gaulle's quasi-offer of an economic link with the six. Ireland was prepared to offer tariff concessions on products of interest to the Community in return for levy reductions on agricultural products and some industrial tariff concessions. Policy-makers stressed that any arrangement had to be consistent with Ireland's international trading objectives (otherwise known as the Anglo-Irish Free Trade Area Agreements).[15] Hugh

McCann, Secretary of the Department of External Affairs, went to Paris on 26 January 1968 seeking clarification on de Gaulle's offer. McCann impressed upon Hervé Alphand, Secretary General of the French Foreign Ministry, Ireland's disappointment at the failure to reach agreement on the opening of negotiations with the applicant countries.[16] He stressed that Ireland's planning and development were being made more difficult by the uncertainty surrounding its relations with the Community. In addition, he emphasised that Ireland faced the prospect of a serious deterioration in its trading balance with the EEC as a whole and with each of the individual member countries, with the possible exception of France. Alphand acknowledged that he was aware of de Gaulle's November offer. France was sympathetic to, and perfectly *au fait* with, the Irish position; Irish officials had been making the same economic case since the early 1960s. Referring to the interim link, Alphand added that the British had indicated on many occasions, and again recently through Patrick Reilly, British ambassador to France, that they were not prepared to consider any form of interim arrangement. It was primarily because Britain had rejected that idea that France had not given any further serious consideration to the form or content an interim arrangement might have. They believed that it would have been a complete waste of time to do so when London had completely ruled it out. This was further confirmation of a recurrent tendency among the six to view the Irish (and Danish) bid as somehow subordinate to the main issue, which was British membership. Even if there were to be an offer made to Ireland of the type of link de Gaulle had in mind, Alphand could not see how this would be possible without clashing with Ireland's free trade relationship with Britain. Apart from the basic facts of that relationship, there was also the legal problem of the GATT. In order for an interim arrangement to be compatible with Article 24 of GATT, which covered territorial applications, frontier tariffs, customs unions, and free trade areas, any such arrangements would have to have resulted in a free trade area or customs union. It was clear that, in order for an interim trade link to work between Ireland and the Community, the former would have to readjust its economic policy position with respect to Britain. This was unlikely to happen.

Alphand's meeting with McCann revealed that an economic link to the Community was based on the assumption that Britain would follow suit. Whether this was in fact the case must be open to question. Alphand was not the first French official left trying to explain away a comment by de Gaulle which either had not been fully thought through or had been mischievously intended. One can see the General's original offer as being part of a high political game, insofar as the French President made the offer to London realising that Wilson would never accept anything less than full membership. Unfortunately, the Irish government naively assumed that de Gaulle's offer was genuine. Even if one believes that there was substance to it and that de Gaulle had a desire to see Ireland gain a link with the Community, he was

clearly aware of the long-standing economic relationship between Ireland and Britain, and, therefore, he knew of the difficulties such an arrangement would pose for economic policy-makers in Dublin. Five months later, during a conversation with Seán Morrissey, Ireland's ambassador to the EEC, Boegner made it clear that, in any talks between the Community and Britain or the Community and Ireland, Ireland's economic position in the British market would certainly be taken into consideration.[17] This was further evidence that there was no agreed French position on the matter. The General's comments had been another one of his *boutades*, verbal hand grenades thrown for political effect. French officials were hence left scurrying about trying to clear up the mess afterwards.

Not content with the French reply, McCann headed to Brussels to meet with Rey for a *tour d'horizon*. The Secretary of External Affairs reiterated that Ireland was faced with a serious deterioration in its export trade with the individual members of the Community and with the Community as a whole. The current trade deficit by the end of 1967 stood at IR£24 million.[18] More worrying for the Irish government, he added, was its trade balance with Germany, which in the previous three years had dropped from a surplus of approximately IR£12 million in 1965 to just over IR£9 million in 1966, and to IR£5.7 million for the first ten months of 1967.[19] He stressed that Ireland would participate in any move 'which would be constructive towards achieving the joint ambition of Britain and ourselves of becoming full members of the Community'.[20] Rey was confident that the outcome of the December Council meeting was not a final solution to the enlargement question. Indeed, he pointed out that no final decision had been taken by the Community, and it was impossible to let matters rest there. Displaying his usual optimism, Rey believed a compromise would be sought within the first six months of 1968, and emphasised that matters would develop similarly to the way they had done after the breakdown in 1963, with a package deal being worked out to allow progress both internally and externally in Community affairs. While this might have been the case for the internal development of the Community after 1963, few effective steps had been devised after the first veto to maintain good relations between the Community and the applicants. It was, therefore, again unclear what Rey had in mind. When questioned about the possibility of an interim trade deal between Ireland and the Community, Rey, like Alphand, said that this issue had been explored before and it had not been possible to arrive at positive results. Any solution had to be multilateral rather than bilateral. He advised against any hasty action, and felt it was much better for Ireland to wait at least a month, or preferably two, to see how the situation evolved generally and to allow tempers to cool. While Rey did not discourage Ireland from pursuing a trade agreement with the Community, he hinted that it was best not to seek one in the immediate future. This advice was significant, coming as it did from the Commission President and following on the heels of

Alphand's negative comments on the interim link. Indeed, it would appear from the Irish archival records that policy-makers in Dublin resisted probing the six any further in the short term, based largely on Rey's advice. Even though the Irish, unlike the British, accepted Rey's position, on both occasions he failed to spell out either the type of bridge-building initiatives that would resolve the current difficulties or where such initiatives would come from. What was clear from Rey's discussions with the British and Irish governments after the veto was that the Commission had no immediate plans to influence the enlargement crisis.

Building bridges, 1968

In January 1968, the post-mortem on the December Council meeting moved to the European Parliament.[21] Rey argued against the creation of new alliances, stating: 'Our Commission is only at the service of the Community, and we therefore do not intend to get involved in movements between five and one, five and two, five and four, or five and nine'.[22] In an attempt to pre-empt moves by the six and Britain to present their own plans, the Commission pushed for a general agreement to be reached by the six and the applicants, which would be divided into two sections. The first would deal with Community problems and policies. The second section would focus on the enlargement question. If this was meant to be the Commission's plan, it was very short on substance. It was a weak attempt to ensure that the Commission would not be sidelined by agreements concluded between the five and Britain within the framework of the WEU, or between the five and the applicants under another institution, such as the Council of Europe, in which all the applicants were members. However, the Commission's concerns went deeper than this. For, were the British plans to work, which was unlikely, the Commission would find itself and the rest of the Community framework excluded from all the existing new areas of cooperation within Europe and confined instead to the old policy agenda of the CAP and the customs union. This would be fatal to its longer-term ambitions.

The Commission's fears were partially realised when the Benelux countries issued a plan for closer cooperation between the Community and the four applicants. The memorandum, launched on 19 January, covered three key objectives: (i) to pursue the activities for the construction of Europe, including further development and expansion of the Communities; (ii) to respect the letter and spirit of the Rome Treaty; and (iii) to forge closer ties between the member states and the applicant countries.[23] The memorandum put forward rather tentative proposals for consultation and cooperation in the economic sphere. It stressed the intention of the Benelux countries to continue their active support of the Communities, but expressed the hope that the existing differences between the six and the applicants would not widen. In some cases, consultations could lead to agreements embracing applicant

countries.[24] In those areas not covered by the European treaties, there was a possibility of progress from consultation to common action in the areas of weapons production and procurement, technological and scientific projects, and aid to developing countries. The Benelux countries were keen to see a new, intensified form of cooperation in the sphere of foreign policy. Their proposals differed from the British initiative insofar as they embraced action both inside and outside the area of Community responsibilities. Progress on matters affecting the Community as a whole clearly could not be made without French goodwill. If, as appeared likely, that goodwill was not forthcoming, the effective content of the Benelux proposals would be reduced to consultations between the five and the four applicants on matters which lay outside the competence of the Communities. This was a major problem for the Commission, with an ever-greater risk of being excluded.

The Commission gave the Benelux plan a guarded welcome. It was determined to maintain close contacts with the applicants, and, therefore, the Benelux memorandum 'was a good basis for this'.[25] However, during his first visit to Washington as Commission President in February 1968, Rey repeated several times his opposition to the development of a technological policy outside the Community's framework. The Benelux proposals were acceptable provided the measures and activities proposed would be coordinated by the Community's institutions. The British promptly welcomed the Benelux proposals.[26] In a meeting with Taoiseach Jack Lynch on 14 February, Wilson reiterated his opposition to the idea of a free trade area with the six; he said to pursue it would be to enter into a blind alley.[27] Ireland also gave a favourable response to the Benelux plan, although from Dublin's point of view a major defect in the proposals was the absence of any move towards more advantageous trading relations between the EEC and the applicant countries.[28] Politically, Lynch did not support the idea of a '*bloc anti-français*', and instead argued for a six-plus-four solution to the enlargement question.[29]

The Benelux Plan was put in cold storage until after the Franco-German summit between de Gaulle and Kurt Kiesinger, German Chancellor, in February. While no one was predicting that this meeting would result in a positive change in the enlargement question, its outcome nevertheless was monitored closely. The *communiqué* issued after the meeting stated:

> Pending the realisation of this enlargement [of the Community] the two Governments are prepared to envisage concluding with the applicants arrangements of such a kind as to develop between them trade in industrial and agricultural products. Such arrangements, which for industrial products would mean gradual reductions in obstacles to trade, would be of such a kind as to facilitate the evolution [of British policy] which has already been stated, and, in any case, would contribute to developing relations with European countries.[30]

The Franco-German declaration promised to devote more effort to completing and developing the Common Market, developing trade between the six and the applicants in industrial and agricultural products, progressively lowering the barriers to trade, and maintaining an independent Europe organised and active in maintaining world equilibrium. What was on offer was '*un peu de commerce, et c'est tout*'.[31] The declaration was widely interpreted as representing a capitulation by the German government, because it contained no reference to an institutional link between the applicant countries and the Community and their cooperation in various fields. Indeed, the *Economist* argued that de Gaulle had 'undoubtedly succeeded in widening the rift that already existed between Bonn and London'.[32] The British reaction was predictably hostile. The *Guardian* accused Germany of 'servility before de Gaulle' and of publicly committing itself to the General's 'narrow attitude to enlargement and specifically to the admission of Britain'.[33] The Germans, on the contrary, argued that the declaration was a major concession by France because it forced the French to spell out what de Gaulle had meant by the 'arrangement' offered to the British and the other applicants at his November 1967 press conference.[34] However, Kiesinger had little room for manoeuvre. While France and Germany disagreed on some issues, such as international monetary and financial policy, Germany especially did not wish to risk its 'special relationship' with Paris for the sake of bringing Britain into the Community. However, for Germany, it was not simply about the Franco-German *entente*; it was also about preserving the Community. Pressing the French too hard could have meant destroying the EEC, and then Britain would have entered a community with a significantly altered character.

Despite calls on the six and the British to work within the Community framework, Rey and the Commission did very little to influence events. Instead, the British and the six were taking the initiative and dictating the course of events. Hans von der Groeben, Commissioner for the Internal Market, wrote to Rey on the same day that Kiesinger was meeting de Gaulle, arguing for more action by the Commission on the enlargement question. The changing nature of the political situation called for urgent measures '*nécessaires à la poursuite du développement de la Communauté*'.[35] Conscious of the mood prevailing in the capitals of the six, he stressed:

> *Ce ne sont pas seulement le prestige politique et le rôle futur de la Commission, mais aussi l'existence de la Communauté qui sont en jeu, si la politique future d'intégration n'est pas définie à bref délai. Aujourd'hui déjà, l'opinion publique et notamment la jeunesse ne comprennent pas pourquoi la Commission garde le silence*.[36]

Von der Groeben was the first member of the Commission to question the institution's approach to the French veto. Yet, it would be a further two

months before the Commission produced its own memorandum on the bridge-building initiatives put forward by the six, and only then because it was asked to do so by the member states. It was clear from the Commissioner's letter that the perception among some in the Commission was that Rey had to do more to influence the direction of the six on the enlargement question before it was too late. The lack of a clear Commission plan to steer the Community out of the crisis was further evident in a position paper drawn up by officials in Martino's office prior to the Council meeting on 29 February. The two issues likely to dominate this meeting were the Benelux and Franco-German plans. Commission officials argued that it was not a question of the Commission accepting either one of the proposals. Instead, the Commission had to call the member states' attention to: '*les avantages et les inconvénients que pourraient présenter les différent aspects des ces deux projets du point de vue du développement de la Communauté des Six et de ses possibilités ultérieures d'élargissement*'.[37] The Commission's External Relations Directorate also argued against the Franco-German idea of an agricultural trade agreement between the Community and the applicants.[38] Despite Rey's early optimism for a solution within the first six months of 1968, and his warnings to the six and Britain against finding solutions outside the Community framework, he and his colleagues did little to influence the situation. The member states and Britain were in the driving seat, with each actor wrestling for control of the steering wheel while the Commission remained a frightened backseat passenger. The Commission contributed to pouring cold water on the Franco-German ideas for an arrangement. They did, in other words, have a negative role, even if they lacked a positive one.

The Council meeting on 29 February failed to find a compromise between the various proposals. To complicate matters further, the Italians had presented their own plan days earlier. The memorandum, divided into five sections, (a) reaffirmed the determination of the six to continue the process of economic integration in accordance with the letter and spirit of the Treaties of Rome and Paris; (b) stated that care would be taken not to add to the obstacles to future membership by the applicant countries; (c) set procedures for the coordination of economic and monetary policies between the Community and the applicants; (d) proposed a meeting of foreign ministers of the six and the applicant countries to reach common agreement on the details of more extensive cooperation with a view to achieving the economic and political unification of Europe.[39] The Italian memorandum also called for consultations between the six and the Commission on the issue of enlargement, but argued against Community decisions that further widened the gap between the views of each side. This latter point was something the British had frequently argued for but that the Commission had cautioned against. Whitehall stressed in 1961, and made implicit in the Italian plan, that development of the Community should slow or cease while enlargement negotiations were in progress. Hallstein, and to a lesser extent his

successor, believed that the internal development of the Community had to continue in order to meet Treaty deadlines and to prevent a rollback of policies in progress.

The Council meeting on 9 March 1968 presented the Community with another opportunity to deal with the enlargement question. Willy Brandt, German Foreign Minister, presented yet another plan aimed at bringing the applicants closer to the Community under an 'arrangement'. Prior to this meeting, the Commission was already examining the possibility that the six would ask for a formal *avis* on the various proposals on the Council's table. Commission officials concluded that, if the six agreed on the solutions proposed by the Franco-German *communiqué*, '*le rôle de la Commission sera alors de recommander des modalités compatibles avec les intérêts supérieurs de la Communauté*'.[40] The Commission found major problems with both the Franco-German and the proposed Brandt plan. Neither Article 111 nor Article 237 of the Treaty of Rome could accommodate them. The only article that the Commission believed suitable was Article 238, which covered associate membership. '*La doctrine de la Commission*' had always been that association was '*une étape préparatoire à l'adhésion*'.[41] The Commission believed that, in order to realise the intended outcomes, they ought to involve or would have to involve association. The Commission failed to reach any firm conclusions before the Council meeting, but it did accept that there were areas of common agreement among the six. Each of the member states, although nominally in the case of France, as well as the Commission, was broadly in favour of enlargement. The six also agreed that action was required to facilitate the accession of the four applicants. However, as Martino stated on the eve of the Council's meeting, '*Il n'y a pas accord en revanche au sujet de la nature que pourrait revêtir cette action*'.[42] Echoing comments made by von der Groeben, the Italian Commissioner reiterated that the Commission had a role to play in finding a solution that was acceptable not just to the six but '*pour la Communauté*'.[43] He was also conscious of the opposition in the Council to the suggestion that the six should seek an opinion from the Commission. Nevertheless, he decided that it was better to push the six to agree to a formal *avis*, as this would provide the Commission with a greater influence over the enlargement debate.

The Council meeting on 9 March served to highlight the divergences of opinion among the six on how best to deal with the applicants. The only item on the Council's agenda was Brandt's paper, the central focus of which, an 'arrangement' between the Community and the applicants, received a curt rejection from Germany's EEC partners.[44] This 'arrangement' would take the form of commercial, consultative, or technological cooperation. Of all the applicants, Britain was not in favour of an arrangement that was not linked to membership; anything less would simply be a form of association. The only positive outcome from the Council meeting was the request by the six for the Commission's opinion on the various plans. The member states

had, in other words, turned to the Commission in the hope that it might be able to break the impasse. Attention now focused on the Commission and the next meeting of the Council in April, but there was little sense of optimism. France was against any arrangement that sought to link the applicants, especially Britain, to membership. As Couve pointed out, France had vetoed the opening of enlargement negotiations, a fact the five chose to ignore.[45] Given the Commission's role in the enlargement debate since the December veto, it remained to be seen what ideas they would put forward that would win the backing of the six as well as being acceptable to the four applicants.

The Commission finds its voice

The Commission devoted most of March to an examination of the Benelux, Italian, Franco-German, and German plans as it prepared its *avis* for the Council. A high-level committee was established to coordinate this work, including Fritz Hellwig as chair, Raymond Barre, Edoardo Martino, Jean-François Deniau, Albert Coppé, Hans von der Groeben, and Guido Colonna di Palianno. A great deal of the preparatory work was done by Martino and his officials in the External Relations Directorate. The Commission's 1967 *avis* heavily influenced their thinking. In a memorandum to his colleagues on 24 March, Martino argued that any discussions between the Community and the four applicants had to be seen in the context of eventual membership.[46] This became their guiding philosophy; it was a position in keeping with the 1967 *avis*, which had been largely supportive of Community enlargement. At a meeting with Seán Morrissey, Ireland's ambassador to the EEC, two days before the Council considered the *avis*, Hellwig acknowledged that the issues weighing on the enlargement question were very different from those existing when the Community was first formed.[47] The new *avis* had to be seen within the perspective of eventual membership. However, he was not optimistic about the outcome of the Council meeting on 5 April, highlighting France's continued objections to enlargement. Moreover, he readily admitted the difficulty of expecting Britain to take major steps of adaptation without any assurances of eventual entry.[48] The Commissioner's comments reflected the difficulty, not just in the Council but also in the Commission, of attempting to frame an agreement that offered something to everyone.

The Commission's opinion, presented to the Council on 2 April 1968 and discussed three days later in Luxembourg, consisted of a memorandum directed towards securing accord on the general lines of an agreement and three annexes dealing with (i) the problems raised by the establishment of a preferential trading system; (ii) procedures for consultation and *rapprochement*; and (iii) cooperation in science and technology.[49] The *avis*, after setting out the broad aims of the various proposals put forward by

the member states and listing the various fundamental points on which the six did not appear to be in disagreement, concluded: 'there is a common tendency within the Council favouring an arrangement designed to prepare and assist the eventual accession of the interested States'.[50] The proposals for consultation and *rapprochement* contained in the second annexe to the Commission's *avis* proposed contacts between the Commission and the applicant countries aimed at defining the economic, administrative, and legislative situation and exchanging views on the proposed direction of policy. The third annexe contained proposals for collaboration in the scientific and technological fields. It suggested that action could take the form of participation, particularly with Britain, in specific projects or programmes. Wider cooperation could be organised within the framework of an agreement holding out the prospect of membership, which would have as its objective the progressive alignment of policies on scientific and technological development. The Commission was careful to emphasise that, because of the link between research, technological development, industrial production, and marketing, they could not accept a plan that would lead to the establishment of a distinction between matters covered directly by the Treaties of Rome and issues which were not directly covered, or which only touched upon the treaties. Nor was the Commission in favour of the creation of a Technological Community, since this would involve a troublesome institutional separation between the general economic policy of the six and the technological policy of a larger group. It was clear that the Commission was trying to ensure that, if the member states, especially the five, were determined to bring Britain closer to the Community, any new form of contact had to reflect the on-going work of the Community. The *avis* aimed to adopt the best elements of the various proposals from the six to provide a basis for the dual aims of enlargement and the internal development of the Community. The Brussels institution had considerable reservations about attempts to achieve an interim arrangement that was neither a real preparation for membership nor an effective contribution to the strengthening of the Community. In conclusion, it represented a compromise by the Commission and a minimum line of action.

The outcome of the April Council meeting was wholly negative. It began with speeches from Rey and Martino, who introduced the *avis*. Both emphasised that any arrangement with the applicants had to be linked to membership. While the five supported this view, the French remained as intransigent as ever. Dominating the meeting as chair, Couve de Murville claimed that the proposals went far beyond the kind of arrangement envisaged in the de Gaulle–Kiesinger talks of 15 February. He argued that, if the *avis* was accepted, it would have the effect of opening pre-membership negotiations.[51] France was totally opposed to any link, even if shorn of all automaticity, between an interim arrangement and eventual membership. There could be no question of setting any arrangement 'in the perspective

of membership', the controversial phrase that appeared a number of times in the Commission's report.[52] France was also unwilling to concede anything more than limited tariff cuts – by limited the French are understood to have meant cuts of the order of 10 to 12 per cent – supplemented by undertakings that Britain would buy agricultural produce from the Community. It was also opposed to the Commission's proposals for contact procedures and consultations. Contact procedures would be useless if they were confined to exchanges of information, and would be unacceptable if they constituted an intrusion into Community affairs. In the technological field, France was not prepared to concede more than concrete cooperation on specific projects; that is, no more than what it was already doing with the British in projects such as Concorde. The *avis* presented the French government with another opportunity to outline its opposition to enlargement. This time Couve directed his annoyance at the Commission. Arguably, the French might have expected the Commission to adopt a similar line to the one being put forward by Couve. After all, the French Foreign Minister was advocating a very loose arrangement that would in no way impinge on the work of the Community. Therefore, he was in many ways acting as an unlikely guardian of the EEC. However, what Paris failed to appreciate was that opinion in the Commission had moved from opposition to enlargement towards an open acceptance of new members.

In the face of the inflexible position adopted by the French, the Council, in an effort to keep the issue alive, instructed COREPER to continue discussions based on the debate that had taken place and the Commission's report. In the minutes of the Council meeting, the six could only record their disagreement on the question of an interim arrangement pending discussion on the membership question. The meeting was notable for the absence of the Italian and German Foreign Ministers. It seems that Brandt, along with Karl Schiller and Rolf Lahr, no doubt in the interests of Franco-German harmony, had preferred not to be present, and the German delegation was led instead by Georg Duckwitz, German State Secretary. Was it possible to expect the permanent representatives to be able to find a solution that had eluded the Council and the Commission? Some in the Commission did not think so. Martino told the Irish ambassador that the Committee would have to come up with new plans and move away from proposals already on the Council table that linked cooperation with membership if the solution was to be acceptable to the French.[53] He believed that COREPER would provide no new solution to the impasse in the Council. Axel Herbst, Director-General of External Relations in the Commission, was equally pessimistic.[54] After all, the Committee was in effect the Council operating at a lower level, and it was perhaps too optimistic to hope that the inflexible attitude adopted in the Council by the French could disappear in the Committee's deliberations. The Commission's *avis*, described as '*prudent mais raisonnable*', attempted to make a positive move towards enlargement.[55] According to

Martino, the Commission did not contemplate immediate results from its memorandum – in the sense of the applicant countries becoming members of the Community at an early date – but a general forward movement would have been achieved if their 'opinion' had been accepted.[56] The Italian Commissioner, in conversation with Morrissey, added that it was eventually the intention of the Commission that the arrangements proposed by them should be in the nature of a preparation for full membership, and that the necessary legislative and other steps could be taken in the interval before membership became acceptable. The Commission's *avis* was always going to face problems in the Council due to the rigid position adopted by the French government. However, it was not just the French position that caused concerns for the Commission; British policy was designed to isolate the French among their EEC partners, and this led to further divisions in the Council. By April 1968, it was difficult to see how the Community would be able to move beyond this crisis when proposals by each of the Community actors had been rejected. The Commission's report failed to unite the six.

Britain did not welcome the Commission's *avis*, and secretly hoped that the five would reject the document. One could easily criticise the British attitude of 'all or nothing', which in the early stages of its relations with the Community seemed to exclude any formal link with the six that would be less than membership. However, at the beginning of 1968, there were signs of a slightly more flexible attitude, in that acceptance of an interim arrangement with the Community that would carry with it a guarantee of eventual membership was not ruled out. A crucial question was how such a guarantee would be framed, but this was of academic importance so long as the French refused to be a party to any commitment that linked an 'arrangement' with membership. Indeed, the British archival material suggests that officials in London would have been glad if the idea of an interim commercial agreement was dropped, preferring instead to concentrate on interim arrangements along the lines envisaged in the Benelux proposals.[57] The situation remained unchanged in May. Both the Irish and British governments probed members of COREPER to discover how they would approach the enlargement question. Boegner simply reiterated France's basic objections to many of the existing plans during a meeting with the Irish ambassador in Brussels.[58] There were three principal difficulties. The first was the issue that the agreements should be within the context of membership, a key feature of the Commission's plan. The second concerned the proposal for consultations with the applicant countries. France saw no reason for them. The third difficulty related to proposals for development on technology, but France did not support suggestions for a conference to embrace the applicant countries on this topic. Equally, Boegner saw no reason why separate contacts could not be made between the Community and other countries, not necessarily confined to the applicants. He quoted as examples of such contacts and cooperation the Concorde and Jaguar projects.

Officials in Whitehall wanted to know from the British mission in Brussels when 'the crunch' would come on Community enlargement. The Foreign Office instructed Fredrick Jackson, one of its officials in Brussels, to contact Rey and members of COREPER to find out what they had planned for after the summer recess. Jackson's report to London read like a comedy of errors. 'All see dark days ahead', was how Jackson opened his report.[59] From his informal talks with Community officials, all seemed to think that, if anything, French opposition to enlargement was being expressed 'more blatantly' than earlier in the year, but, unfortunately for the four applicants, this did not translate into 'increased utility on the part of the Five'.[60] In fact, it was having the opposite effect. Jackson concluded that the five were not united, nor, as a Luxembourg source pointed out, were they 'credible'.[61] The Germans believed that the mood would deteriorate further in the autumn of 1968, while the Italians were uncertain which ideas they would press in the Council to lift the deadlock. The Dutch, among Britain's staunchest allies in the Community, informed Jackson that they would carry on with their 'guerrilla' warfare, but The Hague was under no illusion as to the effectiveness, as a means of pressure on the French, of holding up Community action on such matters as company law and patents.[62] Similarly, the British believed that the five would not use the renegotiation of the Yaoundé Accord (association agreement with former overseas territories) as a stick to beat the French. The five generally held the view that it would not be practical politics to attempt 'to punish the Africans in order to punish the French'.[63] On the question of agricultural finance, none of the British contacts in COREPER were willing to consider that this question and British membership could or should be linked together so closely that unless the Community were enlarged there could not be an agricultural settlement. Moreover, the five were unwilling to run the risk of a new battle with the French over this issue. The end of December 1969 marked not just the end of the transition period but also the time when the CAP's finance regulations, agreed with such difficulty in 1965, were due to expire.[64] One of the main concerns of the French government was that the deadline would pass and no new agreement would be reached because of the impasse in Brussels. However, while some in Whitehall might have hoped that the renegotiation of the CAP financing could be used as a tool to get the French to address the enlargement question, none of the five were prepared to risk disintegration of the Community over the question of its enlargement, which they believed would be the result if the issue was linked to the finance question. Indeed, all were concerned, and this included the Dutch, that in agricultural finance there was an important national interest, not only financial but political; hence the deliberate reluctance of the five to use this issue as a lever to shift the French even a little closer towards enlargement. While the five were cautious in their approach to future Community decisions, Jackson advised the Foreign Office that it was in Britain's interests for the agricultural

finance question to be linked with Britain's membership of the Community. Jackson's thinking was clear: if the Community pressed ahead and agreed a formula for financing the CAP without taking into account British interests, then Britain's present policy would suffer a severe blow. The budgetary issue itself was of vital importance to Britain's whole approach. After all, one of the key hopes behind the 1967 application had been that Britain might be inside the Community in time for the renegotiation of the financial regulation. If it were not, there was a very high danger that it would find itself footing a huge bill – and one that some, including Wilson, might not have been ready to pay.

Despite the difficulty in securing a special trade arrangement from the Community, policy-makers in Dublin nevertheless kept the policy alive. One could argue that Ireland (with, perhaps, Denmark and Germany) was alone in attempting to boost trade with the six during a period of increasing political uncertainty both within the Community and between the EEC and the applicant countries. It was in this climate that Dublin increasingly tried to forge a trade deal with the Commission and the six during the latter half of 1968. At a meeting with the German Foreign Office on 4 July 1968, Éamonn Kennedy, Ireland's ambassador to West Germany, stressed the continual decline in Irish cattle and beef exports to the German market as well as the discriminatory nature of German trade with non-applicant countries.[65] In one of the most heated exchanges between the German and Irish sides over the issue of trade, Kennedy put significant pressure on the German delegation for some commitments on the export question. Graf von Hardenberg, a German official, told the Irish delegation that Denmark had already made an approach to the Commission in Brussels for a 1968 off-the-grass season concession. Germany had not taken any action in support of this application, and their view was that it would fail. Kennedy took little comfort from this and asked whether Dublin could assume that, if Germany made an approach to the Commission on behalf of Denmark, a similar approach would be made on behalf of Ireland. Von Hardenberg replied that this would only be possible if Ireland's application had an equal prospect of success, adding that the linking of the applications would result in failure for both of them, while if the applications were kept separate 'at least one of them might succeed'.[66] Kennedy pointed out that in 1967 the Danish concession had been granted well before the Irish request to the Council had been made. What policy-makers in Dublin wanted was for Denmark and Ireland to be placed on an equal footing and for the two requests to be handled together. The Irish delegation continued to insist on proportionately equal treatment, and von Hardenberg agreed to contact Hermann Höcherl, German Agriculture Minister, for further instructions. On his return, von Hardenberg informed the Irish side that it was not Höcherl's intention to raise in Brussels the off-the-grass season concession for either Denmark or Ireland, but that his [the Minister's] attitude could change. Later that

evening, at a reception at the US Embassy in Bonn, Höcherl approached Kennedy and protested in 'heated terms at the pressure his Ministry and he himself was receiving from the Irish delegation on the cattle question'.[67] He told the Irish ambassador that such 'tactics' would erode the goodwill his ministry felt for the Irish case. However, just two weeks later, on 12 July, the Germans raised the Danish question at the Council meeting, but made no mention of Ireland's demands for an increase in its exports to the German market.[68] The Commission argued against the German intervention. Mansholt told the Germans that the autonomous step that they were preparing to take would be in violation of Community provisions, and that a legal basis for these measures would have to be found.[69] The matter was then referred by the Council to the special agriculture committee for a meeting on 17 July. In the interim, Irish officials discovered from Ekkehard Pabsch, German agricultural attaché in Brussels, that a completely new line was being adopted towards the German proposal for Denmark, relying on Article 33 of Regulation 805/68 (which dealt with transitional measures in the single market stage).[70] Meanwhile, Helmut von Verschuer of the Commission gave Morrissey the impression that the Commission had no intention of permitting the 1967 German–Danish agreement to be renewed.[71] The special agriculture committee meeting concluded that Regulation 805/68 could be used as a pretext to renew the trade concession. Under this Regulation, if the Danish concession was agreed, the Germans would be authorised to take intervention measures on third country cattle in the off-the-grass season of 1968. The purpose would be to supply the Berlin strategic stock, and the country of origin would be left to the choice of the Germans. However, it was by no means certain that the concessions would go through; the Italians were strongly opposed, though not because Ireland might be excluded. The matter was discussed again at the Council meeting on 22 July, when they referred to the Commission 'problems arising from the import to Germany of cattle from Denmark'.[72] Ireland was mentioned twice at the Council meeting, in two different contexts, once to the effect that the procedure being adopted should not be taken as a precedent for other third countries (Ireland and Yugoslavia); however, the Italians emphasised that this decision would create difficulties for Ireland and Yugoslavia. Nevertheless, Mansholt capitulated and agreed to the Danish concession for 1968.[73]

While this episode highlighted that, to a certain degree, normal, mundane Community business was progressing despite the dark cloud hanging over the enlargement question, it also revealed how powerless Ireland was to influence either the Council or the Commission, and the limited influence of the Commission to prevent a bilateral trade deal that fell outside the scope of the *acquis*. Denmark's close relations with Germany played a significant role in forcing this deal through the Council. Not only was Community membership blocked by France, but Germany's lack of empathy for

Ireland's farmers meant that exports to the Community would not change for the remainder of 1968. Arguably, the Commission could only be blamed for its consistent line that one exception did not justify another.

While Dublin was fighting its corner against the Germans and the Commission over trade, Britain was seeking closer relations with Rey and his colleagues. Policy-makers in London believed that its defunct application could benefit from closer consultations on a number of subjects that were then being discussed by the Commission.[74] James Marjoribanks met Guido Colonna, Italian Commissioner, in mid-May 1968 to discuss closer contacts. Colonna favoured a limited but essentially practical approach by selecting particular subjects that would provide useful material for discussion, in the course of which Britain would be able, if not to reverse decisions already taken, at least to help eliminate future points of difference.[75] The Commissioner outlined a number of issues for cooperation, including industrial standards and patents, and the harmonisation of customs legislation. While Marjoribanks welcomed Colonna's support, he nevertheless believed it 'most unlikely that the Commission as a whole would issue a declaration that they are now establishing particularly close contacts with the applicant states'.[76] He was acutely aware that

> we are merely dealing with one friendly member of the Commission who is himself anxious to avoid any dramatic gestures and rather envisages a simple multiplication or intensification of the contacts that we have when Commission experts visit London and vice-versa.[77]

The most Colonna's proposal would lead to was a completely informal extension of the type of consultation that London already had in coal, steel, and nuclear energy. Yet, it reflected the Commission's desire to bring Britain closer to the Community. Rather than confronting the French head-on, the Commission would instead resort to piecemeal individual initiatives by single Commissioners in single policy areas. Marjoribanks's refusal to take Colonna's offer seriously was further evidence of Britain's failure to accept anything other than an offer that would lead to the opening of enlargement negotiations. Two months later, Christopher Soames, Britain's ambassador to France, held further meetings with the Rey Commission. Rey and Deniau talked freely on questions of defence and finance as well as on the Community's economic and agricultural policies. It was obvious that the question of Britain's application was certainly at the centre of Community thinking, although Rey drew attention to the successful meeting of the EEC Ministers of Transport on 18 July to demonstrate the continuing development of the Community despite the crisis over enlargement. On the subject of the British bid, Rey spoke with 'his customary (and unconvincing) optimism'.[78] He believed that, as a result of the social unrest that engulfed French in the summer of 1968, Paris would no longer be able to use the same arguments

with their EEC partners as heretofore.[79] Against this, Barre stressed that it was part of de Gaulle's vision that Britain should one day be part of Europe. The French Commissioner did not exclude the possibility, when questioned, that the General might decide that the admission of Britain should be the culmination of his Europe policy.[80] Barre made two points with some emphasis: first, the British application in 1967 had been ill-timed because the Community was not ready; and, second, Britain should 'not close our minds to an "arrangement" '.[81] Despite Barre's comments, Rey dismissed the suggestion of an 'arrangement' as having been superseded by events. It was clear that, while Barre was in favour of the French offer of an 'arrangement', Rey believed that the deadlock in the Council, as well as Britain's rejection of the offer, meant that it was no longer a possibility. Barre's and Rey's conflicting views revealed that at the most senior level in the Commission there was also disagreement on how best to deal with the four applicants. Rey's optimistic prediction at the beginning of the year that the Community would find a solution to the enlargement question proved unfounded. Indeed, the various discussions on the issue between the Community actors and the applicants revealed that significant tensions were close to the surface.

The year of Euro-optimism, 1969

Despite the impasse in the Council on the enlargement question, the Community's other developments were not held back. Quite the contrary. On 1 July 1968 the customs union, one of the first aims of the Treaty of Rome, was established, 18 months ahead of the schedule laid down in the Treaty, which saw customs duties disappear within the Common Market. On the same date, the separate customs tariffs of the six gave way to a single tariff, the external customs tariff of the Community. In addition to this, the first tariff reductions negotiated in Geneva a year earlier as part of the Kennedy Round of GATT talks were also implemented.[82] All of this involved the implementation of earlier decisions. These much needed internal Community developments, Ludlow acknowledges, helped 'to sustain the spirits of those involved in the integration process. The European liner [...] continued to plough forward, even though its propeller had all but stopped turning'.[83] Nevertheless, by September, the enlargement crisis was taking its toll on the Commission. At a Council meeting on 27 September, where Brandt put forward another German proposal aimed at ending the deadlock, Rey sharply criticised the six for failing to reach agreement on the position of the four applicants.[84] He argued that enlargement and the internal development of the Community could work simultaneously. Rey said he regretted that the Council had not adopted the 1967 *avis* on enlargement. Even though he spoke openly about the paralysis in the Community, he did not present any solutions to the Council, but impressed upon the six the need to find a common agreement. Despite adopting a stronger tone at

the September meeting than he had done the previous April, on both occasions Rey called for greater efforts by the six at reconciling their differences. However, on both occasions his calls went largely unheeded.

Members of the Commission sounded a note of dejection at the end of December. Mansholt was quoted as saying that the idea of a supranational authority was dead, and that the Commission was 'growing into a mere secretariat for the Six'.[85] Commissioner Hellwig viewed European integration as being served up *à la carte*; whatever was not convenient for one or other member state was rejected.[86] However, Rey remained, perhaps unsurprisingly, a little more optimistic at the end of 1968. He thought the occasional crisis in the Community was inevitable, and hoped that by Easter of 1969 the French would change their policy towards the British once trade issues had been resolved.[87] Rey's boundless optimism – not shared by his colleagues, the Council, or the applicants – proved misguided throughout 1968. Yet, he remained confident that a solution would be found in 1969. It was unclear what this confidence was based on. Indeed, in many ways it was guesswork. The year 1968 had not been a good year for the Commission. The numerous calls on the Council to break the deadlock over the enlargement question had been ignored. At the same time, there were signs among Rey's colleagues that the Commission had to do a great deal more to avert the Community from a prolonged crisis.

Unexpectedly, the year 1969 became the year of Euro-optimism with the sudden resignation of Charles de Gaulle in April.[88] The subsequent election of Georges Pompidou as de Gaulle's successor instilled a new sense of optimism that France was ready to deal with the enlargement question. At the Council meeting on 22 July, Maurice Schumann, new French Foreign Minister, set out France's policy on enlargement.[89] He said that he had frequently been told that France held the key to the development of Europe. If this were so, he said, it was now the time to explain France's position. Paris saw three problems affecting the development of the EEC; the completion, reinforcement, and enlargement of the Community. Referring to the latter, he made clear that the single condition that France imposed was that there should be no weakening of the Community. There were no objections *per se* to enlargement, but it was vital that the six agree on a formula to bring this about. At their first meeting with Schumann in September 1969, British officials recorded that 'he was clearly out to be friendly and forthcoming'.[90] Despite Schumann's warm disposition, he made it clear that, before a date could be fixed for the opening of negotiations, the six would have to study whether enlargement was compatible with the strengthening and development of the Community. The French government would approach the enlargement question constructively and expected that 'there would be a positive reply'.[91] In conclusion, Schumann reiterated that the Pompidou government was in favour of Britain's membership. It was clear that France had to secure an agricultural deal with the six before enlargement

negotiations could begin. The Commission was well aware of this obstacle. Rey knew that the French required a definite agricultural settlement as a precondition to enlargement. This had more to do with a French fear of British intransigence over the CAP once they became members; De Gaulle had made a similar link between enlargement and CAP in 1967.[92] Therefore, Gaullist policy had not completely died when its chief protagonist resigned from the presidency.

Rey reassured the British that, whatever agricultural agreement the six decided upon later in 1969, such a settlement would be subject to modification when negotiations took place with the candidates. Mansholt believed that Britain's difficulty in the agricultural field was a balance of payments one; the heavy cost of the CAP had been created by the six through setting prices too high. The unanimity rule had played a large part in this. He adopted a slightly a pro-British view of the CAP, and advised British officials that when enlargement negotiations did begin they should make it clear to the six that the present CAP would have to change in some respects. Rey agreed, adding that it was unacceptable for Britain to accept the high prices for butter and the butter mountain. The British, he believed, could not be expected to pay for the problems created by the six. It is unclear from their discussions on the CAP whether Mansholt and Rey were using the British application as a vehicle to modify and influence certain aspects of that policy that the Commission did not favour. This attitude certainly added a new dimension to the Commission's position on the enlargement question, and showed just how far it had come since the 1961–1963 negotiations. The two senior members of the Commission were effectively implying that they would favour some modification of the Community's flagship policy.

The timing of the negotiations was also a vital consideration for the Commission. Rey expected a decision on opening negotiations to be taken before the end of 1969. First, he wanted a consensus to emerge in the Council, and agreement on a package deal comprising enlargement and agricultural finance. This position was closely related to the French position; enlargement was possible, but only after the internal development of the Community was guaranteed. Rey and Mansholt believed it was better to find agreement within the Council first before negotiations commenced.[93] Finally, Rey referred to the issue of political unity. He advised the British Foreign Secretary that discussions about political unity should not enter into the enlargement negotiations. The package deal between the six and the applicants would become unstable if the issue arose during the negotiations. It was important for them to ensure that the British did not introduce any issues into the negotiations that would lead to major difficulties between them and the six. The Commission was also highlighting its knowledge of the issues in an effort to impress upon London that it was a vital contact in any negotiations on enlargement. This was a thread running right through the period covered by this book; the Commission's attempts to find

and maximise its influence in the enlargement debate, a new policy field to extend its remit. The Commission, of course, was also conscious of the previous attempts by the member states at political union. The enlargement negotiations would be difficult enough without adding another issue that had the potential to damage the success of the talks.

The summit of Euro-optimism

At the Council meeting in July 1969, the Commission was asked to update its 1967 'Opinion' on enlargement. The Council's request was another opportunity for the Commission to take centre stage in one of the most important issues affecting the Community. During the months that followed, the Commission clearly realised there was potential, through its *avis*, to put in place a plan for the enlargement talks that would ultimately follow. In Britain, newspapers were debating the possible cost of membership, fuelled in no small part by a Whitehall review of its likely budgetary contribution.[94] The enlargement question dominated discussions between the Commission and the permanent representatives at meetings of COREPER prior to the completion of the *avis*. On 18 September, COREPER agreed to '*un échange de vues approfondi sur les problèmes que soulève l'adhésion des pays candidats*' once the Commission's *avis* was prepared.[95] An '*inventaire-catalogue*' of the problems associated with enlargement was expected, while at the same meeting Boegner used the word 'mutation' to describe the likely changes in the Community as a result of enlargement.[96] His colleagues from Germany, Luxembourg, and Italy were at odds with his assessment, arguing instead that enlargement was '*une occasion pour la renforcer*'.[97] They stressed that it would only be through negotiations with the applicants that the Community could judge whether the problems posed by membership could be solved.

The Commission arrived at a number of important conclusions in its updated *avis*. There was unanimous support for negotiations opening immediately with each of the four applicants (including Norway), while it firmly rejected the idea of a Community of seven, to include the six and Britain.[98] It accepted that further development of the Community, evolving from being merely a customs union towards becoming an economic union, was necessary. Enlargement could not prevent this process. The report advised the four countries to consider their applications in the context of development, and therefore be prepared to accept not only the Treaty of Rome and the decisions taken since the Treaty came into force, the *acquis communautaire*, but also the general guidelines for future policies agreed by the six or in preparation in the Community. While the four applicant governments understood the Commission's absolute attachment to the *acquis*, it remained to be seen whether they would sign up to policies that had not yet been formulated or agreed by the Community, although it had also been

implicit in 1961–1963 that the candidates for membership would accept the January 1962 CAP deal. The Commission also examined the economic implications for an enlarged Community. In light of the relatively greater importance of the British application, the Commission's observations on agriculture and economic and monetary problems had a particularly British focus. The *avis* stressed that negotiations could not call into question the essentials of the CAP, while the new members could adapt the agricultural policy during the transitional period. The Commission insisted that Britain had to accept the principle of 'financial solidarity' between all Community members. On the economic and monetary issues, the Commission could be accused of doing a compete U-turn regarding its analysis of the British economy. Two years after sterling was devalued, the 1969 *avis* was much more positive. There was no repeat of the controversial views that sterling should cease to be a reserve currency before Britain was allowed into the EEC. The Commission was 'polite and friendly about Britain's balance of payments outlook'.[99] It is hard to pinpoint reasons behind the Commission's change of attitude on the economic issue. Arguably, the economic and monetary measures adopted by Roy Jenkins, Chancellor of the Exchequer, during the previous two years, and his attempts to stabilise the currency, certainly helped. The Commission's office in London had throughout 1968 and 1969 sent detailed reports to Brussels on the economic improvements made under Jenkins. Georges Berthoin, deputy head of the Commission mission in London, even reported to Rey in the aftermath of Jenkins's first budget in April 1968: '*Beaucoup de commentateurs politiques croient sinon espèrent voir M. Jenkins à la tête du Gouvernement dans six mois*'.[100] In addition, this change in the Commission's outlook partly reflected the altered politics of the Community and of the Commission. It was generally felt, after all, that the critical economic and monetary section of the 1967 *avis* had been used as an outlet for Barre's more sceptical views towards enlargement.

Perhaps the only new element to emerge for the Commission's report was the suggestion about the negotiating procedure. The Commission wrote that, before negotiations opened, the Council should discuss the 1969 and 1967 'Opinions' in order to lay down the broad lines of the Community's negotiating position. The negotiations would be confined to important problems involving political, economic, and social issues. Matters of secondary importance would be discussed after the applicants joined. The latter suggestion was another reversal of the position adopted by the Hallstein Commission during the 1961–1963 negotiations, which were extremely technical. This new position was closer to what Jean Monnet and Max Kohnstamm had argued throughout the first enlargement talks, and again in 1967; Britain should sign the Treaties of Rome, and deal with matters of secondary importance after it joined. The negotiating procedure was of prime importance to the Commission, as it presented the Commission with an opportunity to influence the outcome of the talks. Moreover, if the

Commission succeeded in securing a prominent role for itself during the first enlargement round, a precedent would be created for the second and subsequent rounds. Rey and his colleagues favoured a two-phase approach to the negotiations, contrary to the model used during the 1961–1963 negotiations. In the first phase, the Commission would act on behalf of the six, as it had throughout the Kennedy Round of GATT negotiations, under a specific mandate that would cover all problems relating to the existing common policies of the Community or those being developed. Once this phase was completed, and the Commission's report accepted, then a negotiation on institutional questions, and on strengthening the Community, would begin, with the Council taking the lead. Of course, whether the six would give the Commission this mandate, and whether the applicants would see Rey and Martino, Commissioner responsible for external relations, as credible negotiating partners, was 'dubious to say the least'.[101] The plan proposed by the Commission showed that it had come a long way from the 1961–1963 negotiations. The institution did not wish to be perceived as wrenching control of the negotiations from the six by acting as the Community's voice, as it had sought to do in 1961, a position that was then rejected outright by the Council. This time however, the Commission attempted to divide the areas of responsibility with the six, with the Commission dealing with the policy areas while the Council negotiated on the institutional issues.

There was a predictably mixed reaction in COREPER to the *avis* when it was formally discussed on 9 October. Boegner believed that there were still more pressing questions that remained unanswered, such as the institutional changes to the Community in the post-enlargement period, as well as the industrial and agricultural complexities inherent in widening the EEC and the position of non-candidate countries.[102] The thaw may have begun on the enlargement question, but long-serving officials, such as Boegner, would not make this process any easier. While also concerned with the institutional changes that would result from enlargement, the consensus was '*La Belgique partage la conclusion à laquelle la Commission est arrivée: il faut ouvrir les négociations dans les meilleurs délais*'.[103] The Dutch issued a very short statement that outlined their support for the *avis*, and sided with the Belgian position. Bonn preferred a model similar to the negotiations of 1961–1963, in which the Council chaired the meetings and the Commission acted as a source of advice to the Council when required.[104] It was clear that, on both the issue of enlargement as a policy and the procedure to negotiate it, a number of prejudices remained within the Community.

A great deal of activity took place in COREPER during November on the enlargement question, regarding which the French placed great emphasis on continued internal Community development. At a meeting of Council on 10 November 1969, the six had concluded '*les grandes lignes*' on which the December meeting of the heads of state and government at The Hague would be based.[105] Adaptation of the Community's financial regulations, transition

periods for agriculture and industry, problems relating to the Commonwealth, adaptation of the EEC institutions for the post-enlargement period, and the procedure for the negotiations were the five main items that concerned the Council. Even though the Commission's *avis* was not openly critical of the British economy or the position of sterling, the Council nevertheless believed:

> *Il est nécessaire d'avoir une discussion approfondie avec le Royaume-Uni au sujet de sa balance de paiements; du remboursement des dettes anglaises au cours des prochaines années; des balances Sterling et notamment des accords de Bâle*.[106]

What is important about the pre-summit discussions on enlargement was the way in which COREPER was actively examining the potential problems likely to arise during negotiations with the four.[107] While the Council's negotiating position largely reflected the points raised in the Commission's *avis*, the Commission's input during these meetings was often limited. The differences in opinion were not so great.

Though Pompidou had suggested earlier in the year that the leaders of the six should meet to discuss the issues affecting the Community, it was the Dutch government that made the arrangements for the summit. In October, Joseph Luns, Dutch Foreign Minister, issued Rey with an invitation to the conference.[108] Therefore, Rey alone would represent the Commission. There was a certain amount of surprise in the Commission at the nature of the invitation. It was expected that the College of Commissioners would be represented, along with the six governments. However, the invitation highlighted where power rested in the Community. It also showed that the six were determined to play a leading role in the policy-making process on issues in which each member state had a vital interest. For the Commission, it reflected the demise of its stature within the Community's institutional framework. It seemed to the outside observer that the six and COREPER were taking a firm lead on the issue, and other related issues, while the invitation to the Commission appeared as a mere token gesture.

As Dinan makes clear, the meeting at The Hague on 1–2 December 1969 'promised to be an epochal event in the history of the EC'.[109] There was a widespread belief in the Community that new momentum was needed to take the Community forward and avoid a major paralysis. The summit had the effect of injecting renewed enthusiasm for the integration project and generated considerable public interest. For the four applicants, enlargement was the principal issue on which they wished the six to reach agreement.[110] Indeed, as Alan Milward points out, Whitehall's views on the summit were dominated by the hope that the six would set a date for the eventual marriage between the Community and Britain.[111] The first day of the two-day summit consisted of opening speeches by the heads of government. Rey was

not present in the Council chamber during the first day but was allowed to speak on the second and final day of the meeting. Most commentators agreed that Brandt, Germany's new Chancellor, stole the show, while Pompidou's speech failed to inspire.[112] The conference discussed key Community issues on the first day, such as enlargement and financial regulation, issues in which the Commission had more than a passing interest.[113] On the second day, Rey made clear his annoyance over the way in which the Commission had been relegated to all but a footnote in the two-day discussions, but overall he 'seemed to have little impact on the course of discussions at The Hague'.[114] His speech covered many of the issues raised in the *avis*. He referred to the problems that had to be resolved before the end of the year or thereafter, including the financial settlement, own resources, strengthening of the European Parliament, EURATOM, and the Barre Plan for monetary integration.[115] On the balance between enlargement and completion, Rey stressed that, if the Community did everything at once, completion would be three years ahead of enlargement, because negotiations, the ratification period, and the formal entry of the candidates would take two or three years. In the interval, he believed the Community could make substantial progress in the agricultural structure, monetary and energy fields, and the social fund, so that the Community would be 'well structured' when the candidates became members.[116] The speech was uneventful, overshadowed perhaps by the more serious political bargaining between the national leaders. Indeed, Rey's speech and his presence at the summit failed to engage fully with the six, though this was hardly the fault of the Commission. The member states had decided in advance of the meeting that he would play only a minor role. Events of the previous 12 months had shown that, if the deadlock in the Council was to be shifted, agreement had to come from the six. The Commission's *avis* in April did nothing to influence the six beyond the enlargement crisis. There was little Rey could do but watch, and perhaps complain as the leaders of the six forged a way ahead.

The applicants were pleased with the outcome of the summit. A British memorandum claimed that the summit 'marks no more or no less than the first small breach in the dyke of French obstruction to both the development and enlargement of the Community'.[117] First and foremost was the 'personality, position and performance' of Brandt, who 'has done well for us, for the Community and (hopefully) for himself'.[118] Second was the weakened position of France following the May 1968 protests, the resignation of de Gaulle, and the devaluation of the franc in August 1969. British officials concluded that Pompidou 'cannot get away with playing a strong hand with weak cards as General de Gaulle could'.[119] Third was the 'crucial position' of the Community at the summit that weakened the French position. Gaullist obstructionism and sabotage of both the development and enlargement of the Community had 'exhausted the communal goodwill necessary to finance continued French obstruction'.[120] In addition, the memorandum

acknowledged that the stagnation of the Community and the obstruction of de Gaulle had left Britain with:

> a ten year syndrome of being 'unwanted' by a Community whose problems have in recent years been more in the public eye than its achievements. The image of a not very good club with a high subscription and expensive meals still persists.[121]

Dublin largely agreed with the British assessment and, in the days immediately after the summit, pushed for a simultaneous start to negotiations.[122]

The outcome of the summit presented the Commission with significant challenges for the months ahead. Enlargement was almost a certainty, yet the negotiating position of the Community and the negotiating procedure were far from clear. These were at least two key areas where the Commission could play a key role. One of the big shifts in the Commission's thinking on the negotiating framework was its desire to avoid getting the talks caught up in overly technical issues. While guarding the *acquis* and the Treaty of Rome was foremost in the minds of those who drafted the Commission's policy on enlargement, it was also an important consideration in the Commission that the negotiations would reach a successful conclusion. However, despite the Commission's closer alignment with the positions of the five, Rey and his colleagues found themselves sidelined by the six. Arguably, the five believed that the Commission's partial exclusion from the deliberations of the six was a small price to pay if it meant that France would move more quickly on the enlargement issue. It was clear, especially from The Hague meeting, that the Commission had to take some remedial action to prevent the member states and COREPER from taking the lead in the enlargement negotiations and other important areas of Community activity.

6
La Bataille des Chiffres

The Hague summit of December 1969 paved the way for the six to begin the historic process of Community enlargement. It was believed that negotiations with the applicant governments would commence towards the middle of 1970. History was in the making. Chapter 6 examines the Commission's role during the accession negotiations between London and the Community. It explores the negotiating positions and the procedure adopted by the six in advance of the talks. It is beyond the scope of this chapter to analyse the Commission's position on, and influence over, each item on the negotiating table and the outcomes. However, from an analysis of the archival material, it is clear that the Commission played a role with varying degrees of influence and success in most of the issues discussed between the sides, such as dairy exports from New Zealand, Commonwealth sugar, and economic and monetary problems. Instead, Chapter 6 isolates one of the major negotiating issues that affected Britain more than the other applicants – its contribution to the Community budget – and attempts to extract the Commission's role and influence during the discussions that followed.

Setting the scene

The Commission, in close cooperation with COREPER, spent the first half of 1970 preparing briefs in advance of the enlargement talks. By February, COREPER had prepared position papers on the transition period for industry and agriculture, and institutional problems such as voting rights, and had invited the Commission to prepare further reviews on these issues.[1] By the end of the month, both the Commission and COREPER had reached a number of conclusions on how they would approach the question of transition periods. They agreed on the need for parallelism for agriculture and industry in the negotiations with the four applicants.[2] They also concluded an agreement on the need for the accession treaties to enter into force on the same date. Despite the fact that the Commission and COREPER were working on separate negotiating briefs on the same issues, the conclusions drawn were

relatively similar. These early discussions were used not only to set the foundations of the Community's negotiating position but also to establish clear lines of influence among the institutional actors. Even before the thorny question of who would negotiate for the Community was resolved, it was clear that the permanent representatives would play a significant role in the policy-making process during the enlargement talks. At its meeting on 4 February, COREPER twice 'invited' the Commission to prepare reports on the transition period for the applicants.[3] The one issue of prime importance to the Commission was its role at the forthcoming conference. The 1969 *avis* presented the Council with one option, namely, splitting control of the talks between the Commission and the Council. There was little support for this idea among the six. In January 1970, the Belgian government put forward its own proposal, suggesting that the Commission would deal with the negotiations at the deputy and official level on behalf of the Community. This, in effect, would have handed complete control of the negotiations over to Rey and his colleagues. However, the other five delegations ruled that it was not '*opportun de commencer par la discussion de cette question*'.[4] Instead, after much debate, the six decided to begin their analysis of the enlargement question with an examination of the transition period with the involvement of both the Commission and COREPER. The role of the Commission was temporarily put to one side.

Between January and July 1970, the problem of who would lead the negotiations made occasional appearances on the agenda of Council meetings, where there was some reluctance on the part of the six to accept the Commission's proposals. Paul-Henri Spaak suggested '*une personalité indépendante*' should be appointed to lead the negotiations.[5] The former Belgian foreign minister was clearly thinking back to the role that he himself had played in the course of the Treaty of Rome negotiations. It was unclear whether Spaak was thinking that Rey would fill this role. Rey, however, dismissed the idea outright. He was implicitly hostile to giving a mandate to an independent personality.[6] Arguably, the Commission might have feared that the creation of a 'new Spaak committee' carried with it the implication that this would create a completely new Community without respecting the *acquis*. Certainly, the idea of Rey taking a lead role in the negotiations had merit.[7] He had vast experience in the workings of the Community, having been a member of the Commission since 1958. Added to this, he was credited with the successful conclusion to the Kennedy Round of GATT negotiations in 1967, during which the Commission had negotiated on behalf of the Community in Geneva. However, the Rey Commission's term of office expired at the end of June, and there was serious doubt about whether its mandate would be renewed.

During a visit to London in early 1970, Maurice Schumann, French foreign minister, seemed in favour of giving the Commission the role of principal negotiator.[8] That same month, Rey told Jean Monnet that the Commission

would not be excluded from the negotiations and that Barre, Mansholt, and other Commissioners expected to play a lead role.[9] Rey went so far as to suggest that the Commission's term of office be extended beyond June 1970 until after the negotiations ended.[10] This was not such a bad idea, and one that was supported by the Belgians, Dutch, and Italians.[11] Indeed, during his visit to London in early February, Brandt was reported to have broadly supported the idea of having '*La Commission jouer un grand rôle dans les négociations*'.[12] The alternative was to change the Commission as scheduled, in mid-1970, with the possible risk of disruption to the negotiations. This risk, of course, would be negligible if the Commission's role at the enlargement conference was limited. Rey's optimism was based largely on his good relations with people like Pompidou, Schumann, and Brandt. But, if the French had decided to offer their support to the Commission, it would have been in the belief that the Brussels institution would be a solid defender of the *acquis*, less likely to make unnecessary concessions to the British than some of the member states, rather than because of Rey's personal relationship with Pompidou.

Opposition to the Commission came from three corners, the Italians, the Germans, and especially the Dutch, who did not wish to see the Commission in such a prominent role. Added to this, Britain was 'strongly opposed' to the Commission's ideas.[13] London's main objection rested on its belief that the six would have the final say on entry, and not the Commission. As Con O'Neill points out: 'In negotiating with the Commission we should have been negotiating at one remove from the real source of authority and decision in the Community'.[14] Whitehall's view were made 'unmistakably clear' to the six.[15] London 'did not want to talk to the monkey if they could deal with the organ grinders themselves'.[16] The British hoped that, by negotiating directly with the member states, they would secure a better deal. Indeed, the Dutch and the Italians might also have been worried that the Commission would be too tough, and thereby postpone or even endanger an enlargement to which they attached such hopes.

By spring 1970, it was clear that the increasingly influential COREPER was keen to play a more active role in the negotiations. In addition, whatever personal hopes Rey had of playing a role in the negotiations suffered a major setback in April when the six decided against replacing Guido Colonna, Italian Commissioner, who announced his resignation. This was seen as a sign that Rey's mandate would not be renewed for the duration of the enlargement talks.[17] Moreover, at the Council meeting in Luxembourg on 20 April, the six effectively sidelined the Commission's negotiating plans, adopting instead a position whereby the member states would negotiate with the four applicants as one entity, namely, the Community. The Council agreed at a meeting on 11–12 May that the six would work out the common position on all the problems. This position would be set out and defended either by the President of the Council or, in accordance with

a Council decision, by the Commission. Moreover, most of the Council believed that the meetings should be chaired by Council representatives at all levels of negotiations, ministers, ambassadors, and experts. These Council decisions were completely unsatisfactory to the Commission. It would have preferred that at ambassadorial level (permanent representatives) the EEC's spokesman should be a Commission representative. The Commission's criticisms of the Council's formula were based on a number of issues. First, this procedure which the Commission preferred was similar to that followed in the negotiations relating to the Yaoundé II Convention, while there was no similarity between these negotiations and the ones that were about to commence. Arguably, the Council's procedure weakened the Community's position, since the applicants would have permanent negotiators and the Community 'rotating' negotiators. However, there was no restriction on the role of the Commission in the internal discussions among the six, and during the 1961–1963 negotiations most of the main decisions were taken in this setting; there was ample scope to influence the agenda.

With the exception of Belgium, the Commission found no support in the Council for an increased role in the negotiations. The member states did not share the Commission's apprehension that the procedure adopted would lead to a failure of the negotiations similar to the 1963 breakdown, which the Commission contended was a result of the negotiating procedure adopted in 1961.[18] A letter from Rey to the Council at the end of May, arguing in favour of a greater role for the Commission, failed to shift the majority opinion.[19] There seemed to be a flaw in Rey's argument. Why had the Commission agreed to the rotation of chairmen at ministerial level yet found it indefensible at deputy level? The Community had reached a sufficiently homogeneous stage for rotating chairmanships on the Community side to present no disadvantages. Indeed, given the politicised nature of the enlargement debate during the previous decade, the procedure presented by the Commission did not reflect these political sensitivities. Its formula, based on the 1969 *avis*, would have deprived the permanent representatives of any real role in the negotiations because they would have found it difficult to agree to attend the negotiations and meetings of the four applicants envisaged by the Commission simply as observers. Moreover, the Commission's formula would rule out any negotiations (at least with regard to the common policies) at ministerial level. It would, in fact, restrict the Council's role to that of taking note of the results of the negotiations conducted by the Commission that it could accept or reject. The Commission would thus be the Community's real negotiator. However, the GATT precedent might suggest that the Commission's position was not so black and white. In Geneva, for example, the Commission had spoken for the six, but it had done so in a fashion that was tightly controlled by the member states and Article 111 Committee.[20] A similar hybrid system could have been devised had the Council believed it to be advantageous to do so.

In June, COREPER had developed an outline of how the negotiations would proceed. They would take place at ministerial level, at senior level, and at working group level. The role of the Commission was also agreed by the six. It was decided: '*En vue d'arrêter les positions communes des Communautés Européennes, la Commission des Communautés Européennes est invitée à faire des propositions sur tous les problèmes par la négociation d'adhésion*'.[21] The Community's *communiqué* issued after the Council meeting on 9 June concluded the following: (a) the Council would decide upon the common standpoint of the EEC in all problems raised by the negotiations; (b) the Council would invite the Commission to make proposals regarding the problems raised; (c) the relevant discussions of the Council would be prepared by the permanent representatives; (d) all meetings between the applicants and the Community would be chaired by the President-in-office of the Council; and finally (e) the Council gave the Commission the task of seeking, in liaison with the applicant countries, solutions to specific problems raised during the negotiations and reporting back to the Council.[22] On paper at least, the Council was giving the permanent representatives far greater influence in the negotiations than the Commission. However, these arrangements gave the Commission much more official sanction for its role than had been the case in 1961–1963, when it had ostensibly been no more than an 'observer' in a conference dominated by the member states. In the Council and COREPER, by contrast, the Commission's role and utility were well established. Not until negotiations opened would it become clear whether the Commission's role would be faithful to the letter of the Council's *communiqué* or whether the Commission would play the unofficial role of deal-maker. So far as London was concerned, it was more than happy to see the Council and COREPER take the lead.[23] Of course, London did not wholly trust the Commission to make the right judgement on issues affecting its membership bid. Ensuring the member states had the key role would: (a) give London the greatest possible chance of deriving benefit from its efforts ever since 1967 to 'woo' the 'friendly Five'; and (b) ensure that even the sceptical French became caught up in the logic of negotiating advance, rather than being able to stand back, saying little, until they broke cover and emitted a further veto.[24]

1 July 1970 marked the end of the Rey Commission's term of office. The new Commission would be reduced from 14 to 9 members, and, by common agreement of the six, the new Commission President would be an Italian. Enlargement was one of the main issues that plagued Rey's term of office. After the 1967 French veto, he was unable to unify the six around an agreed position that would have the effect of moving the Community forward and accommodating the four applicants. He was not as successful as his predecessor had been in turning a crisis into an opportunity. Instead, the crisis persisted and overshadowed Community business from December 1967 to December 1969. Even though he spent his last months in office attempting

to secure a role for the Commission at the enlargement conference, his efforts largely failed. Here, perhaps, the comparison between Hallstein and Rey is most evident. Both Presidents fought for a greater influence in the Community's negotiating position only for the Council to exert its political muscle and ordain a different set of proposals. Rey was certainly hampered on the enlargement question by the multiple positions adopted by the six. As Dinan notes, Rey was much more attuned than Hallstein to national sensitivities and interests.[25] A good part of the Rey presidency had been spent pursuing a policy of 'wait and see', especially after the second French 'No'. This had the effect of sidelining the Commission. Perhaps as a sign of how weak the Commission had become since Hallstein's departure in 1967, there was some difficulty in finding Rey's successor at a crucial period prior to the enlargement talks. The problem was that no prominent Italian wanted to go to Brussels, although this was hardly new.[26] Rome eventually decided on Franco Maria Malfatti, a former Under-secretary of State at the Foreign Ministry. Malfatti would have little time for on-the-job training, despite his relative inexperience, as the enlargement talks had commenced days earlier on 30 June. In addition, he also found a memorandum on his desk from Emile Noël, Secretary General of the Commission, which painted a rather gloomy picture of the state of relations between the Commission and the Council.[27] In a sweeping analysis of the problems facing the new Commission, Noël emphasised that, as a result of the 'empty chair' crisis and the previous Commission's relative inability to recover lost ground because of the events of 1965, the Commission risked becoming an institution dealing solely with technical issues. He was rightly concerned at the ever-increasing role of COREPER and the six in policy-making, stating:

> *toute l'action de la commission et de ses services est observée avec attention, vigilance – et plus ou moins d'indulgence – par les délégations permanentes des Etats membres. Les rapports de travail, les rapports nationaux comme les relations personnelles font que rien n'échappe des intentions, des hésitations comme des divisions de la Commission.*[28]

At most, the Commission was able to showcase its knowledge of the *acquis*, and it possessed a technical advantage over the six, but Noël argued that this was not enough; the Commission had to exert its influence in other policy areas. One such area was external relations and, in particular, the enlargement negotiations. Despite the lack of a defined role for the Commission in the negotiations, the Secretary General remained optimistic. He emphasised:

> *la procédure de négociation avec le Royaume-Uni, même si elle ne satisfait pas la Commission, donne à celle-ci des possibilités d'action non négligeables. Beaucoup dépendra de la manière dont la commission abordera le dossier, et*

des rapports qu'elle établira à son sujet avec le Representants Permanents et les gouvernements.[29]

The note also suggested that the Commission's negotiating stance should closely resemble the 1967 and 1969 opinions. The accession negotiations would be crucial to the Commission if it were to regain much of its lost prestige and influence within the Community's institutional framework. Its in-depth knowledge of the *acquis* was one tool that could be employed to increase the Commission's importance to the other negotiating actors.

The Malfatti Commission announced its negotiating 'task-force' on 15 July.[30] There had been wild speculation about who would lead the Commission at deputy and ministerial level at the negotiations. Those mentioned included Malfatti, and Commissioners Deniau, Ralf Dahrendorf, and Albert Borschette. Of these, it was recognised that Malfatti did not have the necessary experience to deal with such a complex negotiation, unlike Hallstein a decade earlier. Although there is no archival evidence outlining the reasons behind the Commission President's decision on the negotiating team, arguably Noël's paper might have helped make the decision easier. What the Commission needed was someone with a knowledge of this type of negotiating procedure. Borschette would have been a strong contender for the position. Before his appointment to the Commission, he had been Luxembourg's permanent representative to the Common Market and would have had a good working relationship with COREPER. However, as Noël's note made clear, the negotiations offered the Commission an opportunity to regain its footing in Brussels. The appointment of a former member of COREPER might not have furthered the Commission's long-term position, and it did not help that Borschette had recently proposed that the Council act as the spokesperson for the Community.[31] Arguably, the personal views of the External Relations Commissioner might also have been the reason why he was sidelined as a possible chief negotiator. Dahrendorf had his own ideas on Community enlargement, and Britain's place in Europe. He wanted Britain in Europe, but admitted: 'I had already come to the conclusion that there was a worrying discrepancy between the needs of Europe and the reality of the European Communities'.[32] For the German Commissioner, this meant that there was also a discrepancy between 'the political intentions of the British government and the economic realities of the EEC', and Barre and Deniau were both conscious of these.[33] More worryingly, Dahrendorf could not be described as a Euro-enthusiast.[34] Was this likely to make it harder or easier for the British to join? Or would the impact be limited to curtailing the Commission's role in the talks even more than might otherwise have been the case? A united Commission would certainly have advantages in advancing its role in the negotiations. It would go a long way towards increasing its lost influence in a number of areas, and help to neutralise the impact of

COREPER. However, the lack of a solidly pro-enlargement Commission also had its benefits. Commissioners would be less likely to grant greater concessions to Britain or the other applicants, or compromise on the *acquis*. Indeed, the Hallstein Commission comprised members, including the President himself, who were not completely in favour of enlargement so soon after the creation of the EEC, and insisted during the 1961–1963 enlargement conference on nothing less than a complete acceptance by the applicants of the existing and future policies of the Community. Moreover, Commissioners, such as Barre and Dahrendorf, could play the role of devil's advocate at meetings of the Council and the Commission against the pro-enlargement positions. While these scepticisms might not preclude Britain and the other applicants from joining the EEC, it would mean that the negotiations would be based firmly around a complete acceptance and protection of the *acquis*.

In the end, it was Deniau, French Commissioner for Development Aid, who was appointed by Malfatti to head the Commission's working party for the negotiations.[35] Even though Ludlow has described Deniau as a 'relatively light-weight and junior' member of the Commission, there were some merits to his selection.[36] A Commissioner since 1967, and a senior Commission official in the External Relations Directorate since the early 1960s during the first round of enlargement talks, Deniau had a detailed knowledge of the *acquis*, and he understood how political games were played between the Community institutions and between the applicants and the six. Any lingering distrust of the British would only help reinforce his determination to protect the corpus of pre-existing Community rules during the enlargement talks. Of course, it is highly probable that Noël would have intervened with Malfatti if he had believed Deniau was not best suited to furthering the Commission's position at the conference table. Indeed, the Commission's negotiating team, of which Deniau had been a member, was praised for 'rapidly showing itself to be both knowledgeable about the subject matter and politically adept'.[37] O'Neill, upon hearing of Deniau's appointment, assumed that the Commissioner's 'task must be mainly that of co-ordinator'.[38] The British hoped that the ministers of the six involved in the negotiations would draw on their own national services for any additional studies 'that have to be made as it would only complicate matters if the Commission were to be too heavily involved'.[39] Indeed, the Foreign Office was forced to deny as 'complete nonsense' reports that Britain would not deal with Commission functionaries during the negotiations.[40] It was further evidence that the British government did not wish to see the Commission play a leading role in the enlargement talks.

At Deniau's suggestion, Edmund Wellenstein, Director-General for External Trade at the Commission since 1967, was placed in charge at official level with a number of assistants, including Manfred Caspari, Roland de Kergorlay, and Renato Ruggiero.[41] Wellenstein was close to Deniau – the two had worked together in the early years of the Rey Commission in External

Trade – and this no doubt explained why Helmut Sigrist, the Director-General for External Relations in the Commission, was overlooked for the position.[42] In addition, Wellenstein played an active role in the Commission's discussions on enlargement, and in formulating its position on the various issues under discussion. At numerous meetings of the College of Commissioners, it was Wellenstein who briefed them on developments between the Community and the British and other applicants. Perhaps more importantly, he was the Commission's chief representative at the COREPER meetings, where the Community's negotiating position was often formulated in advance of Council meetings and meetings of the enlargement conference. Deniau's deputy would then report back to the Commission. Ruggiero's selection was an odd one, since it seemed unlikely that Malfatti's *chef de cabinet* would be able to dedicate much time to the detailed negotiations. However, upon a closer examination of the appointment it was clear that the Commission President wished to keep a close eye on the negotiations. One of the traditional roles of *cabinets* within the Commission was to keep abreast of what was going on elsewhere in the Commission, and make certain that 'their man' was well informed during collegiate debate.[43]

During the 1961–1963 enlargement negotiations, all the Commissioners insisted on making their voices heard on most topics, but this changed during the 1970–1973 negotiations. It was Deniau alone who spoke for the Commission. There are few references in the archival papers to Malfatti's role in the negotiations. However, before the first meeting with Britain in July 1970, Malfatti, perhaps sensing differences of opinion among the Commissioners on certain negotiating issues, stressed that throughout the negotiations the Commission had to act in a collegial fashion.[44] Even though it has been noted that Mansholt kept his distance from the day-to-day negotiations, preferring instead 'to become a tactician', the archival evidence suggests that he was active in COREPER and Council discussions of many of the agricultural issues on the negotiating table.[45] Barre, the other French Commissioner with responsibility for economic and monetary matters, was directly involved in the negotiations, and this led to some friction between himself and Deniau. It was widely known that Deniau favoured Britain's membership, while Barre was, at best, 'no enthusiastic partisan'.[46] However, perhaps not surprisingly, Wellenstein refuted claims that Barre had a hidden agenda to sabotage the enlargement process. Acknowledging that Barre was critical, severe, and not in favour of some of the concessions Britain received, Wellenstein insists that 'he was never destructive'.[47] Barre would have known that he was too weak to seriously block Britain's path – and, hence, to incur too much resentment from a future member state would have been highly unwise for a Commissioner with political ambitions. Furthermore, he would have been aware that Paris was no longer dead-set against enlargement. Taking risks against enlargement in Brussels would, therefore, not necessarily have curried much favour in Paris. Indeed, had

the talks with Britain collapsed, Barre might have run the risk of becoming a convenient scapegoat. Relations between Barre and Deniau were tense – the latter thought of Barre as obstructive, and a boring professor, while the former viewed Deniau as a superficial diplomat.[48] Both Commissioners had their own agendas, and were clearly conscious of the need to maintain good relations with Pompidou. Indeed, one could argue that both men used the enlargement talks to jockey for position in Paris. It is questionable whether these relations were at the expense of the Commission's overall influence in the negotiations.

Opening negotiations

On 30 June 1970, in the dying days of the Rey Commission, negotiations between the Community and the four applicants opened at a special 'family portrait' meeting in Luxembourg, chaired by Pierre Harmel, Belgian foreign minister.[49] The British negotiating brief was already widely known. It was based largely on George Brown's statement to the Council of the WEU on 4 July 1967.[50] His statement had been short and to the point: London sought to reduce to a minimum the area of negotiations, to keep the talks as short as possible. It accepted all three treaties, their aims and objectives, and promised to implement them in full. Brown's statement dealt with special problems such as the annual agricultural review, milk, pig meat, and eggs.[51] He referred to the CAP and the financing of this policy, the problem of British hill farmers, sugar, and New Zealand's export market.[52] In complete contrast to the 1961–1963 negotiations, the Commonwealth issue did not loom so large by 1970. In the decade that followed the first application, Commonwealth countries had found alternative markets for their exports and were not as reliant on Britain. The one major exception was New Zealand, and its chief export commodity, namely, sugar, which preoccupied much of the Community's time. Brown had also accepted the obligations of the Treaty of Rome, 'the regulations, directives and other decisions already taken under it'.[53] This was quite an undertaking on the part of the British government, but one that had to be made if its application were to stand any chance of success. Its opening statement in 1961 had merely committed the British to accepting the Treaties of Rome, not the entire *acquis communautaire*. With hindsight, though, this turned out to be a major tactical blunder, since it gave some basis to the French (and Hallstein's) claim that British entry would empty the existing Community of much of its content.

Harmel set out the Community's position on the issues likely to arise during the talks, a position that had taken over six months to formulate.[54] The overall position of the six revolved around the The Hague Council *de facto*: *achèvement*, *approfondissement*, *élargissement*. He acknowledged that the three themes were not linked in such a way that any one was a precondition for the others.[55] He made it quite clear to the four applicants that, even

though negotiations were taking place with the Community, the internal development of the EEC would continue, and, therefore, the applicants were expected to accept the *acquis* that extended to all the Community would agree right up to the signing of the Accession Treaty. This was a position close to that advocated by the Commission during the 1961–1963 negotiations and in its 1967 and 1969 opinions.

The Community's opening position was more cautionary than detailed, a position that was agreed in advance among the Council, Commission, and COREPER.[56] Prior to the opening of negotiations, the Commission was in close contact with the Council's secretariat in an attempt to ensure that the Commission played a part in the opening day of the talks.[57] These discussions were also to avoid the impression that there were '*difficultés internes de la Communauté en ce qui concerne le rôle de la Commission dans la négociation*'.[58] The six attempted to do a number of things in advance of the talks. First, they publicly espoused a frequent Commission line, that the *acquis* was not up for renegotiation. Indeed, the Commission wrote to the Council, highlighting the need for all parties of the negotiations to remember the ideas that inspired the EEC, and to take these forward into the enlarged Community.[59] The British and the three other applicants had to accept all Community rules before the negotiations commenced and any rules agreed by the six during the course of the enlargement talks. At first glance, this seemed like a relatively simple request, but that was until the Commission introduced proposals for a common fisheries policy soon after the negotiations started. Second, the six made clear that the conference would deal at some point with Britain's economic and monetary problems. Added to this, they gave no firm guarantee to the British about the position of the Commonwealth countries after Britain acceded. This was going to be another issue for the negotiations. Harmel's statement 'reflected the Community's view that speed was less important than thorough deliberation and the fact that the Community was not prepared to cut any corners or run any risks for the sake of a group of *demandeurs*'.[60] From the outset of the enlargement conference, it was clear that Britain would 'shoot first' before the Community acted.[61] Indeed, the Commission believed that: '*C'est, en effet, la délégation britannique qui devrait préciser les questions sur lesquelles elle estime que des problèmes particuliers se posent pour la Grande-Bretagne et les demandes qu'elle présente en conséquence*'.[62] In his short address to the conference as out-going Commission President, Rey highlighted a 'certain nervousness' in public opinion in one or two of the applicant countries, although the Irish delegation believed he was referring to Britain and Norway.[63] At the opening meeting, the Community delegation 'invited' the Commission to carry out a number of studies based on information supplied by the British government. The Community made it clear that the Commission was merely a servant of the six, and not of the conference as a whole, while its reports on various issues would be submitted to the Council.

The British position

Whitehall, and especially people like Geoffrey Rippon, minister in charge of the British negotiations at ministerial level, Burke Trend, Cabinet Secretary, and O'Neill, were acutely conscious of the need to find agreement with the Community on as many issues as possible without lengthy bargaining.[64] They were too familiar with the problems that had plagued the 1961–1963 negotiations, especially the delays over minor issues. In preparing negotiating tactics for the year ahead, the Foreign Office argued that, by the end of the ministerial meeting on 8 December 1970, Britain would table opening positions on all important issues, including the contentious issue of Community financing but excluding a discussion on Britain's economic prospects and economic and monetary harmonisation, on which talks would start in early 1971.[65] Whitehall's October 1970 review of the negotiations did not specifically refer to its relations with the Commission. Indeed, the British archival material suggests that officials spent a greater amount of time during the period prior to the negotiations meeting senior members of the Pompidou government at ministerial and official levels.[66] The French were clearly of greater political importance to the outcome of the British application, and London accordingly formulated a policy around winning over the French. The British were prioritising relations with Paris. While there was no British policy of excluding France's EEC partners or the Commission, which, of course, was not possible given the latter's role at the technical level of the negotiations, Whitehall sought the quickest route to membership, and this was through the Council, not through detailed negotiations with the Commission.

By the end of June, the Council had decided the format for the talks.[67] In the deputies' meetings during the negotiations, O'Neill spoke for the British side on general statements and conducted the proceedings for London, but, crucially, for the Community side only the Council President spoke.[68] This was a rule rigidly enforced by the chair of the negotiations. Unlike during the 1961–1963 negotiations, the Commission did not have the right to speak, and did so only on the invitation of the chair, which occurred 'probably not more than half a dozen times in the course of all our formal meetings'.[69] In fact, the Council President only called on the Commission for factual contributions or 'when the President was stumped on a matter of procedure or the interpretation of Community texts'.[70] The procedure adopted in 1970 did not only discriminate against the Commission's capacity to speak; the member states were also not allowed to interrupt during the formal negotiations.

As the archival evidence confirms, there was no real negotiation at the formal session of the Council. Both the ministerial and deputy levels of negotiations meetings lasted an 'embarrassingly' short time, with one meeting in November 1970 lasting a mere 23 minutes.[71] Yet, these meetings had

two purposes. The first was to make and support statements or proposals, while the second was to record the formal agreements 'once these had been reached through the elaborate variety of methods pursued outside the formal Conference'.[72] Not all problems were dealt with at the ministerial meetings, and only 13 were held throughout the entire negotiations between Britain and the Community. Far more frequent were the meetings at the deputy level – between permanent representatives of the six and the applicants – in which a great deal of the decision-making took place. The role of COREPER went far beyond simply organising meetings for their ministers. They were an integral part of the conference, and conducted negotiations on behalf of the member states on mandates that their ministers did not have to approve in advance.[73] Given that there were 38 meetings at this level over the course of the 18 months of negotiations, it was clear that these had a crucial bearing on the outcome of the negotiations with London. The Commission, of course, played a role during the internal deliberations of the six, especially during COREPER meetings, in which the negotiating position of the Community was established in advance of each ministerial meeting, or in response to a proposal from the British delegation. This is, hence, the key to understanding the Commission's influence over the negotiations.

Setting the agenda

The first six months of the negotiations were uneventful. The first meeting between the Community and Britain, held on 20–21 July in Brussels, ended with an agreement on procedural questions, with the British accepting all that had been agreed to date. Perhaps more importantly, the meeting witnessed the Commission's first success in dictating the direction of the negotiations despite its position at the enlargement talks. At this meeting, Britain accepted the Treaties establishing the Community, and quashed any doubts that Britain would not accept the CAP. London agreed with the principles of the CAP 'in an enlarged Community'.[74] Yet, London was interested in an annual review of agriculture in the Common Market covering the relationship between production and consumption, a proposal that came directly from the 1961–1963 negotiations. The Commonwealth also formed part of Britain's negotiating agenda, just as it had in the first round of enlargement talks in 1961–1963. The most pressing Commonwealth issues included the export of sugar to the British market, New Zealand lamb, butter, and cheese, and provision for the Commonwealth developing countries. The British proposed that seven fact-finding groups be established, with officials from Britain and the Community. These groups would spend two months putting together the background material for the various problems, such as CAP, the Commonwealth, sugar and the EEC, the application of the CET, and official translations of Community law. The idea met with a frosty reception from the French, and the Commission. After five hours of deliberations,

Mansholt argued that the idea was unworkable so far as agriculture was concerned. To him the whole discussion on the cost of EEC membership was distasteful.[75] France believed that these working groups would undermine the common negotiating position of the six. In the end, the rejection of the proposal was a victory of sorts for the Commission. The Council's counter-proposal asked the Commission to analyse the data supplied by the British dealing with the key Commonwealth issues, and those domestic British issues outlined in London's opening statement. In addition, the Commission was asked to liaise with the British in order to draw up a list of problems arising from Britain's acceptance of the ECSC. This procedure certainly presented the Commission with another opportunity to claw back some of the influence it had lost at the outset of the negotiations to the Council and COREPER. One of the benefits of the first meeting was that key issues were raised from the outset and procedures were quickly implemented. What was also revealing from this meeting was the lack of an overall strategy on the part of the six. The Community had taken a number of decisions prior to the opening meeting, but its negotiating stance was formulated as and when the British made a proposal, and this accounted for one of the main delays during the talks. After London presented something new at the talks, the Community representatives would withdraw from the conference, and deliberate for hours in search for a common position. This was very much as it had been in 1961–1963.

In advance of the second ministerial meeting between London and the Community, the Council requested that the Commission and COREPER jointly prepare material on the economic, financial, and monetary problems associated with British membership.[76] This was an acknowledgement by the Council that the committee of permanent representatives could not act as the sole source of advice and information for the Council. It also suggested a significant degree of mistrust towards the Commission on the part of some member states.[77]

La bataille des chiffres

In November 1970, the Commission presented to the Council its *vue d'ensemble* of the main points of the negotiations. It aimed to present '*une solution globale aux problèmes de la période de transition*'.[78] The paper was never formally presented to the Conference, even though the four applicants succeeding in acquiring a copy. British reaction to the Commission's paper, unlike that of Denmark, Ireland, or Norway, was wholly negative, especially regarding the section dealing with proposals for Community finance.[79] However, it became an important document. Britain's first, and perhaps only, unreasonable demand during the negotiations related to one of the more tricky questions: Britain's financial contribution to the Community budget, a 'negotiable issue *par excellence*'.[80] Labour attempted to deal with Britain's financial contribution in its White Paper of 1970 before it was ousted from

office in the June elections that saw the pro-European Heath and the Conservatives victorious.[81] Britain's White Paper did not go unnoticed in Brussels; Commission officials were extremely critical. In conversation with an Irish diplomat, Roland de Kergorlay (head of Directorate B – External Relations with the European countries) felt it was the result of an imprudent bowing to pressure from the rank and file of the Labour Party, and the paper's calculations were 'ludicrous'.[82] This attitude would not be confined to just one Commission official, and, as the chapter shows, many Commissioners would disagree with the British line on financing the Community's budget.

In their opening statement to the Community, the British made a lengthy reference to the finance issue, stressing: 'We have to work together to find a solution to this basic problem which will be fair and sound for the enlarged Community and for all its members'.[83] On 22 July, the British tabled their first paper on their financial contribution, although a formal position would not be presented until December. From this paper, divergences emerged between the Commission and the six on the one hand and Britain on the other. According to the British delegation, the paper, 'the Financial Arrangements in an Enlarged Community', contained 'the best and most realistic estimates which the British government have been able to make'.[84] Within a week, the paper was leaked and discussed openly in the press. It was impossible to keep policy positions secret in the negotiating conference. Once a position paper was presented by either side on a particular topic, it invariably found its way into the hands of *Agence Europe*, the national press, or officials from the other applicant countries. This problem had also dogged the 1961–1963 negotiations, with the British placing most of the blame at the door of the Commission, claiming that it leaked like a sieve.

At the request of the Council, the Commission responded to the British paper in October. If that paper was filled with facts and figures relating to Britain's financial contributions up to 1978, the Commission's response, prepared by Barre, was the opposite. The Commission claimed it was pointless to engage in detailed discussions on hypothetical figures for 1978.[85] Moreover, despite providing no financial estimates, the Commission challenged most of the assumptions made by the British, especially relating to Whitehall's Gross National Product (GNP) forecasts.[86] London had underestimated the likely growth of intra-Community trade, and therefore overestimated the amount of Britain's customs duties. In addition, Britain's calculations on agriculture were particularly problematic for the Commission. London claimed that the Community's agricultural expenditure would increase, not decrease, with the addition of new members by 1978. Their October 1970 assessment, which was revised downwards by 15 per cent a year later, adopted a figure of 45,000 million units of account as the likely total of the Community's budget by 1978.[87] The Commission viewed the future trading prospects of the EEC somewhat differently, and this led to a significant divergence in views between the British paper and the

Community's reply. The Commission believed that the pattern of Community expenditure would change during the course of the 1970s, and that agriculture spending in 1970 would fall significantly in future years. In one of its more pointed criticisms of the British paper, the Commission made clear: 'Calculations more or less favourable towards one party or another lose their significance when seen in the perspective of the dynamic effects which the United Kingdom's accession must have'.[88] The British, of course, disagreed. London was extremely doubtful whether the amount going to the CAP would drop as predicted by the Commission.

The Commission's paper was presented to the British through the Community at the deputies' meeting on 4 November. The six expressed their general approval of the Commission's efforts. The Commission's first major paper to the Council was a relative success, even though the British felt that 'it was hardly a dispassionate analysis' of the budgetary question.[89] Indeed, to understand the Commission's position in many of its policy papers presented to the Council, it is important to reassess the political role that the Commission was attempting to play. Barre and Deniau were to the fore in dealings with the Council and Britain. Having learned lessons from the 1965 Community crisis, it was inevitable that the Commission would play a cautious role in sensitive policy areas. It was unlikely that the Commission would risk diverging too radically from French interests, and getting the British to pay a large slice of the Community budget was in France's interest. It was also, of course, in the Commission's interest, as it would be responsible for spending the Community budget. Therefore, the Commission's response to the British paper was cautious, while at the same time it helped to move the debate over Community finance to another level. This was a difficult task. Deniau, in charge of the Commission's working group on enlargement, was broadly in favour of British membership. At the outset of the negotiations, the Commission adopted a dual role: protecting the Community's *acquis* without making unwelcome compromises while also ensuring that the negotiations did not stall.

However, it was not always possible to maintain this balance. The British, for example, found the Commission's *vue d'ensemble* 'extremely harsh and unwelcoming', a paper that would form the basis for many of the Community's positions in the months ahead, especially in relation to reconciling problems thrown up by the Commonwealth.[90] Interestingly, the Commission's most important paper was never formally presented to the British negotiators, but, as with all Community material, even the confidential documents, the paper made its way into British hands within days of its completion. The rules of the game, according to O'Neill, prevented the British side from ever formally referring to the *vue d'ensemble* 'save by phrases such as ideas which we believe to be current within the Community'.[91] The British side found only one of the Commission's points to be of any use: the acknowledgement that the financial contributions of the six would

drop because of Britain's membership. As one negotiator later recalled: 'This was the only occasion that the Community ever acknowledged this simple arithmetical fact'.[92] Less appealing to Whitehall was the Commission's vague notion that the finance question could be linked to Community voting rights. This meant that, if one country did not pay its share of the budget, it would not have equal voting power in the Council. London may have been irked by this, but was far more aggrieved by the Commission's recommendations on how the Community's budget would be financed, and Britain's contribution, during the five-year transitional period after membership.

The Commission put forward two scenarios for the finance question. First, the Commission wanted Britain to pay 21.5 per cent of the total Community budget in 1973, and the same percentage during the five-year transitional period. In the second scenario, the *vue d'ensemble* added that Britain could pay, in 1973, 10–15 per cent of the Community budget, rising to 20–25 per cent in 1977.[93] Needless to say, the British side viewed these figures 'as extremely prejudicial and entirely unjustified'.[94] The Commission favoured the first option, and, naturally, the French saw benefits in supporting it when compared with the second.[95] Indeed, O'Neill believed that, of all the proposals put forward by the Commission during the negotiations, its November paper 'fell far below its normal standard of helpfulness throughout the negotiations'.[96] The Commission's position on Community financing had the desired effect of pressurising the British to increase their initial offer. In a note to the Community in late December 1970, London reacted angrily to the Commission proposal, no doubt fearing that it would be accepted by the six if objections were not made quickly. The British stated: 'Against the background of the sort of ideas which the United Kingdom Delegation *believe* to have been expressed by the Commission, the United Kingdom Delegation has considered making proposals which would be equally extreme'.[97] Justifying the British low opening figure of 3 per cent, Whitehall officials stressed: 'the United Kingdom wants to integrate into the Community system with the minimum disturbance to all concerned and wished for its part to conduct the negotiations without recourse to extreme bargaining positions'.[98] In the months that followed the November paper, the French used the Commission's figure of 21.5 per cent as their preferred starting point for Britain's opening contribution.

The Commission's *vue d'ensemble* forced the hand of the British to address the issue in a more *communautaire* manner. It is difficult to assess whether this is what the Commission intended. During a House of Commons speech on 25 November, Geoffrey Rippon appealed to the six not to adopt any particular stance on the finance question based on any one report, and argued: 'I very much hope that the Community will await the proposals which we intend to put forward on this point in the near future before themselves endorsing or adopting any position as their own'.[99] By mid-December 1970, the British presented new proposals. Rippon argued that the British base

should be in the range of 13–15 per cent, applicable from the fifth year of Community membership. During the transitional period, Britain would build up to this figure in 'equal annual steps starting from a notional zero per cent in the year before accession'.[100] Typically, the British did not put these proposals forward as a bargaining tool, but instead 'as a reasonable point on which to conclude' the negotiations on the budgetary question.[101] The new British proposal was 'received with disbelief by almost every corner within the EC'.[102] At his press conference in January 1971, Pompidou responded, saying:

> We have often had the occasion to say that France wanted, and believed in, Britain's entry into the Common Market. That is still my position, but of course it depends in the first place on the British. One must admit that the British have three qualities amongst others: humour, tenacity and realism. I have the feeling that we are still slightly in the humorous stage.[103]

The French maintained that the Commission's figure of 21.5 per cent (Britain's contribution to the Community budget) was a better estimate of what the British should pay, and this argument was carried through to the spring of 1971. At the Council meeting on 2 February, and again in mid-March, Jean-Pierre Brunet, Director of Economic Affairs at the *Quai d'Orsay*, argued that '*la proposition britannique n'était pas une solution acceptable au problème d'une période de transition*'.[104] Malfatti and Deniau agreed. Indeed, Malfatti believed that the British proposals '*n'est pas de nature à garantir la transition harmonieuse recherchée vers l'application normale du système communautaire*'.[105] Despite the fact that the five believed that 5–10 per cent was an adequate starting point for Britain's contribution, the French would not budge until Britain increased its offer above its 3 per cent starting figure. Neither did the Commission think that the percentages suggested by the five were adequate. The one point that the six and the Commission agreed upon was that the 3 per cent offer was not enough. However, it would be increasingly difficult for the Commission to alter its original position if faced with a deadlock between the Community and Britain. The Commission's November *vue d'ensemble* had caused '*la bataille des chiffres*' on the budgetary question.

Deniau believed that a final solution was possible, but felt the British would not compromise so long as '*l'hypothèse extrême pèse sue les délibérations au sein des "Six"*.'[106] In a further sign of its increasing role in the negotiations, the Council informed the British delegation on 2 February that the Commission would continue to seek a solution to the finance question.[107] The first months of 1971 saw a number of high-profile visits to London by members of the Malfatti Commission.[108] The talks revealed a deep level of mistrust towards the Commission. For example, Deniau visited London in

early January to discuss, among other things, Community finance and New Zealand with Rippon. Whitehall's briefs for this meeting highlighted one general but significant point: 'We must remember that everything we say to Deniau will go back to Paris,' and, if Georges Berthoin (of the Commission's office in London) arrived with Deniau, 'it will go straight to Courcel as well'.[109] There was no hiding the fact that some officials in Whitehall believed that all Frenchmen attached to the Commission, and involved with the enlargement negotiations, were French operatives.[110] Although an exaggeration, this was not a claim entirely without foundation. However, these British prejudices served to show that officials in London were not willing to look beyond issues like French influence in the Commission for the greater good of securing British membership. The role of the Commission during the 1970–1972 talks was, of course, to act as a source of technical advice for the Council, but Malfatti's visit to London on 3 March 1971 was more akin to private political talks. As Mariëlla Smids argues, a technical role seems to have been a tactical choice by the Commission, given the nature and complexity of the *acquis*.[111] Rippon took 'advantage of the present private talks to make what were perhaps the most important political points'.[112] Before addressing the long list of issues Rippon wanted discussed, Malfatti reiterated that the Commission believed in Community enlargement, and would do all in its power to bring it about. He wanted to see faster progress in the negotiations, something London was also anxious to achieve. It is unclear why Malfatti felt the need to reassure Britain of the Commission's position on enlargement. Perhaps it reflected his response to the suspicious mood with which the Commission's representatives were greeted. Arguably, it was to convince London that, despite the perceived hard line adopted by Barre on Community financing, the Commission was wholly in favour of Britain entering the EEC. Moreover, Malfatti was keen to prove to Britain that the Commission was a trusted ally in Brussels. However, it also had much to do with the Commission's 21.5 per cent proposal, because this had led to the impasse over the Community budget. Malfatti acknowledged that the Community financing issue was in danger of becoming a sort of sporting event. If this happened, the discussion on Community financing would result in all sides taking excessively rigid positions. He made it clear that the British offer had no supporters among the six, and hoped that there was some flexibility on Whitehall's part. Rippon wanted the Commission to understand that the British proposal on Community finance had been put forward in good faith and 'represented what we thought to be a fair arrangement'.[113] Crucially, Rippon added: 'this was not to say that they were not negotiable'.[114] Because of the deadlock over the Community finance issue, Rippon posed an important question to Malfatti: if a resolution could not be found, was it not an opportunity for the Commission to act as an honest broker, and suggest ideas that could bridge the gap? Indeed, this was a scenario that best suited the Commission. With deadlock between the six and the British over the

Community's budget, it was an opportune moment for the Commission to intervene. The positions of the various negotiating actors were well known by February 1971, and the Commission perfectly understood that France was the main obstacle in the Community to a resolution of the finance question. The problem for the Commission was to ensure that any solution reflected France's policy of extracting a high price from Britain.

Malfatti had a more difficult encounter with Heath, who also impressed upon the Commission President the need to find a speedier solution to the main outstanding problems. Heath noted that the enlargement negotiations had been going on for the past ten years and that this was far too long to keep people (the British public) interested.[115] When challenged for an explanation as to why the British financial proposals were inadequate to the Commission and the six, Malfatti claimed that the British attitude was wrong. London tended to look too much at the burden of individual countries. Britain had to consider the solidarity of the Community, and the financial system that was made up of three elements of levies, tariffs, and Value Added Tax (VAT). Quoting Rippon's earlier promise that, if Britain's proposals resulted in burdens for others, Whitehall would be prepared to look at them again, Malfatti believed that this was a limited approach, but certainly not the correct one. Moreover, Britain's original 3 per cent would not cover its costs, taking into account the social fund, the fund for research and development, the guidance part of the agriculture fund, and restitutions arising, for example, from Danish agricultural export to Britain.[116] Heath clearly understood this, but argued that Britain had given an undertaking to accept the *ressources propres* in full as the final stage. It appeared that London was adopting a negative attitude in relation to the costs of membership, and was more concerned with what Britain would get back from its contribution. Malfatti advised Heath not to take such a policy position into the negotiations, given the widespread rejection of London's finance proposals by the six. A *juste retour* was not what the Community was about, even though one could argue that France and the Netherlands gained more from the Community than they gave back, if one used the same mindset, which underpinned *juste retour*. When pushed to give the Commission's opinion on what was a suitable opening negotiating budgetary contribution, the Commission President repeated that Britain was following the wrong policy of putting financial affairs before the more important issue of gaining membership.[117] The search should be for principles and methods, and one of these principles was 'progressivity'. He categorically denied that the six and the Commission were pursuing a policy of 'making Britain pay'. Even though Heath was more pro-European than his predecessor, it was clear that he was adopting a tough negotiating position towards the Community on the financing issue. His position in many ways reflected the one adopted by the Commission. The budgetary question represented the hard bargaining

stance adopted by all sides at the enlargement talks. It remained to be seen which of the actors would back down first.

The Foreign Office realised that their argument in support of their initial finance offer was flawed, and there was little sign that Malfatti accepted the substance of their position during his visit. They concluded: 'Recent evidence suggests that he [Malfatti] is as hard as anyone in rejecting our proposals as "absurd", and inclines to support the French view that the Community should sit tight till we review them'.[118] Malfatti's visit left the British in no doubt that its 3 per cent was not acceptable to the Community; if progress was to be made in the negotiations, a more substantial offer was required from London. Moreover, it was clear that the Commission was not willing to support enlargement at any cost to the Community's welfare. This was another sign of how the Commission placed the *acquis* at the top of its agenda, just as it had during the 1961–1963 negotiations and in its 1967 and 1969 opinions. Moreover, it was clear that Malfatti found it difficult to back down from the Commission's original position on the finance question. It remained unclear whether the Commission would bridge the wide gap between its figure and Britain's 3 per cent.

One of the central conflicts in the Commission's relations with Britain was that of a divided loyalty. From the first meeting between the six and Britain in mid-1970, the Commission clearly adopted a pro-French line on the policy positions it presented to the Council. It was more than a coincidence that their policy positions overlapped. Barre was driving the Commission's economic and monetary policies, but critics would also argue that he was de Gaulle's and later Pompidou's man in Brussels, and more easily influenced than the other members of the Commission. However, the same critique could be applied to Deniau. Of the six member states, Deniau was far more concerned with the views and positions expressed by France, and the archival material confirms this.[119] As a result, the Commission's policy position regarding the most suitable budgetary contributions from the applicants reflected largely, though not exclusively, the ideas emanating from either the *Quai d'Orsay* or the Elysée in Paris.

The Commission's interest in the budget was two-fold. On the one hand, there was the Commission's own interest in ensuring that the financial needs of the Community were met going forward. This was especially important with regard to financing of the CAP. A second major consideration for the Commission was more political than economic. These considerations were more likely to have centred on possible French antagonisms rather than any fear of the British. The British archival material would suggest that the Commission paid significant attention to soundings from Paris than from the five, London, or the capitals of the other applicants. After all, two of the key Commissioners dealing with the enlargement negotiations were well-connected Frenchmen, who were perhaps closer to the views expressed by

officials from Paris than from the capitals of the five or the four applicants. However, the last thing that the Commission wished to see was the reopening of the hard-fought 1969 deal on the financing of the CAP. This would have added further complications to the already difficult negotiations on Britain's budgetary contribution. It was, therefore, better from the Commission's perspective to side with the influential French view on this question. This raises a further question: was the Commission's enlargement policy based exclusively on French national interests in the period after The Hague Council meeting? The Commission's 1970 *vue d'ensemble* put forward a suitably large figure that suited the French but also reflected internal thinking in the Commission. Yet, it highlighted the increasing influence of the Commission in putting forward policy proposals that were well received by the Council, thereby adding value to the Commission's role in the negotiations.

For their part, the British, unsurprisingly, wanted the Commission to adopt a more neutral attitude to the negotiations. However, as O'Neill would later acknowledge, the Commission could not place the needs of potential future members on the same footing as the needs of actual member states. Protecting the key aspects of the *acquis* was not a priority for London, although it held some reservations over the CAP. Rather, London wanted the Commission to put the interests of the Community as a whole first rather than the vested interests of Gaullist farmers, the bedrock of Pompidou's support.[120] However, the Commission had to consider its own interests, and foremost among these was harmony in the existing Community.

Throughout the spring of 1971, both the Community and Britain argued in support of their own positions over how much Britain should pay to become effectively a member of the Community.[121] London continued to claim that each of the member states would make significant savings because of Britain's contribution, a claim rejected by the Dutch.[122] At the ministerial meeting of the conference on 16 March, no progress was recorded on the finance question, but the British succeeded in forcing the Community to accept that the ball was now in its court, and that London would wait for a response. The lack of progress was in part due to the Commission's advice to the Council, which argued against a discussion of percentages until the Commission continued to examine the issues.[123] Discussions on the finance question in the Commission throughout March were of a general nature, with Deniau rather than Barre outlining the positions of the member states and the implications that the various percentages would have on the Community going forward.[124] There was very little movement in the Commission or among the permanent representatives on the budget question towards the end of that month and throughout most of April. The Commission, instead, appeared to adopt a 'wait and see' policy. Rather than presenting new figures to the six, the Commission was working on the assumption that Britain would change its attitude to the budgetary question.

The situation began to change towards the middle of March, when it was secretly agreed that France and Britain would hold a bilateral meeting to discuss the outstanding issues on the negotiating table. This change of mood was reflected in a new finance proposal presented to COREPER at the end of April, not from the Commission but from France. The French proposal had the desired effect of moving the discussions on the finance question to a new and more productive level. There was no indication that the Commission was aware of the new attitude from the French delegation. Indeed, at a meeting of the Commission during the two previous weeks, the French had presented their new finance formula, but there was no suggestion of an imminent move by the *Quai d'Orsay*.[125] The French had decided to keep the Commission and its EEC partners in the dark. Indeed, plans for the Heath–Pompidou summit were perhaps the best-kept secret of the entire negotiations.

On 5 May, at a meeting of COREPER, France formally put forward its new finance proposal. What the French government presented was not a set a figures but a framework to calculate how much each country would pay towards the Community budget based on the GNP of each member state.[126] The five and the four applicants were more enthusiastic about the French proposal than the Commission.[127] In a note written afterwards to Deniau, Wellenstein stated: '*La proposition française a la mérite d'une extrême simplicité qui est obtenu en ne raisonnant pas sur les trois composantes des ressources propres isolément, mais sur ses composantes dans leur ensemble*'.[128] The five accepted the French plan at a Council meeting on 10 May, and presented to the British negotiators three days later. The British government agreed that if, at the ministerial meeting of the Conference on 11–12 May, the Community

> put forward proposals pointing to a gradual increase in our contributions to the budget from less than 10 per cent in the first year of membership to a level of up to 20 per cent in the fifth year, the Chancellor of the Duchy of Lancaster should indicate that we would regard these as a basis for negotiation.[129]

Rippon welcomed the French proposal, but wanted the Community to give Britain a definite value in percentage terms for each year until the end of the transitional period. The scene was, therefore, set for the final instalment of what was the most complex issue of the negotiations. Much of the final scene was played out not in Brussels but in Paris, during a meeting between the British and French leaders, a week after the French proposal had been made.

The background to the Heath–Pompidou meeting has been plotted by other scholars dealing with Franco-British relations during the period of the negotiations.[130] What matters here is the impact that this 'bilateral secrecy' had on the position of the Commission and the outcome of the British

budgetary question. The meeting was held in Paris on 20 May. While the summit meeting between the two leaders was not intended to conclude a final settlement for the enlargement talks, understandings were reached over a number of the key issues, including Community financing. France accepted a first year contribution from the British of less than 10 per cent, but this represented a significant blow to the Commission's *vue d'ensemble*. What was tentatively agreed in Paris was a reduction of Barre and Deniau's 21.5 per cent, a figure that the French had originally been in favour of accepting. It would be inaccurate to claim that the Anglo-French summit resulted in bringing closure to the budgetary question. On the contrary, because France did not attach any percentages to its framework proposal, there was still ample scope for the Commission to influence the outcome of this issue. Therefore, the June meetings between Britain and the Community would prove decisive.

The French framework proposal linked the contribution of each applicant to its GNP had it been a member of the Community in 1970. The Community's statistical office did much of the work in putting figures together. The calculations showed that Britain would have had 19.02 per cent of the enlarged Community GNP in 1970. This was 2 per cent less than the figure in the Commission's *vue d'ensemble*. At Deniau's suggestion, the 0.02 per cent was dropped, and this remaining figure would represent the British budgetary contribution in 1977.[131] There were still disagreements between the member states over the base starting point for the first year of membership. These disagreements presented an opportunity for the Commission to intervene with its own proposals. The British refused to pay anything more than 9 per cent for 1973, the first year of membership. Indeed, the 6.5 per cent offer that Heath had made to Pompidou a month earlier in Paris was the guide figure for the British delegation, but, under orders from Heath, the British delegation could not go above 9 per cent. Arguably, a single-digit figure would be easier to sell to an increasingly sceptical British public than a double-digit one, so that Heath could avoid the accusations of paying a high price for membership.

The Commission discussed the budget question again on 7 June. Earlier that day, the Council had asked it to prepare percentages based on the negotiating stance of both the British and Community delegations. Deniau argued that Britain had to pay between 8 and 9 per cent in 1973 in order to adequately cover its share of the Community's budget. In the closing hours of 22 June, the Community presented the British delegation with precise proposals on the Community budget and New Zealand dairy products. France claimed that the Community's position was not negotiable unless Britain wanted to reopen the agreements already reached on New Zealand. The Community figures accorded with Deniau's assessment of what Britain had to pay towards financing the Community. It was finally agreed

that Britain's contribution would be 8.64 per cent in 1973, rising to 18.92 per cent by 1977.[132] A telegram from Heath to Rippon in the early hours of 23 June authorised the British delegation to accept nothing more than 9 per cent for 1973. It had to be in single digits. *La bataille des chiffres* was effectively over.

The Commission played a significant role in the debate between Britain and the Community over how much Britain should pay for membership. O'Neill and Kitzinger's accounts of the negotiations on the budgetary issue claim that the Heath–Pompidou meeting resolved the issue. This is not wholly accurate. This bilateral diplomacy had its advantages. It resulted in a new proposal on finance, but without the specifics. This is where the Commission played a key role – adding flesh to the bones of the French plan. The result did not differ significantly from the percentages outlined in the Commission's *vue d'ensemble*, and could certainly not be considered as a climb-down by the Commission. While the budgetary issue highlighted the important role that the Commission had carved out for itself in the negotiations, it also revealed significant weaknesses in its negotiating position and the limits of its influence. Deadlock over Britain's paltry 3 per cent offer in December 1970 presented Deniau with an opportunity to draw up new proposals that did not compromise its position or lose the support of the member states. It remains to be seen why the Commission did not suggest, as the French did in early May, linking the GNP of each country with the amount they should pay towards the Community's budget. The British opening figure was too small, but it had the effect of antagonising the Commission and staunch supporters of the British application elsewhere in the Community. What is certain, however, is that it was not in the Commission's interests to accept the original British proposal. Too ready an acceptance of the British case (or even just of some of the principles upon which it was based, notably that of *juste retour*) would seriously undermine the whole automaticity of Community financing. It was this automaticity which was the attraction of the system from the Commission's point of view, since it meant that it would receive monies as a right, rather than this having to be decided by the member states through political bargaining. The Commission thus had arguably even more reason than France to be wedded to the status quo.

Financing of the Community's budget in the post-accession period revealed just how politicised the negotiations had become. There was much at stake, not just for Heath and Pompidou but also for the Commission, because any agreement could potentially influence future enlargement negotiations. An analysis of the budgetary question showed how the Commission, despite its official role at the negotiating table, was able to influence the agenda and provide valuable input at crucial moments just before agreement was reached. The financial breakthrough, of course, is not the whole

story of the Commission's influence in the negotiations that led to Britain's membership. The Commission was heavily involved in negotiations with the British on the CFP, exports of sugar into the Community, sterling, agricultural prices, and transitional measures. However, once the British budgetary question had been resolved, the Community and London were able to conclude agreements on other significant issues associated with financing, such as the question of New Zealand dairy products that the French had intentionally linked to the finance question.

7
Challenging the *Acquis*

Due to Ireland's relative size and pro-European and Community outlook, membership negotiations with the Community should have been a straightforward affair. There were no colonial interests to be considered other than Ireland's close economic relationship with Britain. Ireland was not a member of the Commonwealth or EFTA. There was no longer any discussion in the Community about allowing neutral countries into the EEC, due largely to the fact that Ireland's application was not considered in the same light as those of Austria and Switzerland. Domestically, there was no serious political or social opposition to membership (unlike in Britain, Denmark, and Norway) and, therefore, the Community did not have to sidestep any sensitive issues.[1] Indeed, of the four applicants, Ireland was perhaps the staunchest advocate for membership, and, as the previous chapters have argued, its position on achieving entry remained steadfast throughout the 1960s. Chapter 7 deals with the Commission's relations with Ireland during Dublin's second, and successful, attempt at Community membership, from 1970 to 1973. While it is beyond the scope of the chapter to adequately explore all the issues that dominated the enlargement talks, it examines one key area where the Commission's negotiating influence was most effective. It devotes particular attention to the CFP, introduced to the Council, and then to the applicants, just as negotiations commenced in June 1970. The chapter examines the background to the CFP, and the role that the Commission played in bringing it to the enlargement talks. Was the introduction of the CFP merely a question of the Commission refusing to apply the brakes to the internal development of the Community or an example of the Commission speeding up the introduction of a particular policy so as to get it through the Council before the applicants joined? In addition, the chapter analyses the position of the Irish negotiators towards the CFP, and the problems that emerged once the CFP negotiations began. Central to the chapter is an analysis of the Commission's role and influence as it tried to protect the *acquis* from unwelcome advances by Dublin (and other applicants) while at the same time ensuring that the negotiations would be successful.

Ireland's negotiating preferences

Ireland's 'Mr Europe' during the period of the enlargement negotiations was Patrick Hillery, Minister for External Affairs, who was assisted by many of those who had worked on Ireland's first application for membership in 1961. The negotiating team had no prior experience of negotiating with the Community as a whole. During the 1961–1963 membership bid, negotiations between Ireland and the Community had not opened. Even though the 1960s had witnessed the Irish government's repeated attempts to extract trade concessions from the Commission and the six, the 1970–1972 negotiations were the first time that Ireland had sat down with more than one Community actor. However, after ten years of close relations with the capitals of the member states and the Commission, Irish policy-makers were more than *au fait* with the workings of the Community institutions and the Community system. It remained to be seen whether this knowledge would be used to its benefit in negotiations over key topics, such as agriculture and fisheries.

In the months immediately after The Hague Summit, Dublin busied itself preparing a detailed negotiating brief in anticipation of the opening of enlargement negotiations. Hillery and other members of the cabinet went on a tour of the capitals of the six and met the Commission. The government sought to convey the message that Ireland was willing to secure full membership of the Community, and to accept the *acquis* as well as the political implications vaguely associated with membership. One point that Hillery highlighted during his tour was the need for the simultaneous opening and ending of negotiations and accession for Ireland and Britain. He also stressed the importance of consultations on matters of common interest to all the applicants as they arose during the negotiations.[2] Irish officials in Brussels ensured that the Commission was made aware of these two concerns prior to the negotiations.[3] The Commission was also conscious of the need to keep the three applicants informed of developments between the Community and Britain because of the economic and, to a lesser extent, the political relations between all four countries. In a note to the Council two weeks after the negotiations started, the Commission wrote: '*Il est nécessaire d'éviter tout risque d'information divergente*'.[4] With reference to issues that all the applicants had in common, the Commission noted: '*La commission souligne par ailleurs qu'il faudra assez vite arriver à des réunions multilatérales avec tous les pays candidats, notamment pour examiner les problèmes relatifs aux politiques communes*'.[5] Dublin, perhaps rightly, feared that Britain would not keep its fellow applicants informed of matters of mutual interest, a concern shared by the other applicants and Britain's EFTA partners.[6] It was clear to policy-makers in Dublin how vital it was for the Commission to keep Ireland updated *vis-à-vis* the negotiations with London when issues of mutual concern arose.

The Irish Foreign Ministry saw benefits as well as drawbacks attached to having the Commission play a prominent role in the enlargement talks. There were a number of issues, such as the continuation of export tax reliefs, to which Ireland hoped the Community as a whole would adopt a more tolerant attitude in the framework of the common policies than the Commission, as guardian of the treaties, would be expected to do. However, there was no guarantee that, by negotiating separately with the six, Ireland would be able to secure better treatment. The most important objective of policy-makers in Dublin during the negotiations 'was the protection during the transitional period of our interests in the British market, particularly as regards agriculture'.[7] To achieve this primary objective, close cooperation between Dublin and London, but also between the Community and the other applicant states, was necessary. Moreover, just as the British had concluded, policy-makers in Dublin were also of the opinion that the advantages of negotiating with the Commission 'are largely to be marginal'.[8] Yet, they would not adopt a policy for or against any of the Community institutional actors taking the lead in the negotiations. Ireland, therefore, approached the enlargement talks with high hopes for its agricultural sector but with mixed ideas about which Community actor would be sympathetic, open-minded, and flexible towards Ireland's application. One thing was clear. Dublin was very conscious that it would have to deal extensively with the Commission, and would hence require the establishment of a business-like relationship. Ireland's delegation to the enlargement conference would have to liaise with all sides in order to achieve their objectives.

Between January and June 1970, not only did Irish government ministers visit the capitals of the six, the Commission, and the applicant countries, but the government also published a White Paper on membership that was generally well received in the Community, and completed its negotiating position on a wide range of issues.[9] Irish officials in Brussels were well aware of the importance that the Commission placed on complete acceptance of the *acquis*. Irish diplomats were better placed than policy-makers in Dublin to understand the manner in which these types of negotiations worked, and what was expected of each applicant. They were, after all, in close contact with Community officials and the diplomatic corps in Brussels and therefore would have come into contact with the latest political manoeuvrings regarding the enlargement questions and other issues relating to membership. In December 1969, Seán Kennan, Ireland's ambassador to the EEC, offered Dublin the following advice:

> (i) avoiding disclosure of information which would prejudice our negotiation position (ii) avoiding disclosure of confidential information, such as conversations with Commissioners (iii) avoiding publication of evaluations or judgements of a sensitive nature, 'our attitude as regards New Zealand butter and lamb' (iv) bearing in mind that whatever was

> published would in all probability be studied in Brussels, projecting the image of a country ready and able to accept all the obligations (political as well as economic) of full membership, to play a constructive part in the further development of the Communities and not 'concerned exclusively or mainly with the economic payoff particularly in agriculture', and (v) to a very limited extent 'factual accuracy'.[10]

Kennan was concerned that too much emphasis was placed on the benefits that Ireland's farmers would receive from membership of the CAP after accession. While the economic benefits were the principal motivation behind the Irish application, it was far more important to show the Community that Ireland was also interested in the political, and economic and monetary union, aspects of membership. He stressed: 'We do not wish to create the impression in the Community that the agricultural payoff is the chief motive for our application. We also have to bear in mind the sensitive issue of agricultural surpluses within the EEC'.[11] The Irish government certainly did not want to attract too much unwelcome attention towards its principal exports, such as butter. After all, by the end of the 1960s, the Community had surpluses in many of the dairy commodities that Ireland wished to export. Ireland's membership would only add to the Community's butter mountain. Irish officials were also clearly conscious of the character of the negotiations, in which nothing remained a secret for very long. While the Commission would provide a useful source of information and technical expertise on the common policies, policy-makers in Dublin and Irish diplomats in Brussels realised that it was highly probable that any information they presented to the Commission would end up in London or the capitals of the member states. Diplomats thought it wise not to publish any statistics before first meeting with the Community, because to do so might reflect negatively on the application. Arguably, the Irish had learned lessons from the British, who had published a White Paper on membership before the talks started that included an estimation of how much London would have to pay for entry into the Common Market. There was, therefore, the belief within policy-making circles in Ireland that it was better to await the opening of negotiations rather than prejudge the Community's negotiating position.

Having accepted the *acquis* at the opening meeting between the Community and the four applicants on 30 June 1970, the real negotiations for Ireland commenced in September. Prior to the first ministerial meeting with Dublin, there was very little discussion in the Commission about the Irish application. A questionnaire prepared by the secretariat of the Council had been sent to the Irish, Danish, and Norwegian governments requesting information on a wide range of economic issues.[12] Therefore, at the first ministerial session between the Community and Ireland on 21 September 1970 under the chairmanship of Walter Scheel, German Foreign Minister, Hillery simply presented his country's case for membership, and outlined the main

issues that Ireland wished to negotiate.[13] It was clear to the Community that Ireland's candidacy posed none of the more challenging problems associated with Britain's membership. Most, if not all, of the problems related to finding technical solutions. There were at least eight key issues that Dublin brought to the negotiating table in Brussels. These included the transition period, customs union, CAP, fisheries, trade relations with Britain, Ireland's contribution to the Community budget, economic and monetary union, and various other relatively minor issues. Hillery supported the Commission's position on the transition period, especially the parallelism between the achievement of the free movement of industrial goods and the common market for agricultural products. The government also supported the Commission's view that the transition period would be the same for the four applicants.[14] While Ireland had been a supporter of the CAP since the policy was first mooted in the late 1950s, it paid special attention to the British negotiations on this issue for fear that London would negotiate special arrangements for third countries, such as New Zealand, that might affect Ireland's export trade to Britain. Unlike Britain, Ireland had accepted the Community's finance system from the outset. Arguably, this was a minor issue, since Ireland's contribution to the Community's budget would be small in comparison to the gains it was likely to make from the CAP and other funds. Nor would the amount that Ireland would have to pay cause political problems for Lynch's government or result in adverse public opinion.

However, it was not plain sailing for Ireland's negotiators. The introduction by the Commission of a near completed CFP on the same day that the four applicants met with the Community in June 1970 added a new and largely unexpected challenge to the enlargement negotiations. Before the chapter examines the CFP negotiations, it is worthwhile dealing with the background to this policy in order to assess how it became one of the defining issues during the talks in the Commission's relations with Ireland and a serious challenge to the *acquis*.

The community's fisheries policy

Most of the main agricultural products in the Community were subject to a common policy by mid-1968 under the CAP. Fish and fish products had not been included, despite coming within the Treaty of Rome definition of agricultural products. The Treaty was silent on what type of policy should regulate the Community's fishing industry; there was wide scope for interpretation. In many ways, the origins of the CFP could be linked to the problems that had confronted the French fishing industry during the early part of the 1960s. By 1962, that industry found itself increasingly threatened by the competition of cheaper foreign fish imports from member and non-member states. Fish trade was also being liberalised within the framework

of the GATT and the Organisation for Economic Cooperation and Development (OECD). As a result, imports into France rose significantly, from 95,000 tons in 1957 to 242,000 tons in 1962.[15] It was at this point that the French government lobbied the Community for a common fisheries policy to help its fishing industry cope with the extra competition.

The Commission proved rather receptive to the French position, despite lukewarm responses from the five, who were worried about the costs associated with another new policy. It was perhaps no surprise that the Hallstein Commission became a supporter of a new common policy covering the fishing industry. As the CAP had shown, common policies had the effect of bringing the six closer together, but, crucially for the Commission, common policies deepened the integration process and gave the Commission a greater role in influencing the policy-making process. With a green light from Paris, the Commission set about drawing up a common policy to regulate fishing in the Community. By 1966, the Fisheries Division of the Commission's Directorate for Agriculture put together a package of proposals that were later modified and sent to the Council in 1968. As Mark Wise points out, the slow progress of the CFP marked a lack of enthusiasm in all the member states, except France.[16] The 1968 fisheries proposals covered three main areas: (i) the common organisation of the fishery market; (ii) a common structural policy that included using EEC funds, and establishing common rules governing the granting of state aids; and (iii) equal conditions of access to fishing grounds. The Commission had adopted a broad interpretation of the Treaty of Rome provisions for the fishing industry. In many ways, the CFP proposals closely resembled those of the CAP. While the new policy did not represent any new and fresh thinking from the Commission, it nevertheless represented a significant step forward for the Community's agriculture sector. Moreover, it placed the Commission in the driving seat of the policy-making process, therefore fulfilling one of its key functions under the Treaty of Rome as the initiator of policies. It was the third aspect of the Commission's proposals that caused the greatest problem at the enlargement negotiations. The Community's fishermen, the Commission argued, had to have 'equal access to and use of fishing grounds in maritime waters coming under the sovereignty or within the jurisdiction of member states'.[17] These access proposals were an integral part of the Commission's structural policy, designed to eliminate national discriminations and equalise conditions of competition. Moreover, the blueprint for a fisheries policy also showed how conscious the Commission was of the various national interests of the member states. The Germans and the Dutch, for example, insisted on equal access to the fishing waters of the other member states, while France wanted the policy to include provisions whereby its fishermen could use Community funds to upgrade fishing fleets. Though the Commission's proposals made reference to overfishing and conservation, a serious concern for, or analysis of, conserving fishing stocks did not feature prominently.

Between 1968 and June 1970, agreement on the CFP was difficult to achieve in the Council because of the divergent interests of the six. The European Parliament was broadly in favour of the Commission's package on fisheries. Indeed, debates in the Parliament in 1968 concluded that any regional exceptions to the equal access provision had to be an exception, and not widespread: views which would later find their way into the Commission's negotiating position at the enlargement talks.[18] Despite France's reluctance to accept the equal access provision, which was largely a negotiating ploy to achieve other objectives, French members of the European Parliament raised no similar concerns. Rather, their focus was on the market support mechanisms, external trade, and structural aids, with little or no concern for conservation issues. The hard bargaining between the six and the Commission on the CFP from 1968 to 1970 is touched upon elsewhere.[19] However, the internal discussions in the Council revealed how the six and the Commission were determined to find some type of solution to the many conflicting interests of the Community actors.[20] The Commission had made a number of compromises in order to resolve the conflict among the six, especially the French, German, and Dutch governments, over the issue of using Community funds to pay for the new policy.

On 30 June 1970, the Community had reached a less than perfect agreement on the CFP.[21] Agreement was only possible after Mansholt had presented the six with a new set of proposals aimed solely at bringing closure to the CFP before the enlargement negotiations started that same day. By linking the issue of equal access to fishing waters and the CFP structural fund, the Commission was at once able to reconcile French and German objections to the original Commission plan for the fishing industry.[22] Added to this, the Commission and the French insisted that the CFP be adopted in time to become part of the *acquis* to be accepted by the applicants for Community membership. Arguably, therefore, it was not a 'manifest error', as some have noted, on the part of the Commission that saw the CFP introduced immediately prior to the opening of the enlargement talks, but a decision that had the support of the six.[23] This was a strategic decision by the Commission, and the six clearly understood the importance of timing for agreeing to the Commission's proposals. The Community also decided that the final market, trade, and structural regulations of the CFP had to be formally adopted by the Council before 1 November 1970.[24] It was perhaps no coincidence that the fisheries negotiations with the four applicants were not scheduled to start until early 1971. The Council meeting at the end of October 1970 put the final CFP agreement together. The policy would be implemented on 1 February 1971, which meant that all aspects of the policy would enter into Community law before the policy was discussed with the four. In addition, the Council decided that any future revisions of the policy could only be made by the foreign ministers of the six, who were also responsible for the enlargement negotiations, and not by the Community's

agriculture ministers. This was another example of how the Community attempted to link the CFP to the *acquis* before the applicants had an opportunity to object to the policy while it was in the process of development and therefore more easily modified. Moreover, it showed how important politically the CFP was to the member states. Wresting control of the policy from the Community's agriculture ministers revealed how vital it was that the main provisions of the CFP remained in place. Arguably, the foreign ministers of the Community did not trust either Mansholt or the EEC agriculture ministers, who might be more prone to compromise and negotiate away hard-won ground by default. Indeed, it is also questionable whether this struggle was part of a general attempt by the foreign ministers to rein in specialist Councils in the later 1960s to prevent them from gaining too much decision-making power. However, agreement of the CFP was, of course, a significant achievement for the out-going Rey Commission, and was the first feather in Malfatti's cap as Rey's successor. It remained to be seen how the CFP would hold up against the four applicants, each of whom would have a significant interest in the Community's newest common policy, given that in an enlarged Common Market they would account for 60 per cent of the fishing waters.

Challenging the CFP

At the opening meeting with the Community on 30 June, Hillery briefly mentioned the CFP.[25] While acknowledging that acceptance of the CAP posed few problems for Ireland, Hillery highlighted one issue in particular '*au sujet de la pêche*'.[26] Briefing material on Ireland's negotiating procedure prior to the opening of negotiations had made only fleeting references to the Community's attempts at putting together a fisheries policy. The British, for example, had acknowledged that when the negotiations opened the problem of fisheries did not exist but 'we saw it coming'.[27] The introduction of the CFP to the negotiations forced Dublin to reassess its position. However, since the fisheries negotiations would not start until after the policy came into force on 1 February 1971, there was ample time for the applicants to position themselves and study the implications that the CFP would have on their national fishing industries, but little time to alter the terms of the policy.

The Irish government had concluded a month before the opening meeting with the EEC that, if proposals for a CFP were adopted by the six before Ireland became a member, or if the matter were raised during the negotiations, 'we should endeavour to maintain our existing exclusive fishery rights'.[28] This position was a direct and early challenge to the CFP's equal access provision, an issue central to Irish concerns as well as fears of overfishing. At the first ministerial meeting in September 1970, Hillery stressed that the question of access to fishing grounds was a major issue because the

Irish fishing industry was based on inshore fishing; Ireland had no deep-sea fishing fleet, unlike the other applicants and some of the six. Dublin feared that better-equipped fishing fleets from the other member states would deplete Ireland's rich fishing stocks. Hillery received a swift reply from the Community delegation under the German presidency. It stated:

> it assumes, as a general principle, that the Applicant States accept the Treaties and all decisions of every kind taken from the entry into force of the Treaties until the end of the negotiations, and that the rule which must govern the negotiations is that the solution of any problems of adjustment which may arise must be sought in the establishment of transitional measures and not by amendments of the existing rules.[29]

Furthermore, the Community reminded the Irish delegation that the Council had agreed to implement the CFP before 1 November 1970. Technically, of course, the CFP had not come into force when Ireland held its first meeting with the Community, nor would it form part of the *acquis* until 1 February 1971. In theory, therefore, the Irish government was entitled to raise objections to the policy. In practice, however, the Community delegation made it clear that any difficulties faced by the applicants could only be solved with transitional measures. Given the difficulty surrounding the adoption of the policy within the Council, it was logical that the Community delegation wanted to protect the existing provisions of the hard-fought policy. While there would be advantages for Ireland in the measures proposed by the Commission for market organisation, and in the provisions for Community financial aid for improving fishing fleets and facilities for research, common access to fishery waters would create 'grave difficulties for Irish fishermen'.[30] Hillery raised this issue at all the ministerial meetings with the Community from September 1970 to the end of the enlargement talks in January 1972. The fisheries question for Ireland was about competition, overfishing and the potential death of the industry. Even though Irish fishermen would, under the Commission's proposals, have equal access to fish in the territorial seas of the other Community members, in practice it would have been of little benefit to Ireland. This was, of course, another example of the precarious state of certain sections of the industrial sector in Ireland that were about to face the cut and thrust of Community competition. This was an issue about which the Irish Department of Agriculture and Fisheries appeared extremely protectionist, arguing at cabinet level how over 5000 Irish jobs were indirectly endangered as a result of the Commission's plans.[31] The Irish delegation, of course, never called into question the CAP, or the overly generous prices paid to the Community's farmers for surpluses. From an analysis of Ireland's position, it was clear that policy-makers in Dublin would fight any proposals that adversely affected issues of national importance. Ireland was quickly learning the rules of the negotiating game.

In September 1970, the Council requested the Commission to carry out 'the necessary technical contacts with the Irish delegation' that included discussions on the CFP.[32] The Commission had remained largely silent on the fisheries issue since the negotiations opened. Instead, during bilateral meetings with the applicants in the last six months of that year, statement after statement was presented that outlined the applicants' position relating to their fishing industries. In November 1970, the Commission's *vue d'ensemble* made no reference to the CFP when it was presented to the Council. The exclusion of this issue was perhaps an indication from within the Commission that the CFP would not become a major obstacle to a successful conclusion of the enlargement talks, unlike the British budgetary question or agreement regarding adequate transition measures. While the Community delegation had set out its negotiating position, which was in line with the Commission's thinking on the policy, the latter adopted a more defensive attitude in response to statements by the applicants and articles that appeared in the newspapers. One of the roles of the Commission was, after all, to defend the *acquis*.

Speaking in Dublin in October 1970, Sicco Mansholt, Commissioner largely responsible for the CFP, denied that it was as inflexible as suggested by its critics and believed that the likely outcome of the negotiations on fisheries would be a five-year transitional period during which access to waters within the three-mile limit would be restored to local populations depending essentially on coastal fishing, and one or more of the member states of the enlarged Community could propose an extension of this period.[33] He dismissed outright fears that the policy would lead to overfishing, and argued that small industries had nothing to fear from competition. The onus was on the applicants to modify their policy positions in order to meet the necessary requirements for membership. As the Commission frequently repeated throughout the course of the enlargement talks, with echoes from the 1961–1963 negotiations, the *acquis* could not be altered to suit the needs of the applicants. Any alterations would be met by using reasonable transitional measures until such time as the applicants came in line with the *acquis*. In Ireland's case, as Mansholt pointed out, its fishing industry had to adapt to survive, and, while the Commission would help in this adaptation process, the CFP would become a reality based on the Commission's proposals.

The same month, the Irish delegation submitted a memorandum to the Community setting out the government's views on the question of common access to fishing waters. In it, the government emphasised many of the points that it had raised in previous discussions with the Community.[34] In addition, Irish officials held technical discussions with the Commission to clarify the scope and content of the basic regulations for the fisheries policy. These meetings did not result in any decisions being taken, but were mainly used by Irish officials to gain a better understanding of the CFP and to outline their problems with the policy. A prominent feature of the

preliminary CFP discussions between Ireland and the Community during the last four months of 1970 was the continuity in the Community position; the Irish delegation met with stiff opposition from the Commission. At the deputies' meetings on 20 October and 27 November, and at the ministerial meeting on 15 December 1970, Dublin continued its protests. In an attempt to placate the Irish negotiating team, the Council again suggested in November that the Commission could liaise with Dublin to 'obtain all the clarifications' regarding the scope and content of the fishing regulations.[35] The Community clearly believed that contacts with the Commission would be enough to 'allay Irish concern'.[36] If, however, talks with the Commission failed to adequately address Irish concerns, the Community stated: 'the latter [Ireland] could inform the Community delegation about them as soon as the common fisheries policy entered into force, whereupon the Community delegation would be willing to discuss them'.[37] The Community delegation attempted to play a rather clever game. The Council had instructed the Commission to talk with the Irish side but not to entertain Ireland's problems. Arguably, these technical talks were merely delaying tactics in order to keep the real negotiations away from the enlargement talks until the CFP became part of the *acquis*. The fact that the Community mentioned the possibility that talks with the Commission would not suffice was evidence that the EEC fully understood the level of potential difficulties ahead for the CFP. Ireland was conscious of the need to act before the February deadline. However, the Community refused to entertain any calls from Dublin for the renegotiation of the CFP. From the September 1970 ministerial meeting until the end of the year, the Community delegation repeated the same line, namely, that the applicant countries '*acceptent les Traités et les dispositions de toute nature intervenues depuis l'entrée en vigueur des Traités jusqu'à la fin des négociations*'.[38] Waving the *acquis* at the Irish delegation was not enough to silence Dublin on the issue. The Commission only made fleeting mention to the CFP within the framework of the enlargement talks during the second half of 1970. In assessing Ireland's objections to the CFP, from the Commission's perspective, it was clear that any change to a particular aspect of the *acquis* would have had wider implications not just for the applicants negotiating membership but also for the six. Any modification in the policy would have to be agreed by the six, and, given the Community's history of disagreement, especially over the common policies, it was unlikely that the Commission would entertain making Ireland a special case, even though special status had been conceded to Norway in its enlargement negotiations. The Commission's public silence on the CFP, with the exception of Mansholt's comments, was not wholly surprising, because at the ministerial meetings it did not have the right to speak. However, there was little need for the Commission to get directly involved in the enlargement discussions of the CFP at such an early stage of the talks. The Community, under the German presidency for the second half of 1970, had done an adequate job of defending the CFP.

Moreover, the German government was a supporter of the very provision that Ireland had objected to, namely, equal access to the fishing waters of member states.

By early spring 1971, objections to the CFP grew louder, not just from the Irish negotiating camp. By February, the fisheries policy had become part of the *acquis*. At a number of informal meetings between the Commission and Hillery, it was clear that the Brussels executive would continue to adopt a defensive position towards the CFP. While accepting that Ireland would have initial problems with adapting to the policy, Deniau stressed that Brittany was one of many regions in the Common Market that had similar problems to Ireland.[39] Referring to the provision in the CFP for concessions, he believed that it could be possible to grant a concession covering the whole of Ireland, or, more probably, covering certain areas. However, the French Commissioner pointed out that such concessions, even if they could be granted, were limited to a period of five years, and to fishing areas within a three-mile limit from the coastline. Given the French scepticism towards the equal access provision, this was a good example of a Commissioner not acting as a proxy for national interests. Hillery pointed out the awkward fact that the four applicant countries would account for 60 per cent of the fisheries in the area that would constitute the enlarged Community. This created a new situation, one that the Commission must have been conscious of when drafting the policy, but Deniau was adamant that the principle of non-discrimination applied in relation to common access, a typical response from the Commission. A far greater concern for Brussels was protecting the *acquis*, rather than bending the rules to accommodate the multitude of national interests of the four candidate countries.

At the Community's third ministerial meeting with Ireland on 3 March 1971, the CFP made a formal appearance on the agenda. Dublin made it clear that meetings with the Commission since the last ministerial meeting in December, while productive, had not succeeded in dispelling its fears over the CFP. Accepting that most aspects of the policy were fully acceptable to Dublin, Hillery stressed that the equal access provision was still a major issue for the Irish government; no amount of Commission discussion would alter this fact.[40] Indeed, meetings with the Commission had the opposite effect, because the Commission confirmed that the equal access provision would allow 'virtually unlimited access to exclusive fishery waters'.[41] Hillery reiterated with added force that Ireland could not accept the Community's CFP proposals as they stood. Even the Community's derogation mechanism built into the policy was 'limited both in scope and in duration, and recourse to it alone would not meet the special problems of the Irish fishing industry'.[42] In an apparent attempt to undermine the Community's policy, and to point out that Ireland was not alone in objecting to some aspects of the CFP, Hillery asserted:

> We understand that other applicant countries also have expressed their anxiety about the provision for common access to fishery waters and, indeed, the inclusion in the relevant regulation of provision for a derogation from the obligations to allow free access indicates that the matter is one which may present problems for some of the present member states also.[43]

With a promise to pursue the issue at future meetings during the negotiations, Hillery ended his statement with the now rather familiar pleading to the Community to rethink parts of the policy. The Community 'took note of this statement and proposed to study it'.[44] The March statement by the Irish government was telling insofar as it took the negotiations, at least for Dublin, to a new level of bargaining. By mentioning indirectly the problems that the other applicants were experiencing with the CFP, Hillery attempted to project Ireland's concerns onto a wider screen and beyond national self-interests. The policy adopted under the German presidency of organising technical meetings between Irish and Commission officials had failed.

At a meeting with the Commission's Agricultural Directorate the following month, Dublin asked: If Norway received special treatment from the Community, would Ireland get the same? This was a new tactic adopted by the Irish negotiators. Policy-makers in Dublin had known since the previous September that Norway was seeking special status for its fishing industry. A demand by Ireland for similar treatment was in many ways a questionable negotiating ploy that quickly became part of its formal negotiating strategy in Brussels. Norway, of course, had much more to lose and, unlike Ireland, it was unlikely to gain significantly from the CFP. Ireland's position evolved from concerns over the equal access provision to include the question of equal treatment among the applicants. Irish negotiators decided to raise their demands even higher by adopting the main strand of Norway's negotiating strategy. As a result, the Commission now had to face demands from another applicant for equal treatment. Over the following months, Hillery and his team pressed the Commission to grant the same terms to all the applicants. Manfred Caspari, a senior member of the Commission's negotiating team, believed that this was highly improbable. Norway, he said, had 'much bigger' problems than had Ireland, and he pointed out that the Community had already agreed to give special recognition to Norway's interests in the fisheries question.[45] When it was pointed out to Caspari that the fisheries issue was a 'big public opinion issue in Ireland' and that open access 'would result in the complete spoliation of the fishing stocks in a very short time', he repeated that Ireland would get a five-year period for the three-mile zone, and could 'enforce conservation measures which would have to be non-discriminatory'.[46] The Commission hoped that suitable transition measures, and a review of the conservation clauses in the CFP, would be

enough to end the discussions on the policy, at least with the Irish, British, and Danish governments. However, the Commission underestimated the growing level of opposition to the CFP from the applicants.

While the Heath–Pompidou summit meeting in May 1971 had a significant impact on a number of key negotiating issues, it had little or no impact on the problems associated with the CFP. Indeed, of all the issues discussed in Paris in May 1971, the fishery question was one on which Britain reserved its position.[47] The first significant move on the CFP negotiations came from Ireland. Hillery made another statement to the Community delegation on 7 June, when he again drew attention to 'the serious problems which would arise for Ireland from the application unchanged of the provision in the fisheries regulations for common access to fishery waters of the member States'.[48] Stressing that Ireland had 'approached the problem in a Community spirit', he argued that the policy was not suitable for an enlarged Community of ten members.[49] He also protested at the lack of a Community response to the many statements that Ireland had made on the issue since the negotiations started a year earlier. He demanded 'some indication from you [the Community] that you recognise that serious problems exist, and that it is necessary to find some solution for them'.[50] Silence from the Commission and the Community delegation on the problems associated with the policy resulted in increased activism from Ireland and the other delegations.[51]

A number of factors help explain the Commission's relative silence on the subject.[52] It had received no mandate from the Council to examine the problems raised by the applicants. The only agreement on the CFP negotiations was the approval by the Community to grant special status to Norway in September 1970. Moreover, the Commission had been concerned with more important issues since the beginning of the enlargement negotiations, including Britain's budgetary contribution, sterling, and economic and monetary union. Furthermore, the situation was constantly changing, as Commission officials acknowledged in early June in a brief prepared for Malfatti's visit to Ireland. The Norwegian, British, and Irish negotiating teams had each submitted initiatives and proposals to the Community that in some way challenged the basic provisions of the CFP. This was, according to the Commission, the main reason why '*la Communauté n'a pas pris position aux demandes des différents pays*'.[53] The Commission was, of course, conscious of the problems that the CFP was causing within the framework of the negotiations, even though this was not acknowledged during meetings with the candidate countries. Privately, the Commission accepted that the CFP was the main obstacle in the path of Ireland's accession, stating: '*Les problèmes rencontrés par l'Irlande dans l'éventualité d'une adhésion à la Communauté, tiennent sur ce sujet aux conséquences pour leurs pêcheries de l'application de ces principes fondamentaux*'.[54] Before the Commission responded to these problems, on 7 June Hillery presented new proposals aimed at finding a

solution. The new 'constructive' proposals were not completely original.[55] The London Fisheries Convention of 1964, which had been concluded after protracted discussions, provided the minimum conditions necessary for the safeguarding of the interests of Ireland's inshore fishermen.[56] That Convention, Ireland suggested, should be maintained during the transitional period and, before the end of this period, the entire situation would be reviewed by the enlarged Community. Effectively, the proposal aimed at maintaining the status quo in Europe's fishing industry. The proposal alone carried little weight until the British delegation later showed a real interest in the possibility of maintaining the status quo. Added to this, the following day, the British delegation asked the Community to put forward its own proposals indicating how the fisheries problem could be resolved. The British were anxious to find agreement on CFP-related issues before the summer recess. Maurice Schumann, French Foreign Minister, agreed to this, and the Commission, in cooperation with COREPER, went to work with a mandate to find equitable solutions to the problems affecting the four applicants.

Between June and July 1971, the Commission and COREPER examined the problems raised by the applications. The Commission had to ensure that the fine balance achieved on the CFP negotiations in the Council the previous October would be maintained. However, it also had to deal with the concerns of the four applicants. The Commission's first *tour d'horizon* sought to protect the *acquis* while it also attempted to move the fishery negotiations to a new level of agreement. Most of the work on the Commission's proposals was carried out by its task-force, which was headed by Deniau and Mansholt. There was very little internal discussion among the Commissioners on Deniau and Mansholt's package of proposals.[57] At the outset, the Commission argued that its new compromise proposals would have to respect the principles and objectives of the existing CFP.[58] Moreover, the access provisions would have to apply to the existing and new member states. However, the Commission's compromises were significant when compared with the original policy provisions. A transition period of ten years was proposed before the equal access provision would be introduced; this was an extension of five years under the existing proposals. At the end of this ten-year transition period, the Commission would report to the Council on the social and economic situation in the Community's fishing regions and on the state of fish stocks. The transition period would be divided into two stages: the first five years would see the member states maintain an exclusive six-mile national fishing zone, and during the second five-year period the member states could continue to enforce the six-mile zone for local fishermen provided they depended essentially on inshore fishing. This six-mile zone was double the original proposal that had been bitterly rejected by the four applicants. The Commission also introduced a special exception regime for certain limited geographical zones that lacked alternative resources and employment. Britain, Norway, and Denmark benefitted from this, but the Commission did not include

any regions of Ireland in this exception regime. In these special regions, a 12-mile exclusive fishing limit would apply for five years. During the second five-year transition period, Council would decide whether these exceptions would be extended. The Commission was unwilling to budge on the equal access provision apart from extending the transition period. It would have made very little difference to the overall compromise plan if Deniau and Mansholt had included some regions of the Irish coastline to placate Dublin. When the Commission's proposals informally reached the applicants, they were immediately rejected by the Irish delegation, although they received a mixed response from the Danish government; they also came in for severe criticism from COREPER.[59] On 18 June, the Irish embassies in the capitals of the six informed the governments of the member states that Ireland would not accept the Commission's compromise proposals, even though these proposals had not reached the negotiating table or been agreed by the Council. Ireland believed, perhaps unreasonably, that it qualified for the same terms as the other applicants.[60] Instead, the Irish government continued to challenge the CFP and moved to widen the support base for its 'status quo' proposal.

The Commission's proposals had in some ways strengthened the hand of the Irish negotiators. The rejection of the Commission's compromise solutions, not only by the four applicants but also by the six, presented policy-makers in Dublin with an opportunity to make its 'status quo' plan more appealing. Moreover, the failure of the British delegation to achieve an increase in the six-mile limit proposed by the Commission from five years to ten, with a review thereafter, pushed Britain closer to the Irish corner. Norwegian intransigence further helped Ireland's position and weakened the Commission's line. Norway refused a British offer to hold bilateral meetings with the other applicants, and rejected the idea of attending a multilateral meeting in July between the Community delegation and the applicants. As Hillary Allen makes clear, the Irish proposal did not fit the Norwegian negotiating position.[61] Norway could not postpone the policy, as suggested by Dublin, because entering the EEC depended on 'finding a satisfactory solution beforehand'.[62] By the end of June, policy-makers in London had concluded that 'we ought to move to adopt the status quo proposal put forward by the Irish'.[63] At a meeting between the Irish, British, and Danes in Brussels on 30 June, it was decided that maintaining the status quo was now the chief objective, which, in effect, meant rejecting the CFP outright, at least for the foreseeable future.[64] Deniau and Mansholt continued to defend their new package of measures. During a meeting with Hillery on 5 July, Deniau accepted that there were difficulties in reaching '*une position commune*'.[65] Yet, the Commission was not prepared to either accept the objections of the applicants or rethink the CFP any further. The Commission continued to hold this stance, and Mansholt defended it in the Council in July before the enlargement conference adjourned for its summer recess.[66]

The period from October 1971 to January 1972 saw the most 'intense, intricate and continuous' discussions take place on the fisheries question for the four applicants.[67] The Commission and Ireland tried to outmanoeuvre each another in their respective attempts to find an agreed solution to the CFP. By October, Dublin had built a strategy around convincing the Commission to accept the status quo, and shelving the CFP until after the four had joined the Community. Unsurprisingly, the proposal did not find any supporters in the Commission. On the contrary, Wellenstein complained to Deniau in early October about the attitude adopted by the Irish delegation. In a note to Deniau based on a discussion on the CFP with Kennan, Wellenstein stated wearily: '*De la façon habituelle irlandaise, M. Kennan a déclaré qu'une telle réponse n'etait pas acceptable pour son Ministre*'.[68] Three weeks later, Wellenstein gave a curt rejection to the Irish proposal during another intense meeting with the ambassador. The 'status quo' proposal was absolutely dead. 'It is a non-starter,' Kennan wrote to his colleagues in Dublin after Wellenstein repeated the Commission's objections.[69] In a good example of Commission directness *vis-à-vis* the applicants, the Commission argued that there was no certainty that a new fisheries policy would be successfully negotiated after enlargement within any reasonable time.[70] Wellenstein pointed out that it had taken the Commission and the six 12 years to produce their policy. This was not the sort of approach one would have expected from a mere 'honest broker'. It was clear that the Commission wanted the focus to remain fixed on the CFP compromise solutions presented by the Commission rather than seeing the applicants and the six tempted by a plan that would place one of the Community's common policies in cold storage indefinitely. Wellenstein's intervention came at a critical moment, before the House of Commons in London voted on Britain's accession, and when plans were being tentatively drawn up by the Commission for the signing ceremony of the accession treaties. In addition, Wellenstein announced that, after the Commons debate in late October, the Commission would present new proposals, although substantially the same as those worked out by Mansholt and Deniau the previous June, and which had been rejected by all negotiating parties. Kennan rejected Wellenstein's arguments and, more importantly, his suggestion that the Commission would send the same CFP proposals back to the enlargement conference. The Commission, it seemed, was determined to get the right answer from the applicants. Simply saying 'No', as the Irish had done in June, was not an option for going forward. His comments forced policy-makers in Dublin to rethink the 'status quo' strategy from two perspectives. At first, it was suggested by senior members of the Irish negotiating team that Ireland would maintain its opposition to the CFP, and continue to push its alternative plan at the ministerial meeting on 9 November 'despite the pressure from the Commission'.[71] Dublin believed that there was still a chance that the status quo 'will de facto turn out to be the eventual solution'.[72] To achieve this result, Ireland had

to outline clearly what the status quo would mean, not just for the four applicants but also for the six. In other words, the Irish delegation had to 'answer their objections to our proposals'.[73] The Irish also agreed that if the British accepted the Commission's compromise solutions 'it would of course weaken our position in favour of the status quo and would be very difficult for us to avoid getting into a negotiation on regions to get a quasi-permanent derogation up to 12 miles'.[74] A final strategic move would be to appeal directly to the applicants, and Britain in particular. London's stance on fisheries most closely resembled Ireland's position. While Kennan suggested approaching his opposite numbers from the Norwegian and Danish Mission in Brussels, he realised that 'in both their cases the prospects for mutual co-operation are obviously less in view of their opposition to the status quo'.[75] The strength of the Commission's and Ireland's policy positions towards the CFP depended largely on the support of others. The Commission relied heavily on the support of the six, and especially France, if its compromise solutions were to have any chance of success. Ireland's 'status quo' option was a threat to the Commission only when this gained Britain's support and therefore became a serious plan for consideration. It seemed certain that the future of the CFP would be determined by whichever supporter of the two plans gave way first.

Deniau remained confident that agreement appeared possible despite the obvious conflicts among the enlargement actors over how best to deal with the CFP.[76] To find a common solution *à dix*, the Commission instead focused on the six and argued that the 'status quo' proposal would not solve the Community's fishing problems.[77] This strategy met with some success among the member states, although some members, such as Belgium, favoured rather looser provisions.[78] At a COREPER meeting in September, the French delegation insisted that any agreement on the CFP had to consider three '*intérêts légitimes*'.[79] These included the protection of fishery reserves, protection for populations dependent on fishing, and, crucially for France, that general access for these groups would not be interrupted after the CFP was introduced. As Wise notes, France had the most to lose if the fragile equilibrium of national interests underpinning the original CFP was shattered.[80] The Commission had, therefore, secured the backing of France. The British delegation had avoided any discussion on the CFP negotiations when the enlargement talks resumed after the summer recess. Whitehall wanted to keep the remaining CFP meetings off the agenda until after the Commons had voted on Community membership. However, without recalling the complexity of the British position on the CFP, towards the end of the summer Whitehall's stance on the Irish plan began to change. This was partly due to some gentle prodding from the Commission that indicated 'the way out might be notional 6-mile limits for all, with extensions to 12 miles for special areas'.[81] This was more than the Commission had been willing to concede the previous June. Nevertheless, by early November the

British cabinet recommended that the 'right course was to press ahead with our proposal for maintaining the status quo pending the negotiation of a new policy by the enlarged Community'.[82] While the British broadly supported the 'status quo' plan, they continued, as did Ireland, to consider the proposals that the Commission submitted through the Community. The Commission modified its June CFP proposals and presented the Council with an altered version prior to the ministerial meetings with the applicants in early November. The morning session of the ministerial meeting on 9 November saw further gains for the British on the special exceptional regime of 12-mile limits, but the Commission did not apply this to any part of the Irish coastline. This position was in keeping with Wellenstein's comments to Kennan two weeks earlier, when he argued that no part of the Irish coastline merited inclusion in this regime. Later in the day, statements by the Irish and Norwegian delegations were extremely critical of the latest Commission proposals. British lobbying of the Commission paid dividends when the two-stage transition period was scrapped and replaced instead with a single ten-year period, and the Commission also produced a new review clause. The more concessions that Britain received from the Community, the less Rippon supported the 'status quo' plan. Throughout November, and early December, Britain had won most of what it sought from the Community, and was ready to sign the Accession Treaty. The loss of British support was a major setback for the Irish negotiators, and a victory in kind for the Commission. With the 'status quo' proposal holding the support of only one of the ten enlargement actors, the Irish delegation was forced to adopt the second part of its October strategy, namely, to accept the policy and attempt to negotiate exemptions for large sections of the Irish coastline. This was the 'fall-back position' when 'the status quo proposal has no longer any chance of success'.[83]

The meeting on 9 November between Ireland and the Community proved acrimonious. Justifying the Commission's decision not to grant Ireland 12-mile limits, the Community harked back to Harmel's opening statement to the enlargement conference in June 1970. It was, according to the Community, 'on this basis and respecting these principles that we have tried to take account of the Applicant States' requirements'.[84] The Community implied that the applicants had agreed to the principles underlining the enlargement negotiations and acceptance of the *acquis*. Hillery, stressing that Ireland accepted the *acquis*, reminded the Community: 'I think when the fisheries regulation came in, the day after or so, I did say that this was not suitable to a Community of Ten'.[85] Despite the positions adopted by both the Irish and Community delegations, it was clear to all sides that an agreement had to be reached. The Italians, therefore, suggested that a special, unscheduled ministerial meeting would take place on 29 November, the aim of which was to bring an end to the fisheries saga. In the interim period, the Commission would liaise with the four applicants in order

to iron out any remaining problems before the meeting at the end of November.

Much of the Commission's attention now focused on Norway's objections to the CFP, while it was also conscious of the demands from Ireland and the other applicants. The Commission had decided on 24 November after discussions with the applicants, and based on advice from Deniau, to push the Council to hold the Community line of the existing CFP compromise solutions, especially the concessions and transition period.[86] The Commission had improved on its proposals from 9 November, but there was only one advance on the 12-mile limit. Ireland secured a special exception regime for its north-west coast. At the ministerial meeting on 29 November, the Community delegation presented a paper containing Community proposals on the fisheries question, but when the meeting resumed the following day the Community presented a modified version of the proposals.[87] In these proposals, the only area of Ireland designated for the special 12-mile regime was the north-west coast. As Hillery pointed out on both days of the meeting, any criteria that could be used for the selection of the north-west coast could apply 'with equal justification to other areas of the Irish coast'.[88] Dublin rejected the Community's proposal, and argued instead that other areas of the Irish coast had to be designated as qualifying for the special 12-mile limit.[89] Ideally, of course, policy-makers in Dublin, along with their Norwegian counterparts, wished to see this limit extended around the entire coastline. It was unclear whether it was the Commission that had voluntarily sought to appease the applicants or whether this greater generosity reflected Council pressure. A powerful display from Rippon before the Community negotiators on 29 November certainly put the CFP negotiations into perspective, perhaps for the first time since the enlargement talks had begun. The head of the British delegation declared his astonishment that such a historic event as British membership of the Community could be held up by a relatively minor problem. Echoing comments made frequently by Hillery, though never with the same ferocity, Rippon had no hesitation in asserting that the CFP could not be regarded as part of the real *acquis communautaire* because everyone was aware that it had been rushed to partial conclusion just before enlargement negotiations had begun.[90] This intervention had the desired effect; the Community delegation requested the Commission to prepare new compromise solutions. The minutes of the Commission's meetings between November and the end of December shed little light on the attitude of the Commissioners to the continued objections from the applicants. Deniau and Wellenstein, rather than Mansholt, briefed the Commission on the state of the CFP negotiations. Comments made by Deniau in a Commission meeting on 1 December suggested that Rippon's comments, coupled with pressure from the French delegation and the impending signing of the Accession Treaties sometime in the first two weeks of January, forced the Commission to stretch further in its proposals than it otherwise would have

liked. The French Commissioner outlined new initiatives: '*Qu'il jugera appropriées dans le Conseil et dans la Conférence, en tenant compte des délibérations intervenues antérieurement dans la Commission, en vue de favoriser une solution du problème*'.[91] There was evident pressure on the Commission to take the debate out of the realms of 'legal' intricacies into what the Community politicians oddly called the 'political' and 'economic' spheres.[92] The original CFP had set no real provisions for conservation of fishing stocks, which was a major concern of the Irish and Norwegian governments. The Irish delegation considered it essential that provisions were made for continuing arrangements along the lines of those envisaged for the initial period so 'as to protect Irish national interests in the fisheries sector'.[93] Dublin put together a provision designed to resolve this anomaly. Before 31 December 1982, Ireland wanted the Commission to present to the Council a report on the economic and social conditions of the coastal areas of the member states, with particular reference to the state of development of the inshore fishing industry and the state of fish stocks. This suggestion found its way into the Commission's new proposals presented to the Council on 11 December. The Commission had cast aside its reservations about granting Ireland further concessions on the 12-mile limits. In the proposals presented to the enlargement conference on 11 December, Ireland made significant gains on the 12-mile limits.[94] The Community also announced that, from the sixth year after the entry into force of the Accession Treaty, the Commission would present the Council with a review of the fishing conditions, ensuring protection of the seabed and preservation of the biological resources of the sea.[95] It was an important victory for Dublin. The conservation issue only gained prominence during the enlargement talks when it was forced upon the Commission by the four applicants. Indeed, the clear lack of conservation measures in the original CFP adds to the argument presented in this chapter that the CFP was a policy designed by the six, for the six, on the eve of Community enlargement. By the first week of January 1972, final agreement was reached on the fisheries question.[96] With this, Ireland succeeded in getting a far better deal from the Community, and the Commission's newest common policy remained largely intact.

The fisheries question was by far the most complex issue that dominated the Commission's relations with Ireland during the negotiations. Not only had the Commission to assess the needs of three other applicants, as well as those of the six, but Deniau's working group also had to ensure that any agreement with Ireland did not set an unwelcome precedent for future rounds of enlargement. The CFP negotiations showed how much influence the Commission had been able to claw back from the original role it had been assigned by the six prior to the start of the enlargement conference. The Commission held a central position in presenting numerous compromise solutions that aimed at reconciling the conflicting interests of the member states and the four applicants. The CFP negotiations proved that, even

though the Commission's influence was not strong enough to determine whether the applicants joined the Community, its negotiating position certainly shaped the final agreement. While the results of the CFP negotiations might not have been wholly ideal for either the Commission or the Irish government, they did represent a notable achievement for both sides. Of course, the same could not be said for Norway, which subsequently rejected Community membership partially as a result of the deal reached on the fisheries policy.[97] However, unlike the British budgetary question, securing a deal between Ireland and the Community on that policy did not hamper negotiations on other issues. On the contrary. While the Community's regional and structural policies were not subject to negotiation, any problems that Ireland raised with the Commission's negotiating team regarding these aspects of the *acquis* were dealt with and concluded during intense periods of the CFP talks. In addition to this, while the Commission favoured limited transition periods to allow the new members to adopt the *acquis*, it agreed to extend the transition limits for safeguard measures for the Irish motor vehicle industry based on counter-proposals from Dublin.[98] Once the CFP had been finalised, Ireland had concluded its negotiations with the Community and, along with the other applicants, signed the Treaty of Accession on 22 January 1972.[99]

Conclusions

Enlarging the European Union has presented a detailed analysis of how the policies of the European Commission tried, with varying degrees of success, to influence the outcome of the first enlargement of the present-day European Union. Of all the enlargement rounds since 1973, the first was perhaps the most politicised. The enlargement question presented the Commission with an opportunity to absorb more influence over the policy direction of the EEC during the 1960s and early 1970s. It had already achieved early successes developing the customs union, and the Community's flagship CAP, and had built up an unrivalled knowledge of the *acquis communautaire*. These policy successes largely reflected the political and economic interests of the six member states, though they also pointed to the ambitions of the early Commissioners in implementing the Rome Treaties. Enlargement, though, was a different policy issue, and one that quickly became highly political in nature; it was a policy field that had wider implications for the Community, not just internally, but further afield. From the beginning to the end of the 1960s, enlargement was about power and influence. The United States had encouraged Britain to apply for membership in 1961, to break what it perceived as a growing and dangerous French hegemony in Western Europe. Inside the Community, the Dutch were also keen to see Britain as a member to curb French influence. Yet, France hit back, and for a decade shaped the Community around its national interests while keeping Britain and other countries outside and ignoring the wishes of its EEC partners.

The Commission was not able to compete in these power games. On the first occasion when it tried to do so, in 1965, it was quickly defeated when France boycotted Community business for six months and Hallstein ultimately lost his job. Instead, the Commission sought other ways to increase its utility. The CAP and the customs union were extremely useful instruments that made the Brussels executive increasingly important to the member states. Yet, the Commission's overriding ambition was to further the integration process and promote the Community's supranational character.

It was, therefore, necessary to involve itself in all new policy initiatives, including the enlargement process. The challenge facing the Commission from 1961 onwards was to find a role in negotiations and use its policies and ideas to influence the policy-making process, especially within the Council and COREPER.

Did the possession of expert knowledge enhance the Commission's overall influence in the first enlargement? Knowledge, as opposed to real power exercised by the Council, built up since the mid- to late 1950s both at the Treaty of Rome negotiations and immediately after the creation of the EEC, gave the Commission an advantage over the six and COREPER in a range of policy fields. Enlargement presented the member states and the Commission with a new dilemma. Hallstein understood the vital importance of ensuring that the Commission was represented if the political decision was taken to proceed with enlargement; to be sidelined would have created a dangerous precedent for future rounds of accession talks. The decision on whether or not to open enlargement talks was not one Hallstein or his immediate successors could make (although later Commissions, in the 1990s and 2000s, have had a greater role in the decision-making process on this subject). Hallstein, Rey, and Malfatti were conscious of ensuring that the Commission's voice was heard, but quickly discovered that translating its expertise of Community legislation into influence before and during the 1961–1963 and 1970–1972 talks was an arduous task. Luckily, enlargement touched upon all existing parts of the *acquis*, and there was no institution better versed in the corpus of Community legislation than the Commission. So, while a role for the Commission was grudgingly required by the six, a necessity even, what mattered more was how it would be able to influence outcomes once at the negotiating table with the member states.

The politics of enlargement considerably helped the Commission. There was a certain amount of disunity and mistrust between the six and, of course, between the four and the Community. There was ample scope for the Commission to capitalise on this discord to promote itself as something more than a simple bridge-builder between the views and policy positions of the member states and the applicants. There was potential to gain influence and to influence outcomes, especially during negotiations. Yet, it was taken aback by the hostility from some of the six towards its attempts to carve out a role for itself during those talks. Arguably, the Commission wrongly assumed that, since it was playing a key role in other policy areas, this would naturally 'spill-over' into the enlargement field. This book has made it clear why the Commission did not command a leading role in the first enlargement process (in contrast to the role it would play during the subsequent rounds of expansion during the 1980s, 1990s, and 2000s). Yet, it has shown that the six also did not have a complete monopoly over the timing and content of the accession agreements, although they certainly controlled the final decision on whether to allow the candidates to join.

The Commission was not against other countries joining the Community *per se*. By 1959, the Commission had made it clear that membership was possible, through Articles 237 and 238 of the Treaty of Rome. Despite this, it was unprepared for the intensive negotiations that would follow the arrival of the British, Danish, and Irish applications in mid-1961, and Norway's months later. Neither the Commission nor the six had developed a doctrine on membership that would have set out the Community's position on the terms of entry. It did not help that the founding treaties were largely silent on the negotiating procedures to follow, although this clearly strengthened the hand of the Council at the Commission's expense. There were no pre-accession criteria set down as part of the *acquis* (unlike for subsequent enlargements in the 1990s and 2000s), and this added to the general sense of confusion over the handling of the negotiations. It also weakened the Commission. The applications arrived at a time when the Community not only had not developed a policy towards membership but was also grappling with issues related to political and defence integration. The British and Irish applications exposed these policy gaps, which resulted in conflicting signals inside and outside the negotiations.

The lack of a clear policy approach to the enlargement question in 1961 did not necessarily mean that the Commission was at an immediate disadvantage. Initially, it met with opposition from some member states over procedure, and, at ministerial meetings during the talks, the Council dominated and COREPER grabbed an opportunity to increase its own influence in the policy field. Yet, within the Council and at lower levels of the negotiations, the Commission was able to influence and advise the six on the *acquis* by presenting policy positions to broker deals with the British and protect deals already sealed between the six. As was its job, the Commission ensured that item-by-item discussions with the British in 1961–1963 were thorough to the point of causing the talks to grind to a near halt. This thoroughness meant that the *acquis* would be staunchly defended, and unwelcome precedents would be avoided in advance of negotiations with the other applicants or for future enlargements. It also meant that the Commission's input would be spread over a wider range of negotiating issues. The Commission was able to use its knowledge to influence problems inherent in London's negotiating briefs, and to direct the Council away from any agreements that would affect Community policy. What the Commission could not do, and where its influence was limited, was conclude the negotiations. The final decision on whether or not to open the Community's doors to Britain and the other applicants was the Council's alone, and each member state held the all-important veto. Despite many not-so-veiled protests from Mansholt and others after de Gaulle's press conference in January 1963, the Commission was powerless to reverse the decision (a decision not completely unwelcomed by Hallstein and others), and had to accept the General's will; the Commission's influence only stretched so

far. The 1963 crisis was used by Hallstein as a vehicle to unite the six, and to further accelerate the integration process. The Commission was central to the acceleration plan. Britain's non-entry was not a cause worth fighting over. Enlargement was a policy doomed to succeed, eventually. In the interim, the Commission would maintain its goodwill with France to develop the CAP, the customs union, and other policy initiatives. By doing so, the Commission indirectly increased and strengthened its knowledge of the *acquis*, and therefore its influence would be more keenly felt when the next negotiations commenced.

By 1967, majority opinion in the Commission believed that the time had come to bring other countries into the Community, not because of any economic necessity but largely to dilute French influence within the EEC. The Brussels executive approached the applications with an open mind and with an eye on the 1961–1963 round and the problems to avoid. In its 1967 *avis*, the Commission raised no new objections to allowing the four to enter. Apart from flagging the existing economic problems in Britain, the Commission had moved firmly into the pro-enlargement camp. It was again powerless, as were the five, to prevent de Gaulle from torpedoing the British application in November 1967 in the aftermath of sterling devaluation. Yet, the evolution in thinking within the Commission on the enlargement question is important. If enlargement was a policy doomed to succeed, the Commission had to be on the right side of history. France was becoming increasingly isolated on the issue and its policy of obstruction was unlikely to hold indefinitely. Falling into line with majority opinion in support of the policy was no guarantee that the Commission would, when the time came, see its hand strengthened within the Community. A mixture of weak leadership after the 'empty chair' crisis and even weaker policies served to highlight the Commission's difficulty in influencing the six.

The period after the second French veto further exposed weaknesses in the Commission's ability to steer the process of enlargement and the volatile political debate surrounding the subject. Throughout 1968 and 1969, it was unable to translate its mastery of the *acquis* and its experience as a power broker and negotiator, which it had acquired over the course of the early 1960s, into a plan that would bring together the views of the six on the enlargement question. Arguably, the divisions in the Council presented the Commission with an opportunity to claw back lost influence and to show that it was much more than a technical adviser to the member states on matters of economic policy; this was a hard-fought battle. Though the Commission acted as the sole voice for the Community at the GATT talks in Geneva during the mid-1960s, it would be unwise to make too strong a comparison between that role and the Commission's position on the enlargement question. The Council gave specific instructions to the Commission's negotiating team in Geneva, and kept a close watch on what the Commission was doing. Second, the GATT talks were never as divisive an issue for the six

as enlargement had become from the early 1960s. As well as lacking the legal instruments to move the enlargement process forward, Rey, after he became President, was not a risk-taker. He had witnessed the way that Hallstein had been forced out by de Gaulle in the fall-out from the 1965 'empty chair' crisis. A confrontation with the French President was something Rey wanted to avoid; the likely outcome of such a confrontation would have impacted negatively on the Commission. Instead, the Commission worked with the six and COREPER, as well as providing advice to the applicants on how to approach the increasingly thorny issue of enlargement.

De Gaulle's resignation in 1969 was a game-changer for the enlargement question, but it did automatically mean an enhanced role for the Brussels executive. Even before the summit meeting of Community leaders at The Hague in December of that year, it was widely believed that Pompidou, the General's successor, would not veto the entry of Britain and the other three applicants. The main roadblock to membership had been lifted. Yet, de Gaulle's departure did not necessarily mean more influence and power for the Commission. The Hague Council gathering was dominated by the six and the Franco-German engine. Though overall policy direction was being decided in Paris and Bonn, the Commission could still play an important role in its implementation. This was despite the Commission's treaty-given power as the sole initiator of policy. The grand vision came from the Council, not from its executive arm.

By 1970, the Commission was firmly in the pro-enlargement camp, and its views on the subject were far more constant than during the 1961–1963 negotiations. Perhaps it was the realisation that the political will was present in the Community for enlargement to occur in the aftermath of de Gaulle's resignation, and the subsequent summit of the six. The goalposts had certainly shifted. No longer were Commissioners and their officials talking about failure, although they were openly discussing how difficult the negotiations would be. Instead, the Commission was focused on how it could best influence the outcome of a negotiation that was *doomed to succeed*. When internal agreement proved difficult to achieve among the six on developing a Community position or between the six and the applicants, the Commission's knowledge of the inner workings of the Community and its corpus of legislation proved invaluable. Its experience as a negotiator and power broker paid dividends for the Community, especially during the fraught discussions on the fisheries policy with the four applicants. Despite the Commission's evolving attitude to the enlargement question, it approached the multiple negotiations imbued with a *communautaire* outlook and a keen eye on furthering its own ambitions. Gaining as prominent a role as possible was in the Commission's strategic interests; failure to do so would have compromised its ability to lead future enlargement rounds. It was clear to everyone that the British, Irish, Danish, and Norwegian applications would not be the last ones to arrive in Brussels. Its influence would continue to increase

with the right leadership and a mix of policy initiatives that appealed to the member states' national instincts.

Enlargement of the Community meant changes to its character in many different ways, including the introduction of new working languages, an altered administrative structure in an enlarged Commission, and a new power dynamic in the Council with Britain as a member. These were some of the overriding concerns for the Commission during the period examined by this book. The Commission had no monopoly over when or if a country could join the Community. Nevertheless, the types of deals struck between the applicants and the six were largely down to the Commission's policies and influence at decisive moments as well as its unique knowledge of the *acquis*. This is where its influence was most clearly visible. During the subsequent rounds of enlargement, especially after the Nordic expansion in the mid-1990s, the Commission played an even greater role in the policy process, thanks largely to a more developed pre-enlargement policy having been elaborated in advance of the big expansion into Central and Eastern Europe in the mid-2000s. This book has aimed to add a new dimension to the existing literature on the history of the EU's first and most politically charged enlargement. It has set the foundation for further analysis of the Commission's policies and influence in the enlargement question after 1973.

Notes

Introduction

1. See Kiran Klaus Patel (ed.) (2009) *Fertile Ground for Europe? The History of European Integration and the Common Agricultural Policy since 1945* (Baden-Baden: Nomos); Ann-Christina Knudsen (2009) *Farmers on Welfare: The Making of Europe's Common Agricultural Policy* (Ithaca: Cornell University Press); Laurent Warlouzet and Tobias Witschke (2012) 'The difficult path to an economic rule of law: European Competition Policy, 1950–91' *Contemporary European History*, vol. 21, no. 3, pp. 437–56.
2. Britain and Ireland were two of four countries that sought membership during the period examined by the book; the two other applicants were Denmark and Norway. However, while the central focus of this research is on the Commission's relations with Britain and Ireland within the framework of the enlargement question, references will be made to the positions of the Danish and Norwegian governments wherever a policy position diverged or converged.
3. For the most recent account of Britain's European policy during this period, see Denise Dunne O'Hare (2013) *Britain and the Process of European Integration: Continuity and Policy Change from Attlee to Heath* (London: I. B. Tauris).
4. David Coombes (1970) *Politics and Bureaucracy in the European Community: A Portrait of the European Commission* (London: Allen & Unwin).
5. Coombes, *Politics and Bureaucracy in the European Community*, p. 326.
6. Michel Dumoulin (2006) (ed.) *The European Commission, 1958–72: History and Memories* (Brussels: European Commission).
7. Jan van der Harst (2006) 'Enlargement: the Commission seeks a role for itself' in Dumoulin (ed.), *The European Commission*, pp. 533–56.
8. N. Piers Ludlow (1997) *Dealing with Britain: the Six and the First UK Application to the EEC* (Cambridge: Cambridge University Press).
9. For more accounts of London's first application for EEC membership, see Miriam Camps (1964) *Britain and the European Community, 1955–1963* (Princeton: Princeton University Press); Alan S. Milward (2002) *The United Kingdom and the European Community*, vol. 1: *The Rise and Fall of a National Strategy 1945–1963* (London: Frank Cass); George Wilkes (ed.) (1997) *Britain's Failure to Enter the European Community 1961–63* (London: Frank Cass); Wolfram Kaiser (1999) *Using Europe, Abusing the Europeans: Britain and European Integration, 1945–63* (Basingstoke: Palgrave Macmillan); Nora Beloff (1963) *The General Says No: Britain's Exclusion From Europe* (London: Penguin).
10. N. Piers Ludlow (2006) *The European Community and the Crises of the 1960s: Negotiating the Gaullist Challenge* (London: Routledge).
11. See N. Piers Ludlow (2005) 'A welcome change: the European Commission and the challenge of enlargement, 1958–1973' *Journal of European Integration History*, vol. 11, no. 2, pp. 31–46; N. Piers Ludlow (2003) 'An opportunity or a threat? The European Commission and The Hague Council of December 1969' *Journal of European Integration History*, vol. 9, no. 2, pp. 11–26; N. Piers Ludlow (2005) 'The making of the CAP: towards a historical analysis of the EU's first major policy'

Contemporary European History, vol. 14, no. 3, pp. 347–71; N. Piers Ludlow (2006) 'A supranational Icarus? Hallstein, the early Commission and the search for an independent role' in Antonio Varsori (ed.), *Inside the European Community: Actors and Policies in the European Integration 1957–1972* (Baden-Baden: Nomos Verlag), pp. 37–54.

12. See Beloff, *The General Says No*; Camps, *Britain and the European Community*; Uwe Kitzinger (1973) *Diplomacy and Persuasion: How Britain Joined the Common Market* (London: Thames & Hudson); Denis J. Maher (1986) *The Tortuous Path: the Course of Ireland's Entry into the EEC* (Dublin: Institute of Public Administration); Con O'Neill (2000) *Britain's Entry into the European Community: Report on the Negotiations of 1970–1972 by Sir Con O'Neill* (London: Frank Cass).
13. Walter Hallstein (1972) *Europe in the Making* (London: Allen & Unwin).
14. See Hans von der Groeben (1985) *The European Community: The Formative Years. The Struggle to Establish the Common Market and the Political Union (1958–66)* (Brussels: Commission of the European Communities); Robert Lemaignen (1964) *L'Europe au Berceau: Souvenirs d'un Technocrate* (Paris: Plon); Robert Marjolin (1989) *Architect of European Unity: Memoirs of a European 1911–1986* (London: Weidenfeld & Nicolson).
15. Edward Heath (1998) *The Course of My Life: My Autobiography* (London: Hodder & Stoughton); Jean Monnet (1976) *Memoirs* (Paris: Fayard); Paul-Henri Spaak (1964) *The Continuing Battle: Memoirs of a European, 1936–66* (London: Weidenfeld & Nicolson); George Ball (1982) *The Past Has Another Pattern* (New York: Norton).
16. Some minutes of Council of Ministers' meetings are not available for 1970–1972 due to apparent staff shortages in the Council. The book has instead exploited other sources, such as Commission minutes of Council meetings, the Franco-Maria Malfatti papers, the Emile Noël papers, the well-informed *Agence Europe* daily bulletins on the activities in the Community, British and Irish archival material, and other sources to bridge the deficit from the Community archives.
17. Hallstein's inaugural address at the constituent meeting of the European Commission, 16 January 1958. See also *Agence Europe*, no. 28, 16 January 1958.
18. Treaty establishing the EEC, Article 157.
19. Marjolin, *Architect of European Unity*, p. 314.
20. Coombes, *Politics and Bureaucracy*, p. 253.
21. Beloff, *The General Says No*, p. 87.
22. For more on the functions of the Commission, see Coombes, *Politics and Bureaucracy*, pp. 44–6.
23. Thorneycroft to Eden, 20 January 1956, The National Archives, London (henceforward TNA), Foreign Office file (henceforward FO) 371/122022.
24. Hansard, *House of Commons Parliamentary Debates* (henceforward *Hansard*), vol. 561, col. 39, 26 November 1956; James Ellison (2000) *Threatening Europe: Britain and the Creation of the European Community* (Basingstoke: Palgrave Macmillan), p. 64. Macmillan later succeeded Eden as prime minister in January 1957.
25. These two issues preoccupied the six throughout 1958. See for example, *Agence Europe*, no. 25, 13 January 1958.
26. Record of Hallstein–Maudling meeting, Bonn, 4 March 1957, prepared by John Coulson (Deputy Under-secretary, FO), 5 March 1957, TNA, FO 371/134493. Policy-makers in Whitehall had informed their political decision-makers that, because agriculture was not included, there was a strong possibility that the FTA would be rejected in Europe. See Ellison, *Threatening Europe*, pp. 89–90.

27. The FTA plan was presented to the Council of Ministers of the OEEC in the form of a White Paper on 13 February 1957.
28. Ellison, *Threatening Europe*, p. 81.
29. Ellison, *Threatening Europe*, p. 82. For British efforts at convincing the German government to support the FTA over the EEC's customs union, see Martin Schaad (2000) *Bullying Bonn: Anglo-German Diplomacy on European Integration, 1955–61* (New York: St Martin's Press), pp. 69–114.
30. For more on these criticisms, see Camps, *Britain and the European Community*, p. 147.
31. *Assemblée Parlementaire Européenne*, '*Discussion relatif au projet de création d'une zone de libre-échange entre les pays de l'O.E.C.E*', 19 June 1958, Historical Archives of the European Union, Florence (henceforward HAEU), Commission Archives Brussels file (henceforward BAC) 24/1967, no. 122.
32. Milward, *The United Kingdom and the European Community*, vol. 1, p. 287.
33. Maudling, *Memoirs*, p. 69.
34. For more on French objections to the FTA, see TNA, FO 371/134487, M 611/55, and FO 371/134487, M 611/42. The French and the Italians saw the provisions of the Treaty of Rome as a means of protecting their own basic industries against competition from outside the six and were more interested in retaining this protection than in gaining free access to the markets of other FTA countries. They hardened their position and demanded the same safeguards contained in the Common Market. The Dutch position was nearest to the British, seeing the FTA as highly desirable from an economic as well as a political point of view. Belgium and Luxembourg also adopted a negative attitude towards the FTA plan.
35. Richard Griffiths (1996) 'The end of a thousand years of history', in Griffiths, Richard and Ward, Stuart (eds) *Courting the Common Market: The First Attempt to Enlarge the European Community, 1961–1963* (London: Lothian Foundation Press), pp. 12–13.
36. Beloff, *The General Says No*, p. 84.
37. 'Speech delivered by Professor Walter Hallstein on the occasion of a luncheon given by the Joint Chambers of Commerce of the Common Market in Great Britain', 29 February 1960, HAEC, *Archives générales historiques et courantes – Discours lettre H*, no. 2.
38. *Assemblée Parlementaire Européenne*, *Débats*, 20 March 1958, p. 38.
39. Article 237 states: 'Any European State may apply to become a member of the Community. It shall address its application to the Council, which shall act unanimously after obtaining the opinion of the Commission,' while Article 238 reads: 'The Community may conclude with a third State, a union of States or an international organization agreements establishing an association involving reciprocal rights and obligations, common action and special procedures,' *Treaty Establishing the European Economic Community*, Rome, 25 March 1957.
40. Camps, *Britain and the European Community*, p. 193.
41. Speech by Walter Hallstein to the European Parliamentary Assembly, 'The acceleration of the timing of the EEC Treaty', Strasbourg, 28 March 1960, HAEC, *Archives générales historiques et courantes – Discours lettre H*, no. 2.
42. For more on the British objections, see J. R. Cotton (British Mission, Brussels) to Holliday, 13 April 1960, based on Cotton's conversation with Pierre A. Forthomme, chief adviser to the Belgian government on European economic matters, TNA, FO 371/150272, M 6114/199.

43. 'Record of conversation with Professor Hallstein', 24 June 1960 in Strasbourg, British delegation in Brussels to FO, 28 June 1960, TNA, FO 371/150163, M 611/243.
44. 'Record of conversation with Professor Hallstein', 24 June 1960.
45. 'Record of conversation with Professor Hallstein', 24 June 1960.
46. Record of conversation between E. A. Berthoud (British delegation, Brussels) and Marjolin on 7 July 1960, 14 July 1960, TNA, FO 371/150289, M 6114/468.
47. 'Lecture given by Jean Rey on the Common Market', 4 August 1960, British Embassy, Vienna to FO, 7 September 1960, TNA, FO 371/150337, M 6121/63. See also *Financial Times* editorial, 13 June 1960.
48. Michael Tandy (Brussels) to Ken Gallagher (FO), 9 November 1960, TNA, FO 371/150368, M 6136/105.
49. 'Record of conversation between the Lord Privy Seal and Professor Hallstein in Brussels on November 16, 1960', TNA, FO 371/150368, M 6136/107.
50. 'Record of conversation between the Lord Privy Seal and Professor Hallstein in Brussels on November 16, 1960'.
51. Note on 'WEU meeting in Brussels – meeting with Professor Hallstein' c. November 1960, TNA, FO 371/150368, M 6136/107.

1 The Commission and Britain's First Application

1. The Commission was also intricately involved in the many other issues on the negotiating agenda, such as agriculture, a topic that led to the negotiations becoming bogged down from October 1962 to January 1963. This chapter will refer to the literature on this, and other issues in connection with the analysis on the Commonwealth.
2. For a more detailed examination than can be provided here of the reasons behind Britain's decision to join the EEC, see, for example, Alan S. Milward, *The Rise and Fall of a National Strategy*: *The UK and the European Community*, vol. 1 (London: Frank Cass, 2002), pp. 310–51; Griffiths (1997) 'A slow one hundred and eighty degree turn: British policy toward the Common Market, 1955–60' in George Wilkes (ed.) *Britain's Failure to Enter the European Community 1961–63* (London: Frank Cass), pp. 35–50; Ludlow, *Dealing with Britain: The Six and the First UK Application to the EEC* (Cambridge: Cambridge University Press, 1997), pp. 12–42; Alex May (1999) *Britain and Europe Since 1945* (London: Longman); Jacqueline Tratt (1996) *The Macmillan Government and Europe, A study in the Process of Policy Development* (Basingstoke: Macmillan), especially pp. 188–201.
3. Heath's record of conversation with Hallstein and Rey, 16 November 1960, TNA, FO 371/150368, M 6136/107.
4. Heath's record of conversation with Hallstein and Rey, 16 November 1960.
5. John A. Robinson (FO official) note on meeting with Deniau, 3 October 1960, TNA, FO 371/150295, M 6114/574.
6. Robinson note on meeting with Deniau, 3 October 1960.
7. See comments made by Mansholt during a visit to London in March 1961. *Agence Europe*, no. 941, 19 March 1961.
8. Ken Gallagher (British mission, Brussels) to FO, 'Report of conversation with Professor Hallstein, 20 April 1960', 22 April 1960, TNA, FO 371/158188, M 617/73.
9. Memorandum of conversation between President Kennedy and Chancellor Adenauer, 13 April 1961, *Foreign Relations of the United States* (*FRUS*), 1961–1963,

vol. XIII, p. 7. At the same meeting, Adenauer said that the Common Market countries were ready for Britain to enter 'today, and not tomorrow'.
10. Memorandum of conversation between Kennedy and Adenauer, 13 April 1961.
11. Memorandum of conversation between Hallstein and George Ball, US Undersecretary of State for Economic Affairs, 13 May 1961, *FRUS*, 1961–1963, vol. XIII, p. 14.
12. Memorandum of conversation between Hallstein and Ball, 13 May 1961.
13. Marjolin, *Architect of European Unity: Memoirs 1911–1986* (London: Weidenfeld & Nicolson, 1989), p. 336. See also European Commission, External Relations Directorate, '*Rapport intérimaire du groupe de travail sur l'adhésion du Royaume-Uni*', 20 July 1961, HAEC, I/S/0/4082/61.
14. Memorandum of conversation between Hallstein and Ball, 13 May 1961.
15. Ibid. See also *Agence Europe*, no. 979, 17 May 1961.
16. For more reports on the doubts expressed by Commissioners, see notes on conversation between Miriam Camps and Marjolin, c. May 1961, TNA, FO 371/158271, M 634/145; Eric Roll (1985) *Crowded Hours* (London: Faber & Faber), p. 111; *Agence Europe*, no. 941, 29 March 1961. Roll was deputy leader of the British delegation at official level at the enlargement negotiations. He was a close friend of Marjolin, and their families took holidays together.
17. European Commission, Report DG External Relations, '*Commentaire au sujet du projet Müller-Armack*', 6 February 1961, Council of Ministers Archives, Brussels (henceforward CMA), BAC 61/1982, no. 45/3.
18. Speech by Mansholt, Commission Vice-President for Agriculture, 'Britain in Europe and Europe House', 28 March 1961, HAEU, BAC 61/1982, no. 45/2.
19. Speech by Mansholt, 'Britain in Europe and Europe House', 28 March 1961.
20. Ibid.
21. Ibid.
22. Ibid.
23. For the full text of Macmillan's speech to the House of Commons, see Hansard, House of Commons 1960–1961, vol. 645, cols. 928–31. For press reports on the speech, see *Agence Europe*, no. 1040, 28 July 1961; *Agence Europe*, no. 1043, 1 August 1961.
24. 'Top secret' note from British Mission, Brussels to FO, 28 July 1961, TNA, FO 371/158278, M 634/233/G; also FO memorandum, 'The timing of a decision to join the EEC', TNA, FO 371/158275, M 634/200.
25. *Agence Europe*, no. 1043, 1 August 1961.
26. Ibid. The Treaty of Rome referred to it as the Assembly. It later decided to rename itself the European Parliament.
27. Van der Harst (2006) 'Enlargement: the Commission seeks a role for itself' in Dumoulin (ed.), *The European Commission, 1958–72: History and Memories* (Luxembourg: European Communities, 2007), p. 538.
28. Ludlow, *Dealing with Britain*, p. 51.
29. France, for example, initially reserved its position on the location when Brussels was suggested. It later suggested Chantilly, France. See *Agence Europe*, no. 1058, 28 August 1961.
30. Camps, *Britain and the European Community, 1955–1963* (Princeton: Princeton University Press, 1964), p. 376.
31. Tandy to FO, 25 August 1961, TNA, FO 371/158285, M 634/369.
32. Spaak had chaired the Messina negotiations that led to the creation of the EEC in 1956.

33. Camps, *Britain and the European Community*, p. 375.
34. See *Agence Europe*, no. 1060, 30 August 1961. See also Mariëlla Smids's article on the divergences over the judicial basis for the Commission's involvement in the enlargement talks. Mariëlla Smids (2007) 'The role of the European Commission in the first enlargement process. The agriculture negotiations between 1961–63 and 1970–72', *HEIRS Third Annual Colloquium*, Geneva (http://www.heirs-eu.org/documents/heirscolloquium2007.pdf), p. 52, date accessed 16 October 2012).
35. See Tandy to FO, 22 September 1961, TNA, FO 371/158291, M 634/462.
36. *Agence Europe*, no. 1060, 30 August 1961.
37. *Agence Europe*, no. 1062, 1 September 1961.
38. *Agence Europe*, no. 1066, 7 September 1961. See also Commission's letter to Council confirming that it would not make a formal *avis* until more details were known about the British negotiating position. *Agence Europe*, no. 1076, 19 September 1961.
39. *Agence Europe*, no. 1078, 21 September 1961.
40. Ibid.
41. See *Financial Times*, 'U.S. endorsement of Hallstein [acceleration] plan', 20 March 1960.
42. *Agence Europe*, no. 1085, 29 September 1961.
43. For press reaction to Heath's speech, see TNA, FO 371/158295. For a more in-depth analysis of Heath's speech, see Ludlow, *Dealing with Britain*, pp. 74–6.
44. British White Paper (1961) *The United Kingdom and the European Economic Community* (London: Stationery Office), paragraph 7.
45. Marjolin, *Architect of European Unity*, p. 335.
46. Record of conversation between Mansholt's *chef de cabinet* and C. J. Audland (FO official) 18 October 1961, TNA, FO 371/158299, M 634/637.
47. Noël had made preliminary notes on the Commission's working group in early June. See note from Noël to Günther Seeliger, Director-General, External Relations, 12 June 1961, HAEC, S/03243/61; see also *Agence Europe*, no. 1109, 27 October 1961.
48. British delegation note to FO, 4 November 1961, TNA, FO 371/158300.
49. For more on the Commission's report, see 'Commission's commentary on Lord Privy Seal's declaration', 5 November 1961, TNA, FO 371/158299, M 634/634.
50. For more on the conflicting views of the Community delegations, see Ludlow, *Dealing with Britain*, pp. 77–9.
51. *Agence Europe*, no. 1113, 6 November 1961.
52. Ludlow, *Dealing with Britain*, p. 79.
53. Beloff, *The General Says No: Britain's Exclusion from Europe* (London: Penguin, 1963), p. 117.
54. For an account of the opening meeting of the Brussels negotiations, 8 November 1961, see TNA, FO 371/158301, M 634/663.
55. *Agence Europe*, no. 1115, 8 November 1961.
56. *Agence Europe*, no. 1004, 16 June 1961.
57. Camps, *Britain and the European Community*, p. 389.
58. For more on Denmark's interest in the CAP negotiations, see Morten Rasmussen (2004) 'Joining the European Communities: Denmark's road to EC-membership, 1961–1973' (Unpublished PhD dissertation, European University Institute [Florence]), pp. 118–19.

59. European Commission, '*Première analyse des propositions du gouvernement Britannique contenues dans l'exposé fait à Paris par M. Heath, le 10 octobre 1961*', HAEC, S/5602/61.
60. For Heath's personal account of the meeting, see TNA, FO 371/158302, M 634/686/G.
61. Discussions between Rey and British officials, 18 November 1961, TNA, FO 371/158305, M 634/731.
62. Discussions between Rey and British officials, 18 November 1961. See also conversation between Dutch officials in Brussels and the British, 16 November 1961, TNA, FO 158304, M 634/716.
63. See Heath's personal account of the meeting, and especially his assessment of the Commission's position, TNA, FO 371/158302, M 634/686/G.
64. Stuart Ward (1997) 'Anglo-Commonwealth relations and EEC membership', in George Wilkes (ed.) *Britain's Failure to Enter the European Community 1961–1963: The Enlargement Negotiations and Crises in European, Atlantic and Commonwealth Relations* (London: Frank Cass), p. 95; also Monnet, *Mémoires*, p. 456; Beloff, *The General Says No*, p. 119; Monnet repeatedly advised Heath that the British government should sign the Treaty of Rome immediately.
65. See Kohnstamm's memorandum to Monnet on British membership, 25 April 1961, HAEU, Max Kohnstamm papers (henceforward MK) 19.
66. Kohnstamm's memorandum to Monnet on British membership, 25 April 1961.
67. On 26 June, the Action Committee again had energetically endorsed the British application for membership of the EEC. See von der Groeben, *Formative Years*, p. 136.
68. See the *Economist*'s analysis of the Commonwealth problem in the *Economist*, 3 June 1961.
69. See Rasmussen, 'Joining the Communities', p. 115.
70. European Commission, External Relation Directorate, '*Rapport intérimaire du groupe de travail sur l'adhésion du Royaume-Uni*', 20 July 1961, HAEU, Emile Noël papers (henceforward EN) 893. The first point was agriculture.
71. '*Rapport intérimaire du groupe de travail sur l'adhésion du Royaume-Uni*', 20 July 1961.
72. Ibid.
73. Ibid.
74. Ibid.
75. Ludlow, *Dealing with Britain*, p. 3.
76. Ghana, for example, viewed the Treaty of Rome as the continuation of neo-colonialism, stating at the Commonwealth Economic Consultative Council in September 1961: 'They disliked the community in its present form intensely, and they could only reconcile themselves to United Kingdom membership of it if the United Kingdom used that membership to remove its most distasteful features'. See Milward, *The UK and the European Community*, vol. 1, p. 363.
77. *Agence Europe*, no. 1066, 7 September 1961.
78. *Agence Europe*, no. 1092, 7 October 1961.
79. Camps, *Britain and the European Community*, p. 381.
80. *Note pour messieurs les membres de la Commission*, '*Première analyse des propositions du gouvernement britannique contenues dans l'exposé fait à Paris par M. Heath, le 10 octobre*', 27 October 1961, HAEC, S 1/1961 5602. See also Ludlow's analysis of the working group's comments on Heath's speech to the six in *Dealing with Britain*, p. 81.

81. Beloff, *The General Says No*, p. 117. The British delegation sought a 12 to 15-year transitional period.
82. Note by Robert Lemaignen, '*Demande d'adhésion de la Grande-Bretagne problèmes du Commonwealth: Comment les concilier avec l'association des Etats Africains et Malgache?*' 22 November 1961, HAEC, S 1/1962 5602.
83. In the weeks immediately after Britain had applied to join the Community in July 1961, the ambassadors of the Community's AOTs approached the Council requesting that they be kept informed of any developments that affected their relations with the EEC. See COREPER note, '*Communication du Secrétariat concernant le remise pour information des demandes d'adhésion du Royaume-Uni, du Danemark et de l'Irlande aux Ambassadeurs des Etats africaine et malgache associés à la Communauté*', 25 August 1961, CMA, CM 2/1961, no. 104.
84. Deniau, '*Rapport de la Délégation de la Commission sur la réunion des Suppléants des chefs des délégations (suppléants des ministres), 22–4 Novembre 1961*', HAEC, *Bordereau de Transmission* file (henceforward BDT) 145/88 no. 245 (Report no. 1). These reports were prepared by either Hallstein or Deniau after each meeting at deputy level of the enlargement negotiations, and prove a valuable source of what happened at these meetings.
85. Camps, *Britain and the European Community*, p. 372.
86. *Note pour messieurs les membres de la Commission*, '*Première analysis des propositions du gouvernement britannique contenues dans l'expose fait à Paris par M. Heath, le 10 octobre*', 27 October 1961, HAEC, S 1/1961 5602.
87. Camps, *Britain and the European Community*, p. 381.
88. Speech by Hallstein, 'European policy on Africa', University of Tübingen, 5 May 1961, HAEC, *Archives générales historiques et courantes – Discours lettre H, no. 2*.
89. Hallstein, 'European policy on Africa', University of Tübingen, 5 May 1961.
90. Ibid.
91. '*Résume succinct de l'état des négociations de la conférence entre les états membres des Communautés européennes et les états tiers ayant demande l'adhésion a ces Communautés*', 21 May 1962, HAEU, BAC 1/1971, no. 20/2.
92. Memorandum of conversation between Hallstein and George Ball, US Undersecretary of State for economic affairs, 13 May 1961, *FRUS*, 1961–1963, vol. XIII, p. 14.
93. See '*Rapport no. 2 de la délégation de la Commission pour les négociations avec le Royaume-Uni sur la deuxième session ministérielle*', 8 December 1961, HAEC, BDT 145/88, no. 245.
94. *Extrait du compte rendu de la 3ème session Ministérielle entre les Etats Membres des Communautés européennes et le Royaume-Uni, tenue à Bruxelles le 18 janvier 1962*, CMA, CM 2/1962, no. 1095 (RU/M/11/62), Annex II.
95. *Extrait du compte rendu de la 3ème session Ministérielle entre les Etats Membres des Communautés européennes et le Royaume-Uni, tenue à Bruxelles le 18 janvier 1962*.
96. Ludlow, *Dealing with Britain*, p. 87.
97. European Commission (1963) *Sixth general report of the activities of the Community (1 May 1962–31 March 1963)* (Brussels: Commission of the EEC), p. 220.
98. '*Rapport no. 3 de la délégation de la Commission pour les négociations avec le Royaume-Uni sur la troisième session ministérielle*', 18 January 1962, HAEC, BDT 145/88, no. 245.
99. Conference between member states of the European Communities and other states which have applied for membership of the Communities, 'Statement by Pierson Dixon on the subject of association', 31 January 1962, CMA, CM

2/1962, no. 1095 (RU/S/19/62). Even though Dixon was, officially at least, the head of the British delegation to the Brussels negotiations, it was Eric Roll who dominated the British team.

100. Conference between member states of the European Communities and other states which have applied for membership of the Communities, 'Statement by Pierson Dixon on the subject of association', 31 January 1962.
101. '*4ème rapport de la délégation de la Commission pour les négociations d'adhésion/Royaume-Uni – Comité des Suppléants*', 30 January 1962, HAEC, BDT 145/88, no. 245.
102. Ludlow, *Dealing with Britain*, p. 83. See also Camps, *Britain and the European Community*, p. 388.
103. *Note pour les membres de la Commission*, '*Rapport no. 7 de M. le Président Hallstein sur le déroulement de la session Ministérielle dans le cadre des négociations avec Royaume-Uni*', 22–23 February 1962, HAEC, BDT 145/88, no. 245; also Ludlow, *Dealing with Britain*, p. 98.
104. Deniau, '*Rapport no. 12 de la Délégation de la Commission pour les négociations avec le Royaume-Uni sur le déroulement de la treizième réunion des suppléants des ministres*', 20–21 March 1962, HAEC, BDT 145/88, no. 245.
105. Ibid.
106. D. A. Gowland and Arthur Turner (2000) *Reluctant Europeans: Britain and European integration, 1945–1998* (London: Longman), p. 133; also Heath, *The Course of My Life: My Autobiography* (London: Hodder & Stoughton, 1998), p. 222; Piers Dixon (1968) *Double Diploma: The Life of Sir Pierson Dixon, Don and Diplomat* (London: Hutchinson), pp. 282–3.
107. *Comité des suppléants Royaume-Uni de 29 mars 1962*, no. 311, CMA, CM 2/1962 no. 1095.
108. *Comité des suppléants Royaume-Uni de 29 mars 1962*.
109. Rey's note on '*Elargissement de la Communauté*', 29 March 1962, HAEC, S/816/62.
110. Duchêne to Max Kohnstamm, Vice-President of the *Comité d'Action pour les Etats-Unis d'Europe*, 15 May 1962, HAEU, MK 20.
111. Camps, *Britain and the European Community*, p. 396.
112. See Deniau, '*Rapport no. 21 de la Délégation de la Commission pour les négociations avec le Royaume-Uni sur le déroulement de la vingt-et-unième réunion des suppléants des ministres*', 22–24 May 1962, HAEC, BDT 145/88, no. 245. The Australian and New Zealand delegations in Brussels sharply criticised the arrangement as a 'disturbing development' and emphasised that it should not be a precedent for other, more important products. See Camps, *Britain and the European Community*, p. 397.
113. Deniau, '*Rapport no. 21 de la Délégation de la Commission pour les négociations avec le Royaume-Uni sur le déroulement de la vingt-et-unième réunion des suppléants des ministres*', 22–24 May 1962, HAEC, BDT 145/88, no. 245.
114. The Australian delegation addressed the committee of deputies in April. See '*Rapport no. 17 de la délégation de la Commission pour les négociations avec le Royaume-Uni sur le déroulement de la dix-septième réunion des suppléants des ministres*', 26–27 April 1962, HAEC, BDT 145/88, no. 245.
115. *Parlement Européen, Débats*, no. 54, 26 June 1962, p. 74.
116. Ludlow deals more with this speculation. See Ludlow, *Dealing with Britain*, Chapter 4.
117. Kohnstamm to Monnet, 12 July 1962, HAEU, MK 21.
118. Duchêne to Kohnstamm, 15 May 1962, HAEU, MK 20.

119. *Le Monde*, 7 June 1962; Camps, *Britain and the European Community*, p. 398; Robert Kleiman (1964) *Atlantic Crisis: American Diplomacy Confronts a Resurgent Europe* (New York: Norton), p. 68. For Ludlow's analysis of this meeting, see *Dealing with Britain*, pp. 119–22.
120. Ludlow, *Dealing with Britain*, p. 122.
121. Adenauer also called on the British government to sign the Treaty of Rome in May 1962. See *Die Welt*, 18 May 1962; *Financial Times*, 19 May 1962.
122. Camps, *Britain and the European Community*, p. 398.
123. Beloff, *The General Says No*, p. 126.
124. European Commission, 'Statement on the negotiations concerning Great Britain's accession to the European Economic Community made to the European Parliament by Professor Walter Hallstein', 5 February 1963, TNA, FO 371/181804, M 10610/4 (1963).
125. 'Statement on the negotiations concerning Great Britain's accession to the European Economic Community made to the European Parliament by Professor Walter Hallstein', 5 February 1963.
126. Ibid.
127. These groups included: (i) the highly industrialised countries (Canada, Australia, and New Zealand); (ii) the developing countries dependent on the export of industrial goods (India, Pakistan, and Hong Kong); (iii) the countries that produced tropical and agricultural goods, most of them in Africa and the Caribbean; and (iv) a number of other countries that raised particular problems (Cyprus and Malta).
128. A meeting of the prime ministers of the Commonwealth countries was scheduled for mid-September. Macmillan had to present his guests with tangible results from the negotiations, and therefore the period from May to September was crucial for the British negotiators. See Camps, *Britain and the European Community*, p. 399.
129. See '*Rapport de la délégation de la Commission pour les négociations avec le Royaume-Uni sur le déroulement de la vingt-quatrième réunion des suppléants des ministres*', 20–22 June 1962, HAEC, BDT 145/88, no. 245.
130. This was first suggested in mid-May 1962 by the Commission. See '*Rapport no. 20 de la délégation de la Commission pour les négociations avec le Royaume-Uni sur le déroulement de la vingtième réunion des suppléants des ministres*', 16–18 May 1962, HAEC, BDT 145/88, no. 245.
131. Dixon, *Double Diploma*, p. 288.
132. Milward, *The UK and the European Community*, vol. 1, p. 389.
133. Dixon, *Double Diploma*, p. 284. See also '*Rapport no. 30 de M. le président Hallstein sur le déroulement de la 9ème session ministérielle dans la cadre des négociations avec le Royaume-Uni*', 20 July 1962, HAEC, BDT 145/88, no. 245.
134. Dixon, *Double Diploma*, p. 284.
135. Ibid., p. 285.
136. Beloff, *The General Says No*, p. 126.
137. Ibid., p. 127.
138. For a report of this meeting and the disagreements between Spaak and Hallstein over the Belgian amendments, see *Agence Europe*, 2 August 1962.
139. Beloff, *The General Says No*, p. 128.
140. Milward, *The UK and the European Community*, vol. 1, p. 390.
141. Regulation No. 25 outlined how the CAP would be financed until 1965.

142. Note by Heath, 'Temperate agricultural products', 21 August 1962, TNA, British Cabinet Papers (henceforward CAB) 129/110; *New York Times*, 6 August 1962.
143. See Camps, *Britain and the European Community*, p. 411.
144. Dixon, *Double Diploma*, p. 292.
145. Milward, *The UK and the European Community*, vol. 1, p. 391.
146. In late July, the British had discussed at cabinet the advantages of not securing a major agreement with the six before the summer recess. See Ludlow, *Dealing with Britain*, pp. 152–4.
147. Lucia Coppolaro (2006) 'Trade and politics across the Atlantic: the European Economic Community (EEC) and the United States of America in the GATT: negotiations of the Kennedy Round (1962–1967)' (Unpublished PhD dissertation, European University Institute [Florence]), p. 423.
148. Schaetzel to Kohnstamm, 25 October 1962, HAEU, MK 21.
149. Camps, *Britain and the European Community*, p. 464.
150. Mansholt would examine the problems on a product-by-product basis. See note from Kohnstamm to Monnet based on conversation between the two, 19–20 December 1962, HAEU, MK 21.
151. Deniau, '*Rapport de la Délégation de la Commission sur la réunion des Suppléants des chefs des délégations (suppléants des ministres)*,' Report no. 16, 11–12 April 1962, HAEC, BDT 145/88, no. 245.
152. Von der Groeben, *Formative years*, p. 122. See also similar comments by Mansholt to the European Parliament, 23 January 1962, *Assemblée Parlementaire Européenne, Débats*, 22–25 January 1962, no. 52, p. 79.
153. Ludlow, 'A welcome change', p. 40.
154. Ibid., p. 40.

2 The Commission and the Irish Application

1. Relatively little has been written about Ireland's relations with the first enlargement. For pioneering archival research, see Maurice FitzGerald (2000) *Protectionism to Liberalisation: Ireland and the EEC, 1957 to 1966* (Aldershot: Ashgate); Michael J. Geary (2009) *An Inconvenient Wait: Ireland's Quest for Membership of the EEC, 1957–73* (Dublin: Institute of Public Administration); Gary Murphy (2003) *Economic Realignment and the Politics of EEC Entry: Ireland, 1948–1972* (London: Academica Press).
2. The 1956 Census of Population for Ireland revealed that over 40,000 people annually were leaving the country. By 1961, the population of the Irish Republic stood at 2.8 million, which was 5 per cent below the level at the foundation of the state. See Census of Population Ireland (1954) (Dublin: Stationery Office); John Kurt Jacobsen (1994) *Chasing Progress in the Irish Republic: Ideology, Democracy and Dependent Development* (Cambridge: Cambridge University Press), p. 64.
3. Miriam Hederman (1983) *The Road to Europe: Irish Attitudes 1948–61* (Dublin: Institute of Public Administration), p. 53.
4. Department of External Affairs, Dublin (henceforward D/EA) minutes 'Report of meeting', 10 December 1958, National Archives of Ireland, Dublin (henceforward NAI), Department of Foreign Affairs file (henceforward D/FA) O103/19 Part IV, London Embassy file. See also *Irish Times*, 'Ireland supports British free trade plan,' 9 January 1959.
5. Seán Lemass became Taoiseach and leader of the Fianna Fáil party in 1959.

6. Dáil Éireann Parliamentary Debates (henceforward Dáil Debates), vol. 178, col. 629, 2 December 1959.
7. Hederman, *The Road to Europe*, p. 65.
8. Dáil Debates, vol. 191, col. 204, 5 July 1961.
9. Note from Emile Noël to members of the Commission, 18 July 1961, HAEC, BAC S 1/1061 4082.
10. European Commission, '*Rapport intérimaire du groupe de travail sur l'adhésion du Royaume-Uni*', 20 July 1961, HAEC, BAC S 1/1061 4082.
11. Denis J. Maher, *The Tortuous Path: The Course of Ireland's Entry into the EEC, 1948–1973* (Dublin: Institute of Public Administration, 1986), p. 124.
12. Lemass to Erhard, 31 July 1961, NAI, D/FA CM/6 I (B). Harold Macmillan informed Lemass on 26 July that the British government would 'seek to enter into negotiations with the Six'. See Macmillan to Lemass, 26 July 1961, NAI, D/FA CM/6 I (B). For press reaction to the Irish application, see *Le Figaro*, '*Nouvelles réactions*', 2 August 1961; *Le Monde*, '*L'Irlande a décidé de suivre l'exemple de la Grande-Bretagne*', 3 August 1961.
13. Note from Noël to members of the Commission (based on COREPER meeting), 2 August 1961, HAEC, BAC S 1/1961 4448. The Council of Ministers formally replied to the Irish government in late August 1961. See letter from Erhard to Lemass, 19 August 1961, HAEC, BAC S 1/1961 4567.
14. *Agence Europe*, no. 1052, 21 August 1961.
15. Maher, *The Tortuous Path*, p. 139.
16. Denis McDonald to D/EA, 'Report of conversation with Deniau', 25 July 1960, NAI, D/FA CM/6/I (A). Later in 1960, Frank Biggar replaced McDonald as Ireland's ambassador to the EEC, Belgium, and Luxembourg, and retained the post until 1966. McDonald became Ireland's ambassador to France.
17. Biggar to Secretary D/EA, 'Record of meeting with Hallstein', 7 July 1961, NAI, D/FA CM/6, I (B).
18. Maher, *The Tortuous Path*, p. 126.
19. '*Projet de rapport au Conseil – Problèmes soulevés par les démarches effectuées en vue d'une adhésion par les Gouvernements du Royaume-Uni, du Danemark et de l'Irlande*', 1 September 1961, HAEC, BAC S 1/1961 4733.
20. '*Projet de rapport au Conseil – Problèmes soulevés par les démarches effectuées en vue d'une adhésion par les Gouvernements du Royaume-Uni, du Danemark et de l'Irlande*', 1 September 1961.
21. 'Record of conversation between Irish officials and Sicco Mansholt', Brussels, 5 September 1961, NAI, D/FA CM/2.
22. '*Extrait du projet de procès-verbal de la réunion restreinte tenue à l'occasion de la 52ème session du Conseil de la Communauté Economique Européenne*', 24, 26–27 September 1961, HAEC, BAC 1/1971, no. 20/1.
23. '*Extrait du projet de procès-verbal de la réunion restreinte tenue à l'occasion de la 52ème session du Conseil de la Communauté Economique Européenne*', 24, 26–27 September 1961.
24. Ibid.
25. See, for example, European Commission, External Relations Directorate note to Rey on Austria and Sweden, 12 May 1961, HAEC, BAC 61/1982, no. 45/2; European Commission, External Relations Directorate note '*Neutralité et association à la CEE*', 4 June 1962, HAEC, BAC 1/1971, no. 20/3.
26. *Agence Europe*, no. 1096, 14 October 1961.
27. Ibid., 14 October 1961.

28. *Agence Europe*, no. 1108, 26 October 1961.
29. Biggar to Con Cremin (Secretary, D/EA), 9 December 1961, NAI, D/FA CM/9/3 II.
30. Maher, *The Tortuous Path*, p. 378.
31. Ibid., p. 381.
32. Linthorst Homan, Dutch Permanent Representative to the Community, thought Lemass's statement had been a very good one; indeed, in some ways more impressive than that presented by the Danes, who had, in his view, made rather too much of their difficulties. See Biggar to Cremin, 14 February 1962, NAI, Department of the Taoiseach file (henceforward D/T) S17246 C/1962.
33. Biggar to Cremin, 14 February 1962.
34. Report of COREPER meeting, 9 March 1962, HAEU, CM 2/1962, no. 106.
35. Axel Herbst, '*Note pour MM. Les membres de la Commission*', 2 March 1962, HAEC, BAC 38/1984, no. 105/2.
36. See '*Note pour MM les membres de la Commission – Demande d'adhésion à la Communauté présentée par le Gouvernement irlandais*', 9 March 1962, HAEC, BAC 38/1984, no. 105/2.
37. See '*Document de travail sur l'Irlande et projet de questionnaire à l'intention du Gouvernement irlandais*', HAEC, BAC 38/1984, no. 105/2.
38. See Council of Ministers, '*Questionnaire concernant certains problèmes immédiats que posent les demandes d'Adhésion et d'Association à la Communauté*', 17 August 1961, HAEU, CEAB 2, no. 2489/1.
39. Maher, *The Tortuous Path*, p. 147.
40. See '*Note sur les réponses fournies par les Fonctionnaires Irlandais lors de la réunion du 11 mai 1962, au questionnaire adressé par la Communauté au Gouvernement irlandais, suite à la déclaration faite par Monsieur Lemass, Premier Ministre d'Irlande, lors de la réunion Ministérielle du 18 janvier 1962*', 14 September 1962, HAEC, BAC 38/1984, no. 105.
41. Maher, *The Tortuous Path*, p. 154.
42. Ibid., p. 155.
43. Herbst, '*Note pour MM. les membres de la Commission*', 13 July 1962, HAEC, BAC 38/1984, no. 105/1.
44. See minutes of European Commission meeting, 12 September 1962, HAEC, BAC 209/1980, no. 188–189, PV 197, 2e partie.
45. See '*Note sur les réponses fournies par les Fonctionnaires Irlandais lors de la réunion du 11 mai 1962, au questionnaire adressé par la Communauté au Gouvernement irlandais, suite aux déclarations faite par Monsieur Lemass, Premier Ministre d'Irlande, lors de la réunion ministérielle du 18 janvier 1962*', 14 September 1962, HAEC, BAC 38/1984, no. 105.
46. See comments made by German and Dutch delegations at COREPER meeting, 14 September 1962, HAEC, BAC 38/1984, no. 105. See also '*Comité des Représentants Permanents, projet de compte rendu sommaire de la réunion restreinte tenue à l'occasion de la 226ème réunion*', 13–14 September 1962, HAEC, BAC 214/1980, no. 82.
47. See comments made by German and Dutch delegations at COREPER meeting, 14 September 1962, HAEC, BAC 38/1984, no. 105.
48. See Axel Herbst's report of COREPER meeting, '*Relations entre la Communauté et l'Irlande*', 5 October 1962, HAEC, BAC 38/1984, no. 105.
49. Maher, *The Tortuous Path*, p. 159.
50. See Herbst, '*Note pour MM. les membres de la Commission*', 15 October 1962, HAEC, BAC 38/1984, no. 105; *Agence Europe*, no. 509, 23 October 1962.

51. Herbst to Commissioners, 19 October 1962, HAEC, BAC 38/1984, no. 105.
52. Von der Groeben, *The European Community, The Formative Years. The Struggle to Establish the Common Market and the Political Union (1958–66)*, p. 29.
53. Jean-François Deniau (1960) *The Common Market* (London: Barrie & Rockliff), p. 1.
54. Statement by Walter Hallstein to the Consultative Assembly of the Council of Europe during a debate on European economic relations, 20 January 1960, HAEC, *Archives générales historiques et courantes – Discours H*, no. 2.
55. The revolt by colonists and generals in Algeria in April 1961 posed a serious threat to the Gaullist system, and was contained only by the intervention of de Gaulle and his ministers. Immediately after his inauguration as President of the United States in January 1961, Kennedy ordered that the entire defence strategy be reviewed. The old strategy of massive retaliation was replaced by the strategy of flexible response.
56. Jeffrey G. Giauque (2000) 'The United States and the political union of Western Europe, 1958–1963' *Contemporary European History*, vol. 9, no. 1, p. 93.
57. This was a de Gaulle-inspired initiative from his press conference in September 1960, when he called for regular meetings between the heads of state and government of the six. He sought greater cooperation in the fields of politics, economics, culture, and defence. The proposal was linked to French calls for reform of NATO. See Robert Bloes (1970) *Le 'Plan Fouchet' et le problème de l'Europe politique* (Bruges: College of Europe); Georges-Henri Soutou (1990–1991) 'Le général de Gaulle, le plan Fouchet et l'Europe', *Commentaire*, vol. 13, no. 52, pp. 757–66; Jeffrey Glen Giauque (2002) *Grand Designs and Visions of Unity: the Atlantic Powers and the Reorganization of Western Europe, 1955–1963* (Chapel Hill: University of North Carolina Press).
58. See Pierre Gerbet (1997) 'The Fouchet negotiations for political union and the British application' in George Wilkes (ed.), *Britain's Failure to Enter the European Community*, pp. 135–43.
59. Róisín Doherty (2002) *Ireland, Neutrality and European Security Integration* (Aldershot: Ashgate), p. 13.
60. Sheila Harden (1994) (ed.) *Neutral States and the European Community* (London: Brassey's), p. 151. See also *Text concerning Ireland's position in relation to the North Atlantic Treaty* (1950) (Dublin: Government Stationery Office).
61. Memorandum of conversation between the German and US governments, 13 April 1961, *FRUS*, 1961–1963, vol. XIII, p. 8.
62. Memorandum of conversation between the German and US governments, 13 April 1961. Ball had previously been a member of the law firm Cleary, Gottlieb, Steen and Ball, which acted as legal counsel in the United States to the European Commission. Ball had also been a legal adviser to Jean Monnet. For his pro-European views, see his speech before the Senate Committee on Interstate and Foreign Commerce, 10 May 1960, in which he argued in favour of the Community's Common Market, HAEC, Walter Hallstein papers (henceforward WH) S 4685.
63. Telegram from US Embassy (London) to the State Department on Heath-Ball meeting, 18 May 1961, *FRUS*, 1961–1963, vol. XIII, p. 18.
64. Circular telegram from US Department of State to certain Missions in Europe, 27 October 1961, United States of America, National Archives and Record Administration, College Park, Maryland (henceforward NARA), State Department Central files, 375.800/10–2761.

65. See European Commission, External Relation division, '*Rapport intérimaire du groupe de travail sur l'adhésion du Royaume-Uni*', 20 July 1961, HAEC, I/S/0/4082/61. During a debate in the European Parliament on 20 October 1961, discussions largely centred on the British application. See *Assemblée Parlementaire Européenne*, '*Rapport fait au nom de la Commission politique sur la procédure à suivre pour la conclusion des accords d'adhésion*', 20 October 1961, CMA, CM 1/1961, no. 61.
66. See *Le Figaro*, 11 May 1962.
67. See McDonald to Secretary, D/EA, 11 May 1962, NAI, D/FA CM/6 XII.
68. For the text of Hallstein's Zurich speech on 24 November 1961, see TNA, FO 371/158210, M 617/510.
69. '*Projet de rapport au Conseil – Problèmes soulevés par les démarches effectuées en vue d'une adhésion par les Gouvernements du Royaume-Uni, du Danemark et de l'Irlande*', 1 September 1961, HAEC, BAC S 1/1961 4733.
70. See Telegram from the US Embassy in Belgium to the US State Department, 29 November 1961, *FRUS*, 1961–1963, vol. XIII, pp. 51–53; Telegram from the US State Department to the US Embassy in Belgium, 23 February 1962, *FRUS*, 1961–1963, vol. XIII, pp. 65–67; *Irish Times*, 1 June 1961.
71. Telegram from the Embassy in Belgium to State Department, 29 November 1961, *FRUS*, 1961–1963, vol. XIII, p. 51.
72. Telegram from the Embassy in Belgium to State Department, 29 November 1961, *FRUS*, 1961–1963, vol. XIII, p. 52.
73. Telegram from the Embassy in Belgium to State Department, 29 November 1961.
74. Quoted in *New York Herald Tribune*, 26 January 1962; also *La Libre Belgique*, 26 January 1962. For the debate within the Consultative Assembly of the Council of Europe on the issue of neutrals in the EEC, see *Agence Europe*, no. 147, 28 June 1962.
75. *Agence Europe*, no. 1169, 18 January 1962.
76. *Agence Europe*, no. 1169, 18 January 1962.
77. European Commission report based on comments made in the Assembly of the Council of Europe, '*Neutralité et association à la CEE*', 4 June 1962, HAEC, BAC 1/1971, no. 20/3.
78. Meeting between Hallstein and Biggar, 15 February 1962, Biggar to Cremin, 19 February 1962, NAI, D/FA CM/9/1, I.
79. See a speech by McGeorge Bundy, President Kennedy's special assistant for national security affairs, at the general assembly of the Atlantic Treaty Association in Denmark, 27 September 1962, HAEC, WH 1266/1800; also United States Senate Committee on Foreign Relations, 'Problems and trends in Atlantic partnership – some comments on the European Economic Community and NATO', 14 September 1962, HAEC, WH 1266/1787.
80. Walter Hallstein (1972) *Europe in the Making* (London: Allen & Unwin), p. 28.
81. Ibid., p. 29.
82. Coombes, *Politics and Bureaucracy in the European Community: a Portrait of the Commission of the EEC* (London: Allen & Unwin, 1970), p. 256.
83. Meeting between Mansholt and Biggar, 20 February 1962 reported in letter from Biggar to Cremin, 23 February 1962, NAI, D/FA CM/9/1, I.
84. Biggar to Cremin, 23 February 1962, NAI, D/FA CM/9/1, I.
85. Notes of comments made by Rey, 18 January 1962, NAI, D/FA CM/6 VIII.
86. Notes of comments made by Rey and Caron, 18 January 1962.

87. Conversation between Deniau (senior Commission official in charge of the Commission's Working Group on enlargement) and Biggar, 12 February 1962 reported in letter from Biggar to Secretary, D/EA, 14 February 1962, NAI, D/FA CM/9/1, I.
88. Conversation between Deniau and Biggar, 12 February 1962.
89. Ibid.
90. Briefing notes for Lemass's visit to EEC countries, 3 October 1962, NAI, D/FA 17246 P/62.
91. See report of meeting between Irish ambassador to Bonn and German Foreign Minister, 13 September 1962, NAI, D/FA 17246 P/62.
92. Report of meeting between Irish ambassador to Bonn and German foreign minister, 13 September 1962.
93. Briefing notes for Lemass's visit to EEC countries, 3 October 1962, NAI, D/FA 17246 P/62.
94. Briefing notes for Lemass's visit to EEC countries, 3 October 1962.
95. Ibid.
96. For the minutes of these meetings, see NAI, D/FA CM/6 XVII.
97. Meeting between Hallstein and Lemass, 7 October 1962, NAI, D/FA CM/6 XVII.

3 From Veto to Veto: Britain and the Commission

1. Macmillan to Foreign Secretary, 15 January 1963, TNA, FO 371/171444, M1092/33/G. Whitehall officials had prepared papers on the failure of the negotiations as far back as December 1962. See memorandum 'If the negotiations fail', 28 December 1962, TNA, FO 371/173302, WPY/1/G.
2. Macmillan to Foreign Secretary, 15 January 1963, TNA, FO 371/171444, M1092/33/G.
3. Letter from Heath to Hallstein, 5 February 1963, TNA, FO 371/171422, M1091/202.
4. See William Pickles (1966) 'Making Sense of de Gaulle', *International Affairs*, vol. 42, no. 3, pp. 410–20; 'Le thème "Européen" dans les écrits et les déclarations du General de Gaulle', HAEU, CEAB 2, no. 3604.
5. For more on Denmark's rather unproductive meetings with the Commission in October and December 1963, see Rasmussen, 'Joining the European Communities', p. 142.
6. Tandy to Patrick Reilly (FO), 15 March 1963, TNA, FO 371/171424, M1091/257. Con O'Neill replaced Arthur Tandy as head of the British delegation to the European Communities on 30 May 1963. See TNA, FO 371/171402, M10813/10.
7. Tandy to Reilly, 15 March 1963.
8. See Galsworthy to Curtis Keeble (European Economic Organisation Department), FO, 21 March 1963, TNA, FO 371/171388, M1081/22.
9. Galsworthy to Keeble, 21 March 1963.
10. See Ludlow, *The European Community and the Crises of the 1960s: Negotiating the Gaullist Challenge*, pp. 24–7.
11. FO memorandum by R. E. Barclay, 11 February 1963, TNA, FO 371/171422, M1091/202.
12. FO memorandum by R. E. Barclay, 11 February 1963.
13. Max Kohnstamm note to Monnet, 22 February 1963, HAEU, MK 22.
14. See Ludlow, *The European Community and the Crises of the 1960s*, pp. 14–16.

15. The Italian government's minutes of this meeting were later shown to British officials. See J. Ward (British Embassy Official, Rome) to FO, 14 February 1963, TNA, FO 371/171421, M1091/194.
16. On the GATT negotiations, see Coppolaro, 'Trade and politics across the Atlantic', pp. 18–41.
17. 'Hallstein Report', HAEU, CEAB 12, no. 2016.
18. The Community never seriously believed that London would accept de Gaulle's vague offer of associate membership. The German government, for example, claimed that association was no solution for a partner as important as Britain. See *Agence Europe*, 5 February 1963.
19. European Commission (1963) *Sixth General Report on the Activities of the Community* (1 May 1962–31 March 1963) (Brussels: EEC Commission), pp. 11–12.
20. European Commission, *Sixth general report on the activities of the Community*, p. 14.
21. Ibid., p. 17.
22. See *Agence Europe* editorial on Hallstein's speech to European Parliamentary Assembly, no. 633, 28 March 1963.
23. Hallstein's speech to the National Association of British Manufacturers, London, 24 May 1963, TNA, FO 371/171257, M1034/5.
24. Hallstein's speech to the National Association of British Manufacturers, London, 24 May 1963.
25. Marjolin, *Le travail d'une vie*, p. 336.
26. See *Agence Europe*, no. 587, 1 February 1963. Days later, in a letter to a French daily newspaper, Mansholt claimed that his comments on 1 February had been taken out of context. See *Le Monde*, 7 February 1963. For the reaction from the five and the United States to the French veto, and the breakdown in the enlargement negotiations, see Oliver Bange (2000) *The EEC Crisis of 1963: Kennedy, Macmillan, De Gaulle and Adenauer in Conflict* (London: Macmillan), pp. 231–3.
27. Memorandum of conversation between Mansholt and President Kennedy, 9 April 1963, *FRUS*, 1961–1963, vol. XIII, p. 195.
28. See TNA, FO 371/171296, M1062/70.
29. Galsworthy to FO, 10 April 1963, TNA, FO 371/171426, M1091/293.
30. *Agence Europe*, no. 658, 30 April 1963; Meeting between Mansholt's *chef de cabinet* and Tandy, 26 April 1963, TNA, FO 371/171427, M1091/316.
31. Mansholt also assumed that the British government would not make another move towards the six until after the 1964 British general election.
32. See memorandum 'A positive policy after Brussels', Philip de Zulueta (Prime Minister's office) to Macmillan, 4 February 1963, TNA, Prime Minister's Office file (henceforward PREM) 11/4220; also Cabinet Office memorandum, 'Machinery of government in the post-Brussels period', TNA, PREM 11/4272. De Zulueta was one of those who believed it was better to move beyond the veto.
33. Record of meeting between Rey and Heath, 4 July 1963, TNA, FO 371/171296, M1062/76.
34. Miriam Camps (1967) *European Unification in the Sixties: From Veto to Veto* (London: Oxford University Press), p. 6.
35. Memorandum 'Policy towards the European Economic Community', Butler to Macmillan, 18 December 1963, TNA, PREM 11/5148. Butler served as Foreign Secretary until October 1964 under Alec Douglas Home, Macmillan's successor as prime minister.
36. Memorandum 'Policy towards the European Economic Community'.

37. Dixon to FO, 12 December 1963, TNA, FO 371/171451, M1092/186. See also *Agence Europe*, editorial ('*Si le Marché Commun mourait*'), 9 December 1963.
38. See for example, Ellison, *Threatening Europe*, p. 223.
39. See Philip Stevens, 'Hugo Young Memorial Lecture', Chatham House, London, reproduced in the *Guardian*, 21 October 2004.
40. Ludlow, *The European Community and the Crises of the 1960s*, p. 37.
41. Memorandum of conversation between members of the Commission and the US government, 6 March 1964, *FRUS*, 1964–1968, vol. XIII. (http://history.state.gov/historicaldocuments/frus1964-68v13/d11, date accessed: 16 October 2012).
42. Coppolaro, 'Trade and politics across the Atlantic', p. 95.
43. Ibid., p. 119.
44. Ludlow, *The European Community and the Crises of the 1960s*, p. 28.
45. See *Agence Europe*, editorial ('*Les déséquilibres internes de la Communauté*'), no. 866, 22 January 1964.
46. Memorandum of conversation between members of the Commission and the US government, 6 March 1964, *FRUS*, 1964–1968, vol. XIII. (http://history.state.gov/historicaldocuments/frus1964-68v13/d11, date accessed: 12 May 2008).
47. See European Commission, 'Initiative 1964', HAEU, Klaus Meyer papers (hence-forward KM) 7. For more background material on 'Initiative 1964' see HAEU, BAC 144/1992, no. 241; HAEU, BAC 002/1968–1920, '*Tâches de la Commission de la CEE: Sous-comité « Initiative 1964 » aspects de political sociale*', vol. 5; HAEU, Cabinet Mansholt, no. 5, 1964–1965.
48. Dumoulin (ed.), *The European Commission*, 1958–1972, p. 56.
49. Ibid., p. 56.
50. The Commission was not alone in drawing up proposals aimed at greater political integration in the post-veto period. Schroeder, German foreign minister, was the first to present the Community with a framework for the future political development of the EEC. France, Italy and the Benelux countries all contributed proposals. See HAEU, BAC 118/1986, no. 1723, 1723/2, 1466; TNA, FO 371/182346, M 10723/68, M 10723/69, M 10723/74.
51. European Commission, 'Initiative 1964', 30 September 1964, HAEU, BAC 144/1992, no. 241.
52. See Rey's report to the Council of Ministers based on a meeting with Heath in London on GATT and the problems of disparities in trade, 13–14 May 1963, HAEC, BAC 214/1980, no. 109.
53. The EFTA governments, meeting at Vienna on 24 May 1965, considered that steps could and should be taken to bring about closer contact between the EEC and the EFTA in order to facilitate the removal of trade barriers and the promotion of closer economic cooperation in Europe.
54. A. F. Maddocks (British Mission official, Brussels) to Norman Statham (FO official), 2 June 1965, TNA, FO 371/182346, M 10723/69.
55. Maddocks to Statham, 8 June 1965, TNA, FO 371/182346, M 10723/74.
56. Maddocks to Statham, 8 June 1965. The Dutch also raised questions about the bridge-building initiative. See *Daily Telegraph*, 25 May 1965.
57. See Takeshi Yamamoto (2007) 'Détente or Integration? EC Response to Soviet Policy Change Towards the Common Market, 1970–1975' in *Cold War History*, vol. 7, no. 1, pp. 75–94.
58. For more on the crisis, see Jean-Marie Palayret et al. (2006) (eds), *Visions, Votes and Vetoes: The Empty-Chair Crisis and the Luxembourg Compromise Forty Years on*

(Brussels: PIE Peter Lang), especially pp. 79–96 for Ludlow's analysis of the Commission's role; N. Piers Ludlow (1999) 'Challenging French leadership in Europe: Germany, Italy and the Netherlands and the outbreak of the empty-chair crisis of 1965–1966' *Contemporary European History*, vol. 8, no. 2, pp. 231–48; Jonathan White (2003) 'Theory guiding practice: the Neofunctionalists and the Hallstein EEC Commission' *Journal of European Integration History*, vol. 9, no. 1, pp. 111–31; Philip Bajon (2009) 'The European Commissioners and the empty chair crisis of 1965–66' *Journal of European Integration History*, vol. 15, no. 2, pp. 105–24; Bajon (2012) *Europapolitik 'am Abgrund': Die Krise des 'leeren Stuhls' 1965–1966* (Studies on the History of European Integration, Vol. 15) (Stuttgart: Steiner).

59. See *Agence Europe*, editorials on the 'Luxembourg Compromise', no. 1446–50, 31 January – 4 February 1966.
60. Helen Parr (2006) *Britain's Policy Towards the European Community: Harold Wilson and Britain's World Role, 1964–1967* (London: Routledge), p. 23. See also select references in Jane Toomey (2007) *Harold Wilson's EEC Application: Inside the Foreign Office 1964–1967* (Dublin: University College Dublin Press), Chapter 1.
61. For an analysis of the impact that the outcome of the crisis had on Hallstein, see Philip Gassert (2001) 'Personalities and the politics of European integration: Kurt Kiesinger and the departure of Walter Hallstein, 1966/7' in Wilfried Loth (ed.), *Crises and Compromises: The European Project 1963–1969* (Baden-Baden: Nomos), pp. 265–84; Ludlow, *The European Community and the Crises of the 1960s*, pp. 130–2.
62. *Agence Europe*, editorial, nos. 1504 and 1505, 12 and 18 April 1966.
63. Memorandum of conversation between Wilson and United States officials, 27 July 1966 (http://www.state.gov/r/pa/ho/frus/johnsonlb/xii/6627.htm, date accessed: 16 October 2012).
64. Memorandum of conversation between Wilson and United States officials, 27 July 1966.
65. Circular telegram from the United Department of State to posts in NATO capitals, 30 July 1966 (http://www.state.gov/r/pa/ho/frus/johnsonlb/xii/6627.htm, date accessed: 16 October 2012).
66. Record of talks between Hallstein and Marjoribanks, 25 July 1966, TNA, FO 371/188269, M 1062/23.
67. For example, see Statham to Con O'Neill (FO), 5 August 1966, TNA, FO 371/188269, M 1062/23.
68. Statham to O'Neill, 5 August 1966.
69. Ibid.
70. See Parr, Britain's policy towards the European Community, pp. 70–100.
71. The *Times*, 11 November 1966.
72. Wilson's statement to the House of Commons, 10 November 1966, TNA, FO 953/2312; also '*Reaction de la presse britannique à la declaration de Mr Wilson devant la House of Commons, le 10 novembre*', HAEU, BAC 118/1986, no. 427; Parr, *Britain's Policy towards the European Community*, pp. 103–4.
73. See '*Le thème "Européen" dans les écrits et les déclarations du General de Gaulle*', HAEU, CEAB 2, no. 3604. See also TNA, FO 1042/192; FO 1042/193; FO 1042/194.
74. Telegram from the United States Embassy in France to the State Department, 24 November 1966 (http://www.state.gov/r/pa/ho/frus/johnsonlb/xii/2225.htm, date accessed: 16 October 2008).

75. Telegram from the United States Embassy in France to the State Department, 24 November 1966. Bohlen added at the end of his report that 'I do not know how this should be handled with the British since we do not wish to have any responsibility for chilling the British effort. Perhaps the best thing to do would be to tell them in very general terms without being specific'.
76. Record of meeting between James Callaghan and Henry Fowler, US Secretary of the Treasury, 21 January 1967, *FRUS*, 1964–1968, vol. XIII, p. 529.
77. See *La Nation*, 22 December 1966; *Die Welt*, 7 January 1967; *Le Monde*, 7 January 1967.
78. See TNA, FO 371/188327, M10810/18.
79. See Action Committee for the United States of Europe (1967) Resolutions adopted by the Committee, thirteenth session, 15 June 1967 (Brussels); *Agence Europe*, editorial ['*Le Comité Monnet et les forces européenes*'], no. 1759, 15 March 1967.
80. *Agence Europe*, '*La candidature britannique et le rôle de l'Allemagne*', no. 1819, 15 June 1967.
81. See Monnet's letter to Willy Brandt, German Foreign Minister, 3 January 1967, HAEU, MK 46.
82. British delegation (Brussels) memorandum to FO, c. March 1967, TNA, FO 1108/15.
83. See Marjoribanks to Brown, 10 March 1967, TNA, FO 1108/15.
84. See Max Kohnstamm's notes on meetings with British and Community officials, including Mansholt, 19 January 1967, HAEU, MK 46.
85. Marjoribanks to O'Neill, 5 December 1966, TNA, PREM 13/1475.
86. See minutes of meeting between Wilson and Rey, 1 February 1967, TNA, PREM 14/1476; *Agence Europe*, editorial [*L'adhésion de la Grande-Bretagne et la Commission Européene*], no. 1729, 1 February 1967.
87. Parr, *Britain's Policy towards the European Community*, p. 121.
88. Kohnstamm's notes on meetings with British and Community officials, including Mansholt and Narjes, 19 January 1967, HAEU, MK 46.
89. Kohnstamm's notes on meetings with British and Community officials, 19 January 1967.
90. Anthony Adamthwaite (2003) 'John Bull v. Marianne, Round two: Anglo-French relations and Britain's second EEC membership bid' in Oliver J. Daddow (ed.), *Harold Wilson and European integration, Britain's Second Application to Join the EEC* (London: Frank Cass), p. 153.
91. Adamthwaite, 'John Bull v. Marianne, Round two', p. 155. See also René Girault, Raymond Poidevin (2001) (eds), *Le rôle des Ministères des Finances et de l'Economie dans la Construction Européene (1957–1978)*: *Actes du colloque Tenu à Bercy, 26 mai 1999* (Paris: CHEFF); Hervé Alphand (1977) *L'étonnement d'être: Journal, 1939–1973* (Paris: Fayard), especially pp. 490–4 for his criticism of the second British application.
92. See Parr's analysis of this visit in *Britain's Policy towards the European Community*, p. 121.
93. See TNA, CAB 128/42.
94. Memorandum of conversation between Dean Rusk, US Secretary of State, and George Brown, Foreign Secretary, 18 April 1967, *FRUS*, 1964–1968, vol. XIII, p. 559.
95. See Wilson's letter to Renaat van Elslande, President of the EEC Council of Ministers, 12 May 1967, HAEU, BAC 118/1986, no. 427.

96. For Community reaction to Wilson's application, see Ludlow, *The European Community and the Crises of the 1960s*, pp. 137–8.
97. *Agence Europe*, editorial, no. 1796, 11 May 1967.
98. For more on the second Danish application (and the pressure exerted on the Commission by the Danes during the drafting of subsequent Commission *avis*), see Rasmussen, 'Joining the European Communities', pp. 150–7.
99. Hans Otto Frøland (2001) 'The second Norwegian EEC-application, 1967: was there a policy at all?' in Loth (ed.), *Crises and Compromises*, p. 450. See also Dag Alex Kristoffersen (2006) 'Norway's policy towards the EEC: the European dilemma of the Centre Right Coalition (1965–1971)', in Katrin Rücker, Laurent Warlouzet (eds), *Quelle(s) Europe(s)? Nouvelles Approches en Histoire de l'Intégration Européenne* (Bruxelles: P.I.E.-Peter Lang), pp. 209–24.
100. Reproduced in David Gowland, Arthur Turner (2000) (eds), *Britain and European Integration 1945–1998, A Document History* (London: Routledge), p. 123.
101. For more on the crisis surrounding the problems linked with sterling, see an excellent article by Catherine Schenk (2002) 'Sterling, international monetary reform and Britain's applications to join the European Economic Community in the 1960s', *Contemporary European History*, vol. II, no. 3, pp. 345–69; also Susan Strange (1967) *The Sterling Problem and the Six* (London: Chatham House, PEP).
102. See also memorandum of conversation between Ambassador Charles Lucet (French Embassy, Washington DC) and John Leddy (United States State Department), 19 May 1967, *FRUS*, 1964–1968, vol. XIII, pp. 576–7. Lucet argued that both Wilson and Brown were aware of the General's thoughts on these matters before the press conference on 16 May.
103. Memorandum of conversation between Rey and Rusk, 9 June 1967, NARA, State Department Central Files, FT 13–2 US, EEC 3, ECIN 3 EEC.
104. Memorandum of conversation between Rey and Rusk, 9 June 1967. During this meeting, Rey also requested that the United States remain publicly silent on the issue of British membership.
105. See *Agence Europe*, no. 1793, 8 May 1967. For more on Hallstein's resignation and Rey's appointment as President of the European Commission, see Philipp Gassert (2001) 'Personalities and the politics of European integration: Kurt Georg Kiesinger and the departure of Walter Hallstein, 1966/67' in Loth (ed.), *Crises and Compromises*, pp. 265–84; Ludlow, *The European Community and the Crises of the 1960s*, pp. 130–2.
106. A list of the Rey Commission is reproduced in Dumoulin (ed.), *The European Commission*, pp. 183–4.
107. European Commission, '*Rapport sur la 224ème session du Conseil les 26–27 juin 1967, point 3 de l'ordre du jour: Lettres des gouvernements du Royaume-Uni, de l'Irlande et du Danemark concernant l'adhésion de ces pays aux Communautés européennes*', 4 July 1967, HAEU, BAC 144/1992, no. 179/6.
108. Conversation between Hallstein and Marjoribanks, 8 March 1967, TNA, Foreign and Commonwealth Office file (henceforward FCO) 1108/15.
109. Conversation between Hallstein and Marjoribanks, 8 March 1967. See also *Sunday Times* interview with Edward Heath, 5 March 1967.
110. See minutes of European Commission meeting, 10–12 July 1963, HAEC, BAC 259/80, no. 1/13, PV 2 final, 2e partie, 10–12 July 1963. Edoardo Martino succeeded Rey as Commissioner for External Relations in the new 14-member Commission.
111. See '*Note pour la Commission*', 17 July 1967, HAEU, BAC 11/1972, no. 11/1.

112. Minutes of European Commission meeting, 10–12 July 1963.
113. See Rasmussen, 'Joining the European Communities', p. 157.
114. See Brown's statement to the WEU, 4 July 1967, HAEU, BAC 144/1992, no. 179/2.
115. Parr, *Britain's Policy towards the European Community*, p. 159; *Agence Europe*, editorial, no. 1821–1824, 19–22 June 1967.
116. Minutes of European Commission meeting, 17–20 July 1967, HAEU, BAC 259/80, no. 1/13, PV 3 final, 2e partie.
117. For the various drafts of the *Avis de la Commission* and notes prepared by the Commission working groups on the subject of Britain's application, see HAEU, BAC 11/1972, no. 13, 13/1, 14, 14/1.
118. Summary of the Commission's report on the British, Irish, Danish, and Norwegian membership requests, HAEU, BAC 144/1992, no. 54B. It should be noted that this file is part of the Martino cabinet papers but has a general BAC reference. His cabinet papers are distinguished by the letters 'EM'.
119. See *Avis de la Commission au Conseil concernant les demandes d'adhésion du Royaume-Uni, de l'Irlande, du Danemark et de la Norvège en vertu des articles 237 du traité CEE, 205 du traité CEEA et 98 du traité CECA, 'Problèmes généraux de l'élargissement'*, HAEU, CEAB 5, no. 1317.
120. *Avis de la Commission au Conseil*.
121. Ibid.
122. *Direction Générale des Relations Extérieurs*, '*Problèmes que soulève l'entrée de la Grande-Bretagne dans la CEEA*', 9 July 1967, HAEU, BAC 144/1992, no. 179/5.
123. Memorandum of conversation between Hallstein and Ball, 13 May 1961, Washington, *FRUS*, 1961–1963, vol. XIII, p. 13.
124. Ludlow, *The European Community and the Crises of the 1960s,* pp. 141–2.
125. The contribution of the Directorate General for Economic and Monetary Affairs to the *avis* dealt almost exclusively with the questions affecting the British economy and not the other three applicants. See '*Contribution de la Direction générale des affaires économiques et financiers – les problèmes économique et financiers*', c. 17 July 1967, HAEU, BAC 144/1992, no. 179/1.
126. See *Avis de la Commission au Conseil concernant les demandes d'adhésion du Royaume-Uni, de l'Irlande, du Danemark et de la Norvège en vertu des articles 237 du traité CEE, 205 du traité CEEA et 98 du traité CECA, 'Problèmes généraux de l'élargissement'*, HAEU, CEAB 5, no. 1317; also '*12ème séance de la Commission*', 23–28 October 1967, HAEU, CEAB 2, no. 2638/1; HAEU, BAC 11/1972, no. 15.
127. *Avis de la Commission*, HAEU, BAC 11/1972, no. 16.
128. The sterling balances were all the liquid assets held in London by public authorities, firms, and private persons resident outside Britain, whether as reserves, as working balances, or as a means of financing transactions of various kinds.
129. *Avis de la Commission*. See also HAEU, BAC 11/1972, no. 16/1.
130. See Chancellor of the Exchequer's Mansion House speech in London, 26 October 1967, HAEU, BAC 11/1972, no. 16/1, 16/2; *Le Monde*, article by Callaghan, 25 September 1967, in which he argued that the sterling balances should not be an obstacle to British membership of the EEC.
131. Schenk, 'Sterling, international monetary reform', p. 346.
132. Ibid.
133. Ibid., p. 366.
134. By September 1967, Norway had reapplied for Community membership.

135. *Herald Tribune*, 7 October 1967. See also *Daily Mirror*, 9 October 1967, whose report on the *avis* defined the Commission as 'a group of experts which forms the Market's civil service'.
136. *Le Soir*, 7 October 1967.
137. *Daily Telegraph*, 7 October 1967.
138. *Sunday Telegraph*, 8 October 1967.
139. Ibid.
140. See *Agence Europe*, no. 1889, and the *Economist*, 7 October 1967; *Observer*, 8 October 1967. The *Financial Times* argued that the Commission had ignited a debate that was essential for Britain. See *Financial Times*, 9 October 1967.
141. The *Times*, 7 October 1967.
142. Minutes of European Commission meeting, 11 October 1967, HAEC, BAC 259/80, no. 1/13, PV 10 final, 2e partie.
143. Ludlow, *The European Community and the Crises of the 1960s*, p. 142; see also Couve's interview quoted in Alec Cairncross, Barry Eichengreen (1983) *Sterling in Decline: The Devaluations of 1931, 1949, and 1967* (London: Blackwell), p. 188.
144. Georges Berthoin (Commission office, London) to Rey, 27 October 1967, HAEU, BAC 144/1992, no. 179 (a).
145. For more on the 'Chalfont Affair', see *Daily Express*, 3 November 1967.
146. The *Economist*, 19 November 1967. See also 'Statement by the Chancellor of the Exchequer [announcing devaluation of the pound]', 18 November 1967, HAEU, BAC 144/1992, no. 179.
147. Council of Ministers, '*Extrait du procès-verbal de la réunion restreinte à l'occasion de la 13ème session du Conseil*', 20 November 1967, CMA, CM 2/1967, no. 76.
148. Quoted in Frances Nicholson, Roger East (1987) *From the Six to the Twelve: The Enlargement of the European Communities* (London: Longman), p. 52.
149. Parr, *Britain's Policy towards the European Community*, p. 173.
150. *Agence Europe*, editorial, no. 1939, 18 December 1967.
151. Lord Chalfont's speech at Britain in Europe Society annual meeting, 7 December 1967, HAEU, BAC 144/1992, no. 179/9.
152. Council of Ministers, '*Extrait du projet de procès-verbal de la réunion restreinte à l'occasion de la 16ème session du Conseil*', 11–12 December 1967, HAEU, BAC 144/1992, no. 179/8.
153. Ludlow, *The European Community and the Crises of the 1960s*, p. 143.
154. See the Council's letter to the British government informing it that no decision was taken on the enlargement of the EEC but that their request for membership would remain open, HAEU, BAC 11/1972, no. 16/2.
155. *Agence Europe*, editorial, no. 1941, 20 December 1967.
156. Ludlow, *The European Community and the Crises of the 1960s*, p. 144.

4 Ireland and the Policy of Failure

1. See Jane Toomey (2003) 'Ireland and Britain's second application to join the EEC' in Oliver J. Daddow (ed.), *Harold Wilson and European Integration: Britain's Second Application to Join the EEC* (London: Frank Cass), pp. 227–31.
2. Dáil Debates, vol. 199, col. 618, 30 January 1963.
3. Ibid.
4. Ibid.

5. Contacts, for example, between the Commission and Denmark had resumed over the summer of 1963. See Rasmussen, 'Joining the European Communities', p. 141.
6. See Biggar's note to D/EA, 1 February 1963, NAI, D/FA CM/6/XXII (1963).
7. Biggar to Secretary, D/EA, 2 February 1963, NAI, D/FA CM/6/XXII (1963).
8. D/EA Telegram to Irish Missions in Bonn, Brussels, Paris, Rome, and The Hague, 4 February 1963, NAI, D/FA CM/6/XXII (1963).
9. D/EA Telegram to Irish Missions in Bonn, Brussels, Paris, Rome, and The Hague, 4 February 1963. This is a direct quote from the original document.
10. Department of Finance (henceforward D/F) memorandum, 'Possibility of interim trading link with EEC pending entry as a member', September 1963, NAI, D/FA 2003/1/215. For an insider's account of the background to this memorandum, see Maher, *The Tortuous Path*, pp. 185–6.
11. For archival-based material dealing with Turkey's association with the EEC, see '*Association de la Turquie*', HAEU, BAC 3/1978, no. 285–93.
12. Nagle to D/F Secretary, 23 July 1963, NAI, D/T S17427 H/63.
13. Nagle to D/F Secretary, 23 July 1963.
14. It should be noted that informal diplomatic contacts would have continued throughout the post-veto period between Commission officials and Irish embassy staff in Brussels, but the subject of Ireland's application was not one that arose frequently.
15. Biggar to Hugh McCann, Secretary, D/EA, 19 July 1963, NAI, D/T S17427 H/63.
16. See Rasmussen, 'Joining the European Communities', Chapter 3.
17. *Aide mémoire*, 22 October 1963, NAI, D/T S17427.
18. See '*Note au sujet de la position prise par l'Irlande à l'occasion de sa demande d'adhésion à la Communauté*', HAEU, BAC 1/1971, no. 12/2. The Commission's own record of its meetings with the Irish government is rather sparse, occasionally reduced to summaries. Of necessity, the chapter examines other sources, such as Dublin's minutes, to assess the Commission's attitude to trade relations with third countries.
19. Report of meeting with Commission of the European Economic Community, 29 November 1963, '*Compte-rendu de la réunion d'information présidée par M. le ministre Rey*', HAEU, BAC 1/1971, no. 12/2; NAI, D/T S17427 K/63.
20. Opening statement by the Minister for External Affairs at meeting with European Commission, 29 November 1963, NAI, D/T S17427 J/63.
21. Opening statement by the Minister for External Affairs, 29 November 1963.
22. Ibid.
23. Rasmussen, 'Joining the European Communities', pp. 142–3.
24. This attitude is reflected in Rasmussen's research on Danish meetings with the Commission at the end of 1963. The Danes concluded that direct contacts with the Commission were of little value, and instead they turned their attention to lobbying the German government. In addition, the Danish government took retaliatory action by increasing 'certain tariffs to demonstrate the consequences of the Community's protectionist policy on agricultural trade'. See Rasmussen, 'Joining the European Communities', p. 145.
25. Report of meeting with European Commission, 29 November 1963, NAI, D/T S17427. See also *Irish Independent*, 13 November 1963.
26. Agreed by the EEC Council of Ministers on 5 February 1964. See *Agence Europe*, no. 885, 13 February 1964.
27. Maher, *The Tortuous Path*, p. 188.

28. The arrangements included an understanding that a certain minimum number of cattle would be assured entry from Ireland to Germany during the 'off-the-grass' season (winter months).
29. Department of Agriculture (henceforward D/A), '*Aide mémoire*', c. March 1964, NAI, D/T S17427 M/95.
30. See D/A, '*Aide mémoire*', c. March 1964, D/T S17427 M/95, NAI.
31. For the Commission's minutes of this meeting, see HAEU, BAC 038/1984–107/108; D/A memorandum, 'Meeting with EEC Commission Secretariat, Brussels, 13 March 1964', NAI, D/FA 2005/145/966.
32. Notes of meeting with Commission, 13 March 1964.
33. Ibid.
34. Herbst to Biggar, 21 September 1964, NAI, D/FA 2005/145/966.
35. Maher, *The Tortuous Path*, p. 189. See also D/F memorandum, 'Review of our position vis-à-vis EEC', August 1964, NAI, D/FA 2000/14/432.
36. O'Sullivan (D/EA) to Secretary (D/EA), 19 October 1964, NAI, D/FA 2000/14/432.
37. See also Maher, *The Tortuous Path*, p. 190.
38. Discussion with the Belgian Commissioner on 26 January 1965, HAEU, BAC 28/1980, no. 139/2; also NAI, D/T 96/6/495.
39. Toulemon was a senior Commission official dealing with relations between the Community and third (non-member) countries.
40. Ireland informed the Executive Secretary of GATT on 11 April 1964 that it wished to take part in the Kennedy Round Trade Conference and to renew discussions on the terms on which it might accede to GATT. See Commission notes on Ireland and GATT, HAEU, BAC 011/1993–1986.
41. See Rasmussen's thesis for comparisons with the way in which the Commission, and especially Mansholt, expressed sympathy with the Danish but offered nothing more than sympathy.
42. It was during this period of crisis (1965) in the Community that the British and Irish governments signed the Anglo-Irish Free Trade Area Agreement (AIFTAA) that created a free trade area between the two countries. For more on the AIFTAA, see Geary, *An Inconvenient Wait*, pp. 77–91.
43. Report of ministerial meeting with the Commission, 20 September 1966, NAI, D/FA 2000/14/392; also European Commission's minutes, HAEU, BAC 38/1984, no. 108; Commission's brief report to the Council, 21 September 1966, HAEC, BAC 214/1980, no. 138.
44. The Irish print media became increasingly vocal in their newspaper regarding Ireland's slow boat to Europe after a number of prominent journalists visited Brussels in mid-1966. See *Irish Times*, 23–24 June 1966; *Irish Press*, 29 June 1966.
45. See Morrissey to Secretary D/EA, c. November 1966, NAI, D/T 97/6/616. Morrissey, Assistant Secretary at the Department of External Affairs, replaced Frank Biggar as Ireland's ambassador to the EEC in November 1966.
46. Rey to Lynch, 18 November 1966, HAEU, BAC 38/1984, no. 108.
47. For the minutes of this meeting, see NAI, D/FA 97/2/11; 'Record of meeting with Prime Minister', TNA, PREM 13/984.
48. See Emile Noël's note to the Commissioners summarising Irish concerns about the Danish agreement with Germany, 6 January 1967, HAEC, BAC 214/1980, no. 156. See also Irish minutes of meeting with Mansholt, 4 January 1967, NAI, D/T 97/6/619; HAEU, Edoardo Martino papers (henceforward EM) 96 contains a similar summary of this meeting.
49. Minutes of meeting with Mansholt, 4 January 1967, NAI, D/T 97/6/619.

50. See Kohnstamm's notes on meetings with British and Community officials, including Mansholt, Karl-Heinz Narjes (Hallstein's *chef de cabinet*), 19 January 1967, HAEU, MK 46.
51. Kohnstamm's notes on meetings with British and Community officials, including Mansholt, Narjes, 19 January 1967.
52. Kennedy to Secretary, D/EA, 12 January 1967, NAI, D/T 97/6/619.
53. Quoted in Kennedy to Secretary, D/EA, 12 January 1967, NAI, D/T 97/6/619.
54. Lennon to Hugh McCann (Secretary), D/EA), 12 January 1967, NAI, D/T 97/6/619.
55. See also Parr, *Britain's Policy toward the European Community*, Chapter 4.
56. Commins to Secretary, D/EA, c. February 1967, NAI, D/T 97/6/619.
57. See '*Aide mémoire*' from Ireland to the European Commission, 14 September 1966, HAEU, BAC 28/1980, no. 139/2; HAEU, BAC 38/1984, no. 108.
58. '*Note pour M. le Ministre Rey*', 19 October 1966, HAEU, BAC 28/1980, no. 139/2.
59. Letter from Director-General, External Relations to Director-General, Agriculture, 18 September 1967, HAEU, BAC 28/1980, no. 139/3.
60. See Commission '*Note verbale*', 20 November 1967, HAEU, BAC 28/1980, no. 139/3.
61. See summary of minutes of meeting between Lynch and Wilson, 1 May 1967, NAI, D/T 98/6/856; TNA, PREM 13/2733.
62. Summary of minutes of meeting between Lynch and Wilson, 1 May 1967, NAI, D/T 98/6/856.
63. For the Irish letter of application for EEC membership, see Lynch to Renaat van Elslande, 10 May 1967, HAEC, BAC 25/1975, no. 128; NAI, D/T 98/6/856.
64. The US State Department used the term 'pocket veto' to describe the French President's comments on the applications for membership of the EEC. See *FRUS*, 1964–1968, vol. XIII, pp. 654–8; for Irish diplomatic reaction to de Gaulle's press conference, see NAI, D/T 98/6/857.
65. See '*Note à l'attention de M. le Directeur general (DG VIII)*', 5 July 1967, HAEU, BAC 11/1972, no. 11/2; also Brendan Dillon (*chargé d'affaires*, Irish Embassy, Brussels), to Secretary, D/EA, 28 June 1967, NAI, D/FA 2001/43/965. For more on the background work on the *Avis de la Commission*, see '*Contribution de la DG VIII au document de la Commission sur les problèmes poses par l'élargissement de la Communauté*', 17 July 1967, HAEU, BAC, 11/1972, no. 11/2. At this stage, Norway had yet to apply for membership.
66. For an analysis of Couve's speech to the Council in July, see Ludlow (2003) 'A short-term defeat: the Community institutions and the second British application to join the EEC' in Daddow (ed.), *Harold Wilson and European Integration*, pp. 137–9.
67. For more on this meeting, see the European Commission's minutes, HAEU, BAC 62/1980, no. 46; HAEU, CEAB 2, no. 2638. These files contain a brief summary of the meeting as well as the statements made by the Irish ministers supplied by the government. See also Geary, *An Inconvenient Wait*, pp. 114–24.
68. See report of Lynch's meeting with Aldo Moro, Italian Prime Minister, 21 July 1967, NAI, D/T 98/6/863; report of meeting with the Belgian and Luxembourgois governments, 28 July 1967, NAI, D/T 98/6/863.
69. *The Second Programme for Economic Development*, covering the period 1963–1967, and which outlined the Irish government's plans for the continued modernisation of Irish industry, had set 1970 as the date by which Ireland would be a member of the EEC.
70. *Avis de la Commission*, HAEU, BAC 11/1972, no. 13, 13/1.

71. See minutes of meeting between Morrissey and Wellenstein, 27 September 1967, NAI, D/FA O 103/19/30, London Embassy file.
72. Toulemon also expressed his personal opinions on the enlargement question, which were at odds with what was recommended in the *avis*. See Toulemon's discussion with Brendan Dillon (Irish Embassy, Brussels), 15 September 1967, NAI, D/FA O/103/19/30, London Embassy file.
73. Quoted in Dillon to Secretary D/EA, 'Report of meeting of EEC Council of Ministers, Luxembourg, 23/24 October 1967,' 25 October 1967, NAI, D/T 98/6/856. See also *Agence Europe*, editorial, no. 1903, 26 October 1967.
74. *Guardian*, 4 November 1967; also *Aurore*, 4 November 1967; *Le Monde*, 5 November 1967.
75. *Irish Press*, 4 November 1967.
76. *La Stampa*, 7 November 1967; also *Il Sole – 24 Ore*, 7 November 1967.
77. Maher, *The Tortuous Path*, p. 231.
78. For the General's comments, see HAEU, BAC 11/1972, no. 16/2.
79. For the Commission minutes of this meeting, see HAEU, BAC 38/1984, no. 185/9. For further analysis, see *Agence Europe*, 20 December 1967.
80. See the Council's letter informing the Irish government that no decision had been taken on Community enlargement but that its request for membership would remain open, '*Réponse aux lettres en date du 10 mai 1967 du Gouvernement de l'Irlande concernant l'adhésion de ce pays aux Communautés européennes*', HAEU, BAC 11/1972, no. 16/2.

5 Navigating the Gaullist Veto

1. Meeting between Rey and British officials, Brussels, 1 December 1967, TNA, FO 1042/200.
2. Meeting between Rey and British officials, Brussels, 1 December 1967.
3. Meeting between Rey and British officials, Brussels, 1 December 1967. The United States State Department sent a memorandum to its embassy in Germany one month later on the subject of associate membership for Britain. The State Department wanted to make it clear 'informally and discreetly' to Kiesinger and Brandt that 'an arrangement for the UK which does not in fact envisage full membership by specific date in the near future would cause us serious problems'. See 'Telegram from the Department of State to the Embassy in Germany', 16 January 1968, *FRUS*, 1964–1968, vol. XIII (http://www.state.gov/www/about_state/history/vol_xiii/280.html, date accessed: 16 October 2012).
4. Melissa Pine, *Harold Wilson and Europe: Pursuing Britain's Membership of the European Community* (London: I. B. Tauris, 2007), p. 34.
5. Memorandum of conversation between Dean Rusk, United States Secretary of State and Brown, 13 December 1967, *FRUS*, 1964–1968, vol. XIII (http://www.state.gov/www/about_state/history/vol_xiii/280.html, date accessed: 16 October 2012).
6. Memorandum of conversation between Rusk and Brown, 13 December 1967.
7. *Agence Europe*, editorial, no. 10, 15 January 1968.
8. Memorandum of conversation between Rusk and Brown, 13 December 1967.
9. Ibid.
10. For the extract of the Foreign Secretary's speech, see 'Note by the Foreign Office – Action after the veto', c. late December 1968, TNA, FCO 30/116.

11. 'Note by the Foreign Office – Action after the veto', c. late December 1967, TNA, FCO 30/116.
12. 'Note by the Foreign Office – Action after the veto', c. late December 1967.
13. For more on Brown's attempts to sell the British initiative to Brandt, and the ultimate loss of German support, see Pine, *Harold Wilson and Europe*, Chapter 2. United States State Department officials had concluded by the end of December that Germany, because of its broader foreign policy considerations, would not break with France over the question of Britain's EEC membership. See 'Intelligence note' no. 1020/1 from George Denney, acting Director of the Bureau of Intelligence and Research, to Rusk, 26 December 1967, *FRUS*, 1964–1968, vol. XIII (http://www.state.gov/www/about_state/history/vol_xiii/280.html, date accessed: 16 October 2012).
14. See Brendan Dillion (Irish mission to the EEC) to Secretary, D/EA, 2 January 1968, NAI, D/T 98/6/868.
15. J. C. Nagle, Secretary of the Irish Department of Agriculture, was against making a move towards the French because he felt this would antagonise the British and France's EEC partners. Instead, he advocated a 'wait and see' policy. See Geary, *An Inconvenient Wait*, Chapter 3.
16. For the Irish minutes of this meeting, see 'Report of meeting in Paris, between McCann and Ambassador Alphand, Secretary General of the French Foreign Ministry', 26 January 1968, NAI, D/T 98/6/868.
17. Minutes of meeting between Boegner and Morrissey, 10 May 1968, NAI, D/T 99/1/494.
18. Report of meeting in Brussels between McCann and Rey, 29 January 1968, NAI, D/FA 2000/14/474.
19. Report of meeting in Brussels between McCann and Rey, 29 January 1968.
20. Ibid.
21. Its members adopted a resolution (only the Gaullist group abstained, because the resolution implicitly criticised the French government) deploring the fact that, despite the unanimous advice of the Commission, negotiations could not be opened. It called on the government of the six to take advantage of the willingness of the applicant countries to enter the Community by creating new European communities in the political, scientific, and technological fields. See '*Résolution sur les décisions du Conseil des Communautés du 19 décembre 1967 relatives aux demandes d'adhésion du Royaume-Uni et d'autres pays européenne adoptée par l'Assemblée lors de sa séance du 23 janvier 1968*', HAEU, EM 170; *Agence Europe*, no. 19, 26 January 1968.
22. Report of meeting in Brussels between McCann and Rey, 29 January 1968.
23. See *aide mémoire* from the Benelux countries, 19 January 1968, HAEU, EM 170; *Agence Europe*, no. 14, 19 January 1968. The Benelux proposals were launched the same day that Brown held meetings with Brandt in Bonn. Commission officials in Bonn reported to Rey and Martino that Brandt was against the idea of technological cooperation with the four applicants if it excluded France. See note from Helmut Sigrist (European Commission External Relations Directorate) to Rey and Martino, 22 January 1968, HAEU, EM 170.
24. The Benelux countries suggested cooperation in the field of European company law, European patents, and European insurance agreements.
25. Memorandum of conversation between United States President Lyndon B. Johnson and Rey, 7 February 1968, *FRUS*, 1964–1968, vol. XIII (http://www.

state.gov/www/about_state/history/vol_xiii/280.html, date accessed: 16 October 2012).

26. See note from Paolo Antici (*chef de cabinet* to Martino) to Raymond Rifflet (*chef de cabinet* to Rey), 26 January 1968, HAEU, EM 170.
27. See Irish Department of Finance memorandum on 'Interim arrangement with EEC', February 1968, NAI, D/FA 2000/14/398.
28. For the Irish, Danish, Norwegian, and Swedish responses to the Benelux proposals, see *Agence Europe*, no. 26, 6 February 1968 and *Agence Europe*, editorial, no. 33, 15 February 1968. See also NAI, D/FA 2000/14/400; Rasmussen, 'Joining the European Communities', pp. 170–1; '*Communiqué de presse du Gouvernement suédois au sujet de l'aide-mémoire du Benelux*', 8 February 1968, HAEU, EM 170. The Norwegian government added in its *aide mémoire* to the Commission that 'Sweden be brought into the deliberations within the frame-work set by the Swedish application for negotiations with the Community'. See *aide mémoire* from Norwegian government to the Commission, 13 February 1968, HAEU, EM 170.
29. *Agence Europe*, no. 26, 6 February 1968.
30. '*Déclaration commune Franco-Allemande du 16 février 1968*', HAEU, EM 170. For more on the Franco-German meeting, see *Agence Europe*, no. 34, 16 February 1968; D/EA memorandum, 'Review of EEC situation', May 1968, NAI, D/T 99/1/494.
31. *Agence Europe*, editorial, no. 33, 15 February 1968.
32. The *Economist*, 22 February 1968.
33. *Guardian*, 17 February 1968.
34. See D/EA memorandum 'Enlargement of European Communities', c. April 1968, NAI, D/FA 2000/14/400; Ludlow, *The European Community and the Crises of the 1960s*, pp. 149–50.
35. Von der Groeben to Rey, 14 February 1968, HAEU, EM 170.
36. Von der Groeben to Rey, 14 February 1968. A copy of this letter was sent to all Commissioners.
37. Note from Director General, External Relations to members of the Commission, 20 February 1968, HAEU, EM 170.
38. Note from Director General, External Relations to members of the Commission, 20 February 1968.
39. See '*Memorandum du gouvernement italien*', 28–29 February 1968, HAEU, EM 170. See also *Le Monde*, 25–26 February 1968. For more on British pressure on the Italian government, see Pine, *Harold Wilson and Europe*, p. 51.
40. Note from Director-General, External Relations to Martino, 5 March 1968, HAEU, EM 170.
41. Note from Director-General, External Relations to Martino, 5 March 1968.
42. Note from Martino to other Commissioners, 8 March 1968, HAEU, EM 170.
43. Note from Martino to other Commissioners, 8 March 1968.
44. For more on the position of the member states regarding the German 'arrangement', see Ludlow, *The European Community and the Crises of the 1960s*, pp. 148–9. The Germans had sent their plan to the British government one day before the Council meeting. See Pine, *Harold Wilson and Europe*, p. 62.
45. See minutes of Council of Ministers' meeting, 9 March 1968, CMA, CM I/5/68.
46. Note by Martino, '*Etude des conditions dans lesquelles un éventuel accord intérimaire pourrait aboutir à l'adhésion*', 24 March 1968, HAEU, EM 171.

47. See minutes of meeting between Hellwig and Morrissey, 3 April 1968, NAI, D/T 99/1/494.
48. See also Rey's comments on the Commission's 'Opinion' prior to the Council of Ministers' meeting on 5 April in the minutes of meeting between the Commission President and Morrissey, 2 April 1968, NAI, D/T 99/1/494. Rey was pessimistic about the outcome of the Council's meeting in Luxembourg, citing the same reasons as Hellwig.
49. *Avis de la Commission*, 2 April 1968, HAEC, COM (68) 210. See also *Agence Europe*, no. 471, 4 April 1968 for a further analysis of the *avis*.
50. *Agence Europe*, no. 471, 4 April 1968.
51. Minutes of Council of Ministers' meeting, 5 April 1968, CMA, CM I/5/68.
52. *Agence Europe*, no. 71, 6 April 1968.
53. See minutes of meeting between Martino and Morrissey, 9 April 1968, NAI, D/T 99/1/494.
54. See notes of meeting between Herbst and Morrissey, 29 April 1968, NAI, D/T 99/1/494.
55. *Agence Europe*, editorial, no. 68, 3 April 1968.
56. See minutes of meeting between Martino and Morrissey, 9 April 1968, NAI, D/T 99/1/494.
57. See material from TNA, FCO 30/220.
58. Minutes of meeting between Boegner and Morrissey, 10 May 1968, NAI, D/T 99/1/494.
59. Letter from F. H. Jackson (British Mission, Brussels) to John A. Robinson (FO), 11 September 1968, TNA, FCO 30/167.
60. Letter from Jackson to Robinson, 11 September 1968.
61. Ibid.
62. Ibid.
63. Ibid.
64. Ludlow, *The European Community and the Crises of the 1960s*, p. 170.
65. Minutes of meeting between German and Irish officials, Bonn, 4 July 1968, NAI, D/FA 2001/43/917. The Danes had held meetings with the Commissioners Rey, Barre, and Mansholt the previous March.
66. Minutes of meeting between German and Irish officials, Bonn, 4 July 1968.
67. Ibid.
68. See Rasmussen, 'Joining the European Communities', pp. 172–3.
69. *Agence Europe*, 15 July 1968.
70. Note from Morrissey to Dublin, 26 July 1968, NAI, D/FA 2001/43/917.
71. Von Verschuer was a senior official in the Commission DG for Agriculture.
72. Note from Morrissey to Dublin, 26 July 1968.
73. Ibid.
74. See letter from Patrick Hancock (FCO deputy Under-secretary of State) to Marjoribanks, 9 April 1968, TNA, FCO 30/220.
75. Marjoribanks to Hancock, 16 May 1968, TNA, FCO 30/220.
76. Marjoribanks to Hancock, 16 May 1968.
77. Ibid.
78. Record of Soames's conversations with EEC officials, 22 July 1968, TNA, FCO 30/221.
79. The summer of 1968 saw considerable social unrest in France that manifested itself in mass student protests followed by countrywide strikes.
80. Record of Soames's conversations with EEC officials, 22 July 1968.

81. Ibid.
82. See *Agence Europe*, no. 483, 1 July 1968 for more on the successful completion of the Customs Union.
83. Ludlow, *The European Community and the Crises of the 1960s*, pp. 153–4.
84. European Commission secretariat, '*Rapport sur la 47ème session du Conseil ainsi que sur la conférence des représentants des gouvernements des états membres*', 27 September 1968, HAEU, EM 162.
85. *Irish Independent*, 24 December 1968.
86. *Guardian*, 18 December 1968.
87. *Guardian*, 18 December 1968. See also *Agence Europe*, 19 December 1968; European Community, January 1969.
88. For more on de Gaulle's resignation, see Jean Lacouture, *De Gaulle the ruler, 1945–1970*, vol. 1 (London: Collins-Harvill, 1991), p. 575.
89. See *Agence Europe*, no. 378, 22 July 1969; Record of Council of Ministers' meeting, 22 July 1969, TNA, PREM 13/2629.
90. Meeting between British officials and Schumann, New York, 20 September 1969, TNA, PREM 13/2629.
91. Meeting between British officials and Schumann, New York, 20 September 1969.
92. See record of meeting between Michael Stewart (British Foreign Secretary), Rey, and Mansholt, 14 July 1969, TNA, PREM 13/2629.
93. Record of meeting between Stewart, Rey, and Mansholt, 14 July 1969.
94. See *Guardian*, 4 July 1967.
95. Note by Meyer to European Commissioners on meeting of COREPER, 18 September 1969, HAEC, BAC 214/1980, no. 213.
96. Note by Meyer to European Commissioners on meeting of COREPER, 18 September 1969.
97. Ibid.
98. European Commission's 'Opinion' on enlargement, 1 October 1969, NAI, D/FA 2001/43/1144 (Part III).
99. The *Economist*, 4 October 1969.
100. Berthoin (deputy head of the Commission's office, London) to Rey, 22 March 1968, HAEU, EM 165. See also report from Johannes Linthorst Homan, head of the Commission's office, London, to Rey, 29 October 1968, HAEU, EM 165. The contents of Berthoin's letters to Brussels are treated, throughout the book, with a certain degree of caution. See, for example, one of Berthoin's letters to Jean Monnet, 17 May 1960, reproduced in Dumoulin (ed.), *The European Commission*, p. 361.
101. The *Economist*, 4 October 1969; also *Irish Times*, 8 October 1969.
102. See European Commission minutes of COREPER meeting, 10 October 1969, HAEC, BAC 214/1980, no. 214.
103. European Commission minutes of COREPER meeting, 10 October 1969.
104. Minutes of meeting between Con O'Neill (FO) and Harkort, 17 November 1969, TNA, PREM 13/2631.
105. Council of Ministers' secretariat, '*Note de la Presidence*', 27 November 1969, HAEC, BAC 214/1980, no. 219.
106. Council of Ministers' secretariat, '*Note de la Presidence*', 27 November 1969.
107. See also other COREPER discussions on the problems faced by the Community in the event of enlargement and the preparation of meeting briefs. These issues closely resembled the content on the Community's agenda during the enlargement conference from 1970 to 1972. Council of Ministers' secretariat,

'*Note de la Presidence*', 18 November 1969, HAEC, BAC 214/1980, no. 218, Annex II.
108. See minutes of Commission meeting, 15 October 1969, HAEC, BAC COM (69), PV 94, 2e partie, 259/80, no. 85.
109. Desmond Dinan (2004) *Europe Recast: a History of European Union* (Basingstoke: Palgrave Macmillan), p. 125.
110. There was less excitement in Norway towards The Hague summit. See Hilary Allen (1979) *Norway and Europe in the 1970s* (Oslo: Universitetsforlaget), pp. 55–63.
111. Alan S. Milward (2003) 'The Hague Conference of 1969 and the United Kingdom's Accession to the European Economic Community' *Journal of European Integration History*, vol. 9, no. 2, p. 117.
112. See, for example, the *Economist*, 10 January 1970; Dinan, *Europe Recast*, p. 129; N. Piers Ludlow (2003) 'An Opportunity or a Threat? The European Commission and The Hague Council of December 1969' *Journal of European Integration History*, vol. 9, no. 2, p. 22. See also Willy Brandt (1978) *People and Politics, the Years 1960–1975* (London: Collins), pp. 245–8.
113. Ludlow, 'An opportunity or a threat?', p. 22.
114. Ibid.
115. The text of Rey's speech at The Hague summit can be found in TNA, PREM 13/2631. See also Marie-Thérèse Bitsch (2003) 'Le sommet de La Haye: L'initiative française, ses finalités et ses limites' *Journal of European Integration History*, vol. 9, no. 2, pp. 83–100; Anjo Harryvan, Jan van der Harst (2003) 'Swan song or cock crow? The Netherlands and the Hague Conference of December 1969' *Journal of European Integration History*, vol. 9, no. 2, pp. 27–40.
116. Ludlow, 'An opportunity or a threat?', p. 22.
117. British memorandum, 'The results of the summit meeting of the Six', c. December 1969, TNA, PREM 13/2631. For Danish reaction to the outcome of The Hague, see Rasmussen, 'Joining the European Communities', p. 177.
118. British memorandum, 'The results of the summit meeting of the Six', c. December 1969.
119. Ibid.
120. Ibid.
121. Ibid.
122. See minutes of meeting between Irish and British officials in London, 10 December 1969, NAI, D/FA 2001/43/947.

6 *La Bataille des Chiffres*

1. See European Commission minutes of COREPER meeting, 4 February 1970, HAEC, BAC 214/1980, no. 223.
2. European Commission minutes of COREPER meeting, 20 February 1970, HAEC, BAC 214/1980, no. 224.
3. European Commission minutes of COREPER meeting, 4 February 1970.
4. European Commission minutes of COREPER meeting, 14 January 1970, HAEC, BAC 214/1980, no. 221.
5. *Agence Europe*, no. 520, 2 March 1970.
6. Ibid.
7. This argument was also made in *Agence Europe*, editorial, no. 349, 14 April 1971.
8. See *Agence Europe*, no. 493, 22 January 1970.

9. Van der Harst, 'Enlargement: the Commission seeks a role for itself' in Dumoulin (ed.), *The European Commission, 1958–72: History and Memories* (Luxembourg: European Communities, 2007), p. 544.
10. Van der Harst, 'Enlargement: the Commission seeks a role for itself' in Dumoulin (ed.), *The European Commission*, p. 544; also 'Memorandum to members of the Commission', outlining Rey's plans for the Commission role in the negotiations, 11 December 1969, HAEU, EN 113.
11. The Dutch government supported the retention of a 14-member Commission until after the enlargement negotiations. The Netherlands would, therefore, retain its two positions in the Commission. Maintaining their increased presence in the Commission was also the reason why Belgium and Italy supported the renewal of Rey's mandate, with Belgium eager to keep the Commission Presidency in the hands of a Belgian.
12. Linthorst Homan (head of the Commission office, London) to Rey, rapport no. 807, 6 February 1970, HAEU, EM 166.
13. Con O'Neill (2000) *Britain's Entry into the European Community: Report by Sir Con O'Neill on the Negotiations of 1970–1972* (London: Frank Cass), p. 26.
14. O'Neill, *Britain's Entry into the European Community*, p. 26.
15. Ibid.
16. Uwe Kitzinger (1973) *Diplomacy and Persuasion: How Britain Joined the Common Market* (London: Thames & Hudson), p. 78; Simon Z. Young (1973) *Terms of Entry: Britain's Negotiations with the European Community, 1970–1972* (London: Heinemann), p. 10.
17. See *Agence Europe*, no. 553, 20 April 1970.
18. *Agence Europe*, no. 578, 28 May 1970.
19. Rey to van der Meulen, President of COREPER, 28 May 1970, HAEC, BAC 134/1987, no. 36.
20. See Coppolaro, 'Trade and politics across the Atlantic', pp. 123–6.
21. COREPER '*Note: Procédure de négociation avec les pays candidats à l'adhésion*', 13 May 1970, HAEC, BAC 134/1987, no. 22/1.
22. Council of Ministers, '*Note: Procédure de négociation avec les pays candidats à l'adhésion*', 8–9 June 1970, HAEC, BAC 134/1987, no. 22/1; also General Report, *Négociations avec les pays candidates*, HAEU, Franco Maria Malfatti papers (henceforward FMM) 41, pp. 282–284; European Community, 'Commission's role in talks', July 1970.
23. FCO memorandum for the cabinet office, 'The EEC negotiations – strategic review', 23 October 1970, TNA, PREM 15/62.
24. See Ludlow, 'A welcome change', pp. 31–46.
25. Dinan, *Europe Recast*, p. 108.
26. Ibid., p. 144. See also Nicole Condorelli-Braun (1972) *Commissaires et juges dans les Communautés européennes* (Paris: Bibliothèque de Droit International).
27. See Noël to Malfatti, '*Observations sur le rôle et les tâches de la Commission*', 22 June 1970, HAEU, EN 1046.
28. Noël to Malfatti, '*Observations sur le rôle et les tâches de la Commission*', 22 June 1970.
29. Ibid.
30. See Minutes of European Commission meeting, 7 July 1970, HAEC, BAC 259/80, PV 130, 2e partie; Minutes of European Commission meeting, 15–16 July 1970, HAEC, BAC 259/80, PV 131, 2e partie. The minutes of the Commission meetings dealing with the enlargement negotiations are usually rather short. They do not

always give a verbatim record of which Commissioner said what. More often than not, they record Deniau's and Wellenstein's comments to the Commission.

31. See van der Harst, 'Enlargement: the Commission seeks a role for itself' in Dumoulin (ed.), *The European Commission*, p. 544.
32. Ralf Dahrendorf (1982) *On Britain* (London: British Broadcasting Corporation), p. 13.
33. Dahrendorf, *On Britain*, p. 13.
34. See '*Plädoyer für ein Zweites Europa*' ['Advocate for a second Europe'] in *Die Zeit*, 2 July and 9 July 1971.
35. See also Mariëlla Smids's paper on the formation of the Commission's negotiating team. Smids, 'The role of the European Commission in the first enlargement process. The agriculture negotiations between 1961–1963 and 1970–1972', p. 59.
36. See Ludlow, 'A welcome change', p. 41.
37. N. Piers Ludlow (1996) 'Influence and vulnerability: the role of the EEC Commission in the enlargement negotiations' in Griffiths, Ward (ed.), *Courting the Common Market*, p. 143.
38. Notes of meeting between O'Neill and Irish officials, 14 July 1970, NAI, D/FA, 2003/1/183.
39. Notes of meeting between O'Neill and Irish officials, 14 July 1970; also *Agence Europe*, 28 May 1970; *Financial Times*, 1 June 1970. O'Neill went on to stress that, even though Deniau was likely to have a seat in all the negotiations, his function should be limited to that of coordinator.
40. *Agence Europe*, no. 606, 7 July 1970.
41. Minutes of European Commission meeting, 7 July 1970, HAEC, BAC 259/80, PV 130, 2e partie. For the FCO personality reports on these Commission officials, see David Hannay (British Mission, Brussels) to John A. Robinson (FCO), 17 July 1970, TNA, FO 30/576. Other Commission officials, including Louis Rabot and Helmut von Verschuer (Director-General and Director in the DG for Agriculture), assisted Wellenstein.
42. Van der Harst, 'Enlargement: the Commission seeks a role for itself' in Dumoulin (ed.), *The European Commission*, p. 547; Jean-François Deniau (1997) *Memoirs de 7 vies – 2. Croire et Oser* (Plon: Paris), pp. 273–4 and pp. 276–9.
43. For more on the role of the *cabinet*, see Geoffrey Edwards, Davis Spence (1995) (ed.), *The European Commission* (London: Cartermill), pp. 40–2; Coombes, *Politics and Bureaucracy in the European Community: a Portrait of the Commission of the EEC* (London: Allen & Unwin, 1970), pp. 225–57.
44. Minutes of European Commission meeting, 2 July 1970, HAEC, BAC 259/80, no. 123–32, PV 129, 2e partie.
45. Van der Harst, 'Enlargement: the Commission seeks a role for itself' in Dumoulin (ed.), *The European Commission*, p. 548.
46. Ibid.
47. Ibid. Comments by Wellenstein during a 2003 interview with van der Harst and Nienke Betlem.
48. Van der Harst, 'Enlargement: the Commission seeks a role for itself' in Dumoulin (ed.), *The European Commission*, p. 549.
49. Dirk Spierenburg, Dutch Permanent Representative to the EEC, referred to the opening meeting of the enlargement conference as a 'family portrait' gathering. See minutes of meeting between Irish ambassador to EEC and Spierenburg, 14 May 1970, NAI, D/FA 2003/1/183.

50. Brown was one of the Labour Party's more pro-European members; see George Brown (1972) *In My Way: the Political Memoirs of Lord George-Brown* (Harmondsworth: Pelican), pp. 197–218.
51. In drafting Brown's speech, the cabinet decided on 3 July 1967 to omit from the text any reference to fiscal harmonisation. See FO memorandum to Downing Street on the subject of Valued Added Tax, 20 October 1969, TNA, PREM 13/2630.
52. O'Neill, *Britain's Entry into the European Community*, pp. 18–19.
53. Ibid., p. 38.
54. Harmel's speech has since formed the basis for other enlargement negotiations throughout the 1980s and 1990s when Greece, Spain, Portugal, and other countries sought membership. The same principles were laid down by the Community, with acceptance of the *acquis communautaire* to the fore.
55. *Agence Europe*, no. 584–587, 2 July 1970.
56. The Commission and the Council secretariat exchanged views on the procedures to be adopted during the opening meeting. The archival material on these discussions is limited to summaries of agreements reached between the Commission and the secretariat. See, for example, minutes of European Commission meeting, 17 June 1970, HAEC, BAC 259/80, PV 126, 2e partie.
57. The general secretariat of the Council of Ministers largely operated behind the scenes at meetings of the Council, the permanent representatives' committee, and panels of experts that prepared Council decisions.
58. Minutes of European Commission meeting, 24 June 1970, HAEC, BAC 259/80, PV 127, 2e partie.
59. Minutes of European Commission meeting, 24 June 1970.
60. O'Neill, *Britain's Entry into the European Community*, p. 24.
61. Geoffrey Rippon to Heath, 20 October 1970, TNA, PREM 15/062.
62. Minutes of European Commission meeting, 15 July 1970, HAEC, BAC 259/80, PV 131, 2e partie.
63. Maher, *The Tortuous Path*, p. 269.
64. O'Neill was a good choice to lead the negotiating team in Brussels, and his fluency in German and French was an added bonus, although in the formal negotiations he spoke English. He had served as British ambassador to the Community from 1963 to 1965, and thus possessed a considerable knowledge of the workings of the EEC. His deputy, John Robinson, had been one of Heath's assistants in the 1961–1963 negotiations, and had worked in the Foreign Office during the interim period, dealing with Britain's relations with the EEC. James Marjoribanks remained as Britain's ambassador to the EEC until the spring of 1971, when he was replaced by Michael Palliser.
65. FO memorandum for the Cabinet Office, 'The EEC negotiations – strategic review', 23 October 1970, TNA, PREM 15/62.
66. FO memorandum for the Cabinet Office, 'The EEC negotiations – strategic review', 23 October 1970.
67. Council of Ministers' 'Note' on the organisation of the negotiations, 1 July 1970, HAEC, BAC 134/1987, no. 22/1.
68. Council of Ministers' 'Note' on the organisation of the negotiations, 1 July 1970.
69. O'Neill, *Britain's Entry into the European Community*, p. 35.
70. Ibid.
71. Ibid.

72. Ibid., p. 36.
73. See Kitzinger, *Diplomacy and Persuasion*, pp. 81–2.
74. Council of Ministers' minutes, '*1ère conférence avec la délégation du Royaume-Uni, le 21/7/1970–compte rendu sommaire – Note approuvée par la Conseil des Communautés Européennes lors de sa session des 20/21 juillet 1970*', 24 July 1970, HAEC, BAC 134/1987, no. 22.
75. Council of Ministers' minutes, '*1ère conférence avec la délégation du Royaume-Uni, le 21/7/1970–compte rendu sommaire – Note approuvée par la Conseil des Communautés Européennes lors de sa session des 20/21 juillet 1970*', 24 July 1970. See also note from Klaus Meyer (Commission secretariat) to members of the European Commission, 20 July, HAEC, BAC 134/1987, no. 22.
76. See minutes of Council of Ministers' meeting, Luxembourg, 26–27 October 1970, CMA, CM 2/1970, no. 53.
77. For more on this mistrust, see Knudsen (2005) 'The politics of financing the Community and the fate of the first British membership application' *Journal of European Integration History*, vol. 11, no. 2, pp. 11–30.
78. Minutes of European Commission meeting, 4 November 1970, HAEC, BAC 259/80, no 133–142, PV 141, 2e partie.
79. The *vue d'ensemble* was generally well received in Copenhagen, although the section on financing the budget, and the transition period for agriculture, caused some disquiet among Danish policy-makers. See Rasmussen, 'Joining the European Communities', pp. 210 and 226; Allen, *Norway and Europe in the 1970s* (Oslo: Universitetsforlaget, 1979), pp. 94–9.
80. Young, *Terms of Entry*, p. i. For more background information on Britain's budgetary contribution, see Christopher Lord (1993) *Britain's Entry to the European Community under the Heath Government of 1970–1974* (Aldershot: Ashgate), pp. 69 and 83.
81. Young, *Terms of Entry*, p. 36. The White Paper came in for much criticism both in Britain and on the Continent. Alan Day, writing in the *Observer* (15 February 1970), called it a 'shocking piece of work'; the *Guardian* (11 February 1970) stated: 'It will give a field-day to the anti-marketeers. The losses through entering Europe are easier to assess than the gains'; also *Agence Europe*, editorial, no. 510, 16 February 1970.
82. See notes of meeting between Ed Brennan (*chargé d'affaires*, Irish mission to EEC) and Kergorlay, 17 February 1970, NAI, D/FA 2003/1/15.
83. *Agence Europe*, no. 601, 30 June 1970.
84. Young, *Terms of Entry*, p. 36.
85. See '*Communication de la Commission au Conseil de la Communauté concernant le document britannique intitulé* "The financial arrangements in an enlarged Community"', 14 October 1970, HAEC, BAC 134/1987, no. 129. See also minutes of European Commission meeting, 13–14 October 1970, HAEC, BAC 259/80, no. 133–142, PV 138, 2e partie.
86. '*Communication de la Commission au Conseil de la Communauté concernant le document britannique intitulé* "The financial arrangements in an enlarged Community"', 14 October 1970.
87. O'Neill, *Britain's Entry into the European Community*, pp. 175–6.
88. '*Communication de la Commission au Conseil de la Communauté concernant le document britannique intitulé* "The financial arrangements in an enlarged Community"', 14 October 1970.
89. O'Neill, *Britain's Entry into the European Community*, p. 177.

90. Ibid., p. 178.
91. Ibid.
92. Ibid.
93. See '*Communication de la Commission au Conseil concernant les mécanismes transitoires de l'élargissement de la Communauté*', 12 November 1970, HAEC, BAC 134/1987, no. 110/1. The Danes, for example, preferred the second option. See Rasmussen, 'Joining the European Communities', p. 226.
94. O'Neill, *Britain's Entry into the European Community*, p. 179.
95. Young, *Terms of Entry*, p. 45.
96. O'Neill, *Britain's Entry into the European Community*, p. 179.
97. 'Note by the United Kingdom Delegation: "The financial arrangements in an enlarged Community"', c. December 1970, HAEC, BAC 134/1987, no. 110/1 (author's emphasis).
98. 'Note by the United Kingdom Delegation: "The financial arrangements in an enlarged Community"', c. December 1970.
99. O'Neill, *Britain's Entry into the European Community*, p. 179. Rippon told the ministerial meeting of the negotiating conference in December that Britain would put forward proposals. The British cabinet approved these on 14 December.
100. Rippon's statement is reproduced in O'Neill, *Britain's Entry into the European Community*, Appendix 1, p. 382.
101. O'Neill, *Britain's Entry into the European Community*, p. 180.
102. Rasmussen, 'Joining the European Communities', p. 229.
103. The *Times*, 22 January 1971; Young, *Terms of Entry: Britain's Negotiations with the European Community, 1970–1972* (London: Heinemann, 1973), p. 47. During the first four months of 1971, the British stuck to their figures on the Community budget and attempted to explain to and convince the six that this was the best London could do.
104. European Commission minutes of Council of Ministers' meeting, 2 February 1971, HAEC, BAC 134/1987, no. 110. On 15 February, Aldo Moro, Italian foreign minister, sent a special message to London making it clear that the British proposal of a 3 per cent contribution for the first year of Britain's membership was unacceptable for negotiation. See O'Neill, *Britain's Entry into the European Community*, p. 174.
105. European Commission minutes of Council of Ministers' meeting, 2 February 1971, HAEC, BAC 134/1987, no. 110. Two days later, Giorgio Bombassei, Italian permanent representative to the EEC, asked the Commission to examine '*le plus grand nombre possible de données objectives sur l'évolution probable de la contribution britannique*'. See European Commission minutes of COREPER meeting, 4 February 1971, HAEC, BAC 134/1987, no. 107. Of the six, Italy was far more moderate in its attitude towards Britain's budgetary contribution.
106. See Deniau's March 1971 assessment of the finance problem, '*Eléments pour exposé oral de M. Deniau à la Commission le 1er mars 1971*', HAEC, BAC 134/1987, no. 130.
107. Council of Ministers, '*Négociations avec le Royaume-Uni (4ème session ministérielle – 2 février 1971)*', HAEC, BAC 134/1987, no. 48.
108. See Berthoin's note to Malfatti, '*Réflexions à propos de la visite du Président à Londres les 3 et 4 mars*', c. February 1971, HAEU, FMM 22.
109. O'Neill's note to William Nield (Cabinet office), 1 January 1971, TNA, FCO 30/1001; also FCO note to Downing Street, 3 January 1971, TNA, PREM 15/364. The Commission's record of this meeting is limited to two paragraphs in the

minutes of a Commission meeting on 28 January 1971, HAEC, BAC 259/80, PV 148, 2e partie.

110. FCO note to Downing Street, 3 January 1971, TNA, PREM 15/364.
111. Smids, 'The role of the European Commission in the first enlargement process', p. 59.
112. Record of private conversation between Rippon and Malfatti, 3 March 1971, TNA, FCO 30/1002.
113. Record of private conversation between Rippon and Malfatti, 3 March 1971, TNA, FCO 30/1002.
114. Record of private conversation between Rippon and Malfatti, 3 March 1971.
115. Record of meeting between Heath and Malfatti, 3 March 1971, TNA, FCO 30/1002; also Young, *Terms of Entry*, p. 43.
116. This was also a major concern of the German government. Bonn was worried that the British contribution would be so low as to fail to cover the costs associated with membership, which would therefore mean greater expense for Germany. See O'Neill, *Britain's Entry into the European Community*, p. 174.
117. Briefing notes for Malfatti's meeting with Heath made it clear that the Commission President would not discuss in any detail the percentage of Britain's contribution to the finances of the Community during the transitional period. See note by Douglas Hurd (Heath's political secretary) on Malfatti's visit, 24 February 1971, TNA, FCO, 30/1002.
118. FCO note for O'Neill on Malfatti's visit to London, 1 March 1971, TNA, FCO 30/1002.
119. Deniau presented the Commission with notes on the French position regarding Community financing, but there is no evidence of position papers on the views of the five other than noting their disagreement with the original British offer. See, for example, Deniau's March 1971 assessment of the finance problem, '*Eléments pour exposé oral de M. Deniau à la Commission le 1er mars 1971*', HAEC, BAC 134/1987, no. 130; Wellenstein to Deniau, '*Proposition française en ce qui concerne la méthode pour établir les contributions financiers des nouveaux Etats membres*', 6 May 1971, HAEC, BAC 134/1987, no. 130.
120. The CAP benefitted the efficient Dutch farmers as well as the less efficient French farmers, more so per head of population, and, as Young notes, in France, it benefitted the efficient more than the inefficient. See Young, *Terms of Entry*, p. 40.
121. By mid-March 1971, there emerged an understanding between Britain and France, of which the five were unaware, that Heath and Pompidou would have a bilateral meeting to discuss the enlargement negotiations.
122. See European Commission minutes of COREPER meeting, 5 March 1971, HAEC, BAC 134/1987, no. 108.
123. See notes of Commission meeting in preparation for 1 March meeting of Council, 24 February 1971, HAEC, BAC 259/80, no. 152–160, PV 154, 2e partie.
124. See, for example, minutes of European Commission meeting, 11 March 1971, HAEC, BAC 259/80, no. 152–160, PV 156, 2e partie. The minutes of these meetings were extremely short, and offer merely a paragraph on each topic discussed. Therefore, Barre, and other Commissioners, may have spoken at these meetings, but their comments were not recorded.
125. See minutes of European Commission meeting, 19 April 1971, HAEC, BAC 259/80, no. 97–104, PV 160, 2e partie.

126. The French proposal is reproduced in O'Neill, *Britain's Entry to the European Community*, p. 396; Young, *Terms of Entry*, p. 48; Kitzinger, *Diplomacy and Persuasion*, pp. 136–8.
127. For the Danish position on the French proposal, see Rasmussen, 'Joining the European Communities', p. 231. For the Irish position, see Geary, *An Inconvenient Wait: Ireland's Quest for Membership of the EEC, 1957–73* (Dublin: Institute of Public Administration, 2009), Chapter 5.
128. Wellenstein, '*Note à l'attention de Monsieur Deniau*', 6 May 1971, HAEC, BAC 134/1987, no. 130.
129. O'Neill, *Britain's Entry into the European Community*, p. 185.
130. See, in particular, Kitzinger, *Diplomacy and Persuasion*, pp. 105–25; O'Neill, *Britain's Entry into the European Community*, pp. 184–7; Éric Roussel (1994) *Georges Pompidou* (Paris: Fayard), pp. 437–47.
131. See minutes of European Commission meeting, 2 June 1971, HAEC, BAC 259/80, no. 161–167, PV 166, 2e partie.
132. *Agence Europe*, no. 833, 23 June 1971; O'Neill, *Britain's Entry into the European Community*, p. 187.

7 Challenging the *Acquis*

1. After the general election in Ireland in 1969, Fianna Fáil was returned to power, and maintained its policy of seeking Community membership pursuant to Article 237 of the Treaty of Rome.
2. See note of meeting between Irish officials in Brussels and Dirk Spierenburg, Dutch permanent representative to the EEC, 14 May 1970, NAI, D/FA 2003/1/183.
3. Rey believed that the four applicants should enter the Community at the same time and that negotiations would open simultaneously. See minutes of meeting between Rey and Hillery, 28 April 1970, NAI, D/FA 2001/43/932. See also minutes of Ambassador Seán Kennan's meeting with Deniau, 17 April 1970, NAI, D/FA 2003/1/183. Kennan was Ireland's ambassador to the EEC, and was appointed head of its negotiating team at official level during the enlargement talks.
4. Minutes of European Commission meeting, 15 July 1970, HAEC, BAC 259/80, no. 123–132, PV 131, 2e partie.
5. Minutes of European Commission meeting, 15 July 1970.
6. See, for example, a note from J. C. Holloway (Irish Embassy official, London) to Donal O'Sullivan (Ireland's ambassador to Britain), 30 April 1970, NAI, D/FA 2003/1/407. If the Irish and the Danes had reasons to be sceptical of British promises of consultations, the Swedes were even more circumspect, telling Irish officials that such promises 'did not cut any ice with them' and that Sweden, as an EFTA member, refused to be treated as a residual problem by the British. See minutes of meetings between the Irish and Swedish officials in London, in particular a note from J. C. Holloway to O'Sullivan, c. April 1970, NAI, D/FA 2003/1/407.
7. Memorandum for the cabinet committee drawn up by the committee of departmental secretaries, January 1970, NAI, D/FA 2001/43/1046. The committee of departmental secretaries comprised the head of key government departments involved in policy-making at the highest level of the civil service. These departments included Agriculture, Industry and Commerce, Finance and External Affairs (later renamed Department of Foreign Affairs in March 1971).

8. Memorandum for the cabinet committee drawn up by the committee of departmental secretaries, January 1970.
9. For reaction to the government's White Paper on membership of the EEC, see, for example, *Agence Europe*, no. 553, 20 April 1970.
10. Observations from Kennan in document entitled 'Membership of the European Communities', in the context of its adaptation for publication, 10 December 1969, NAI, D/FA 2003/1/248.
11. 'Membership of the European Communities', in the context of its adaptation for publication, 10 December 1969.
12. See minutes of European Commission meeting, 9 September 1970, HAEC, BAC 259/80, no. 133–142, PV 133, 2e partie.
13. Germany, under the chairmanship of Walter Scheel and Hans-Georg Sachs, Germany's permanent representative to the EEC, held the rotating Council presidency for the last six months of 1970. Maurice Schumann and Jean-Marc Boegner, France's influential permanent representative to the EEC, chaired the negotiations for the first six months of 1971, a crucial period for the enlargement conference. The Italians held the Council chair for the second half of 1971, which saw Aldo Moro and Ambassador Giorgio Bombassei assume the Council presidency.
14. Maher, *The Tortuous Path*, pp. 274–5.
15. Mark Wise (1984) *The Common Fisheries Policy of the European Community* (London: Methuen), p. 87.
16. Wise, *The Common Fisheries Policy*, p. 89.
17. Wise, *The Common Fisheries Policy*, p. 90.
18. *Parlement européen*, *Documents de Séance 1968–1969*, '*Rapport sur les propositions de la commission des Communautés européennes du Conseil relatives à – un règlement portant établissement d'une politique commune des structures dans le secteur la pêcherie*', no. 133, 30 September 1968.
19. See, for example, Wise, *The Common Fisheries Policy*, pp. 94–8; John Farnell, James Elles (1984) *In Search of a Common Fisheries Policy* (London: Gower), Chapter 1.
20. Wise, *The Common Fisheries Policy*, pp. 94–8.
21. *Agence Europe*, no. 602, 1 July 1970.
22. *Agence Europe*, no. 602, 1 July 1970.
23. See van der Harst, 'Enlargement: the Commission seeks a role for itself' in Dumoulin (ed.), *The European Commission*, p. 550.
24. See Wise, *The Common Fisheries Policy*, p. 102.
25. *Agence Europe*, no. 601, 30 June 1970.
26. *Agence Europe*, no. 601, 30 June 1970.
27. O'Neill, *Britain's Entry into the European Community*, p. 245.
28. 'Briefing notes for ministerial meeting with European Communities on 21 September 1970 – EEC Fisheries Policy', NAI, D/FA 2003/1/230. Ireland's exclusive fishery limits extended 12 miles seaward of the baseline of its territorial waters. This was in accordance with the Fisheries Convention signed in London on 9 March 1964. By virtue of a special arrangement under the convention, six countries that had habitually fished in the outer six-mile belt of these exclusive fishery waters were permitted to fish in that belt. These included four of the member states (Belgium, France, Germany, and the Netherlands), and Britain. The inner six-mile belt was reserved solely for Irish registered boats.
29. European Community, 'Summary of conclusions' from first ministerial meeting between Ireland and the Community, 21 September 1970, HAEC, BAC 134/1987, no. 98/3.

30. D/FA memorandum, 'Negotiations with the European Communities – The Common Fisheries Policy', c. May 1971, NAI, D/FA 2003/1/441.
31. Irish Department of Agriculture and Fisheries memorandum in advance of first ministerial meeting with European Communities on 21 September 1970 regarding the CFP, c. September 1970, NAI, D/FA 2003/1/230.
32. D/FA memorandum, 'Negotiations with the European Communities – The Common Fisheries Policy', c. May 1971. Another significant development from the September meetings with the applicants was the Council of Ministers' decision to grant 'special status' to the Norwegian fishing industry. This decision shaped Norway's negotiating position on the CFP for the remainder of the enlargement talks in the hope that it would secure a fishing deal that was separate from the other three applicants. From the outset, the Community was inclined to give special treatment to the Norwegians. Germany was conscious of the sensitive nature that open access to Community vessels would have upon public opinion in Norway. This German sympathy was helped by the fact that Willy Brandt, Federal Chancellor, had spent six years in exile in Norway, and had been for several years a Norwegian citizen. Norway relied heavily on German support during the fishery negotiations.
33. Notes of comments made by Mansholt at Irish Council of the European Movement seminar, Dublin, 29 October 1970, NAI, D/FA 2003/1/550.
34. '*Note présentée par la délégation irlandais – Proposition visant à assurer l'accès commun aux pêcheries, présentée par la Communauté*', 15 October 1970, HAEC, BAC 134/1987, no. 75/1. The British delegation also submitted a memorandum on the CFP to the Community on 14 October 1971.
35. Comments on second deputies meeting, 27 November 1970 in 'Second Ministerial meeting – summary of conclusions', 15 December 1970, NAI, D/FA 2003/1/497. The summaries of the enlargement negotiation meetings used in this chapter are the original copies distributed to the applicants after each meeting by the Community secretariat, and produced after ministerial and deputies' meetings during the enlargement conference.
36. Comments on second deputies' meeting, 27 November 1970 in 'Second Ministerial meeting – summary of conclusions', 15 December 1970.
37. Comments on second deputies' meeting, 27 November 1970 in 'Second Ministerial meeting – summary of conclusions', 15 December 1970.
38. Minutes of Council of Ministers' meeting, '*Négociations avec l'Irlande, 2ème session ministérielle*', 15 December 1970, HAEC, BAC 134/1987, no. 47.
39. See notes of meeting between Deniau and Hillery, 5 March 1971, NAI, D/FA 2002/19/304.
40. 'Third Ministerial meeting – summary of conclusion', Statement by the Irish delegation on Common Fisheries Policy (Annex 1), 2 March 1971, NAI, D/FA 2003/1/474.
41. 'Third Ministerial meeting – summary of conclusion', Statement by the Irish delegation on Common Fisheries Policy (Annex 1), 2 March 1971.
42. Ibid.
43. Ibid.
44. Ibid.
45. Minutes of meeting between Caspari and E. J. Brennan (Irish Embassy official, Brussels), 26 April 1970, NAI, D/FA 2003/1/922.
46. Minutes of meeting between Caspari and Brennan, 26 April 1970.
47. See *European Community*, no. 6, June 1971; *Agence Europe*, no. 626, 24 May 1971.

48. 'Statement for Minister for meeting on 7 June 1971', NAI, D/FA 2003/1/441.
49. 'Statement for Minister for meeting on 7 June 1971'.
50. Ibid.
51. For more on Norway's position, see Allen, *Norway and Europe in the 1970s*, pp. 94–9.
52. The Commission had carried out an assessment of the problems faced by Greenland and the Faroe Islands in late April 1971. The Danish government, however, found the conclusions wholly unsatisfactory, and the Commission was asked to withhold the report to avoid adverse public opinion. See Rasmussen, 'Joining the European Communities', p. 257.
53. '*Dossier du Président pour la visite officielle en Irlande les 17–18 juin, 1971*', HAEU, FMM 25. The Norwegian government had presented the Community with a memorandum on 4 May 1971 that contained a proposal for modifying the common access provisions of the Community's CFP. The essence of the Norwegian proposal was that 'only those who are established in the coastal State shall be permitted to engage in fishing inside that country's fishery limits'. See 'Summary of significant developments relating to the European Communities', 16 April–12 May 1971, NAI, D/FA 20031/480.
54. '*Dossier du Président pour la visite officielle en Irlande les 17–18 juin, 1971*'.
55. *Agence Europe*, no. 822, 7 June 1971.
56. For more on the Convention of 1964, see Farnell, *In Search of a Common Fisheries Policy*, Chapter 1.
57. Minutes of European Commission meeting, 15–16 June 1971, HAEC, BAC 259/80, no. 168–174, PV 168, 2e partie.
58. European Commission, '*Communication de la Commission au Conseil au sujet du problème de la pêche – document de travail*', 17 June 1971, HAEC, BAC 134/1987, no. 57/4.
59. Secretariat of the Council of Ministers, '*Négociation d'adhésion – Rapport du Comité des Representants permanents au Conseil – problème de la pêche*', 9 July 1971, HAEC, BAC 134/1987, no. 57. Within COREPER, Germany and Belgium, for example, complained that the proposals represented a complete change from the original CFP. Usually Britain's staunchest defender in the Community, the Dutch argued that the Commission's proposals were far too generous to Britain's fishing industry, and insisted instead that the six-mile zone should be valid for two years and not five. The minutes of this and other COREPER meetings are somewhat ambiguous. While they outline the position of each of the delegations, they do not specify which delegation said what.
60. The British, too, sought terms for some of their coastal islands similar to those that were being offered to Norway.
61. Allen, *Norway and Europe in the 1970s*, p. 121.
62. Allen, *Norway and Europe in the 1970s*, p. 121.
63. O'Neill, *Britain's Entry into the European Community*, p. 267.
64. Norway made it clear to the British that it would not be satisfied with Ireland's status quo proposal. The Norwegian ambassador to the EEC bluntly told the British that, if Norway was unable to join the EEC but was left outside, there would be a danger that it might be drawn into some new orbit. See O'Neill, *Britain's Entry into the European Community*, p. 268.
65. Minutes of European Commission meeting, 7 July 1971, HAEC, BAC 259/80, no. 168–174, PV 171, 2e partie.

66. See minutes of European Commission meeting, 14–15 July 1971, HAEC, BAC 259/80, no. 168–174, PV 172, 2e partie.
67. O'Neill, *Britain's Entry into the European Community*, p. 270.
68. Note from Wellenstein to Deniau, 5 October 1971, HAEC, BAC 134/1987, no. 109.
69. Kennan to Assistant Secretary D/FA, 26 October 1971, NAI, D/FA 2003/1/151.
70. Kennan to Assistant Secretary D/FA, 26 October 1971.
71. Kennan to Seán Morrissey (Assistant Secretary D/FA), 'Suggested strategy, Ministerial negotiating meeting, 9 November 1971', 27 October 1971, NAI, D/FA 2003/1/151.
72. Kennan to Morrissey, 'Suggested strategy, Ministerial negotiating meeting, 9 November 1971'.
73. Ibid.
74. Ibid.
75. Ibid.
76. Minutes of European Commission meeting, 20–22 September 1971, HAEC, BAC 259/80, no. 175–180, PV 178, 2e partie.
77. Minutes of European Commission meeting, 29 September 1971, HAEC, BAC 259/80, no. 175–180, PV 179, 2e partie.
78. See, for example, *Secrétariat general du Conseil*, '*Négociations d'adhésion: problèmes de la pêche (propositions faites lors de cette session et sur cette matière par les délégations belge et italienne)*', 14 September 1971, HAEC, BAC 134/1987, no. 59/1.
79. *Secrétariat general du Conseil*, '*Négociation d'adhésion – Note: Problèmes de la pêche*', 17 September 1971, HAEC, BAC 134/1987, no. 60/3.
80. Wise, *The Common Fisheries Policy*, p. 125. See also *Agence Europe*, no. 891, 28 September 1971.
81. O'Neill, *Britain's Entry into the European Community*, p. 270.
82. O'Neill, *Britain's Entry into the European Community*, p. 270.
83. Kennan to Morrissey, 'Suggested strategy, Ministerial negotiating meeting, 9 November 1971', 27 October 1971, NAI, D/FA 2003/1/151.
84. EEC Council secretariat conclusions of seventh ministerial meeting between Community and Ireland, 9 November 1971, NAI, D/FA 2003/1/472, Annex I.
85. EEC Council secretariat conclusions of seventh ministerial meeting between Community and Ireland, 9 November 1971.
86. Minutes of European Commission meeting, 22–24 November 1971, HAEC, BAC 259/80, no. 185–187, PV 186, 2e partie.
87. The British delegation referred to this meeting as one of its most discouraging with the Community. See O'Neill, *Britain's Entry into the European Community*, p. 274.
88. Notes of Ministerial meeting between Community and Ireland, 29–30 November 1971, NAI, D/FA 2003/1/432.
89. But the Community's proposals did add some new ideas aimed specifically at appeasing Ireland's anxieties about overfishing and depletion of stocks. They included a special 12-mile limit in respect of the exercise of fishing for two types of fish, namely, crustaceans and salmon. Fishing for these two types was of special importance to the Irish fishing industry, and to its further development; the Community's proposal was recognition of this.
90. Wise, *The Common Fisheries Policy*, p. 128.
91. Minutes of European Commission meeting, 29 November, 1–2 December 1971, HAEC, BAC 259/80, no. 185–187, PV 187, 2e partie.

92. Wise, *The Common Fisheries Policy*, p. 128.
93. Minutes of European Commission meeting, 29 November, 1–2 December 1971, HAEC, BAC 259/80, no. 185–187, PV 187, 2e partie.
94. See *Secrétariat general du Conseil*, '*Régime des droits de pêche (Déclaration faite par la délégation de la Communauté le 12 décembre 1971)*', BAC 134/1987, no. 65/4, HAEC. The areas included the coast north and west of Lough Foyle as far as Cork in the south-east, and the east coast from Carlingford Lough to Carnsore Point, for fishing of crustaceans and shellfish.
95. Note from the secretariat of the Council of Ministers to applicants regarding arrangements for fishing rights, 12 December 1971, NAI, D/FA 2003/17/256.
96. In place of 'The North and West coast, from Lough Foyle to Cork in the South-West' (from 12 December meeting) read 'the North and West coasts, from Lough Foyle to Cork Harbour in the Southwest'. See official minutes of 'Fiftieth meeting of the Conference at Deputy Level', 5 January 1972, NAI, D/FA 2003/1/910.
97. See Allen, *Norway and Europe*, pp. 117–20.
98. *Agence Europe*, no. 847, 12 July 1971.
99. Norway voted 'No' to membership of the Community on 25 September 1972. Despite the negative Norwegian result, one week later over 60 per cent of the Danes who went to the polls voted in favour of joining the EEC. There was no referendum held in Britain in 1972 on membership. Instead, the Parliament of the European Communities Act was passed, and became law on 16 October 1972. In May 1972, Ireland voted overwhelmingly in favour of membership, with over 83 per cent voting 'Yes'.

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