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## **Steering Europe: Explaining the Rise of the European Council, 1975-1986**

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**Summary:** This article seeks to explain the emergence of the European Council at the heart of Europe's governance between 1975 and 1986. It highlights four factors that quickly made the newly-created institution both indispensable and stable, despite concerns over the excessive reliance on the intergovernmental method in European cooperation processes. These factors were the rise of globalisation in its multi-faceted policy dimensions; a satisfactory new-found institutional balance; the public impact of/societal actors' connections with regular and frequent heads of government's meetings; and the democratic legitimacy issue in European integration. The article further argues that this period witnessed the de facto emergence of the three-pillar Maastricht structure, and shows how the study of the early days of the EEC can shed light on the current development of the EU and the European Council after the 2009 Lisbon Treaty.

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## Introduction

“It more and more seems to me that, on an institutional level, the European Council is not only unnecessary but, to a certain extent, harmful.”<sup>1</sup> Less than two years after the decision to regularise EEC heads of governments’ meetings this is how Pierre Gueben, civil servant in charge of organising European Council meetings at the General Secretariat of the European Economic Community (EEC)’s Council of Ministers, criticised the emergence of the new institution. About forty years later, reading such a statement is quite surprising, at a time when repeated European Union (EU) summit emergency meetings, ad nauseam media coverage of those, and spicy details on the latest bon mot of a European leader are part of the EU’s everyday life. But when a European Council meeting was unable to reach an agreement, the practice itself of regular meetings at heads of government’s level was easily called into question. Gueben thus made his recrimination against the European Council in July 1976, shortly after the unsuccessful meeting of April 1976 that took place in Luxembourg. Yet the centrality of the European Council in today’s EU should not be allowed to obscure that the European Council’s evolution into a prominent institution of the EU’s governance was not as predetermined as it could seem, with the benefit of hindsight.

When the heads of government of the EEC agreed, on 10 December 1974 in Paris, to hold regular and frequent meetings between themselves, this decision was something of an experiment.<sup>2</sup> Legally, this new type of meeting was based on an uncodified and non binding

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<sup>1</sup> Central Archives of the Council of the European Union, Brussels (hereafter CMA), HICA.H.CM2 CEE, CEEA.1976.2.2, Gueben to Hommel, Conseil européen des 12-13 juillet 1976, 6 July 1976.

<sup>2</sup> On the decision to create the European Council see Emmanuel Mourlon-Druol, ‘Filling the EEC Leadership Vacuum? The Creation of the European Council in 1974’, *Cold War History*, 10, 3 (2010), 315–339; John Young, ‘The Summit Is Dead. Long Live the European Council’: Britain and the Question of Regular Leaders’

decision, that is, the communiqué of the 1974 Paris summit. Long-standing critiques against the decision-making system of the EEC and a growing frustration with the lack of leadership in the Community as a whole encouraged the French government to push for the institutionalisation of meetings at heads of government level. The French government – joined in this by the bigger member states – considered that the existing different kinds of Council of Ministers’ meetings needed some form of pulling together at the top. After a few months of negotiations in late 1974, the heads of governments agreed at the Paris summit of December of that same year to create the ‘European Council’. The uncodified nature of the European Council was, Britain apart, largely foreign to the EEC member states’ constitutional traditions, and did little to clarify the (legal) debate over its role and functions. Reminiscences of the Gaullist period fed the ‘smaller’ EEC member states’ scepticism towards the European Council: regular summitry was seen as endangering the Community (supranational) method. Any unsuccessful meeting – such as the April 1976 session in Luxembourg that partly motivated Gueben’s berating of the European Council – could vindicate misgivings about the value of holding summit meetings on such a regular and frequent basis.

Twelve years later however, any remaining doubts and criticisms against the European Council had by and large vanished. First of all, a number of landmarks seemed to confirm the usefulness of top-level leaders’ meetings. The very first meeting of the European Council in Dublin in March 1975 contributed to solve the British renegotiation issue; the triptych of European Council summits over the year of 1978, in Copenhagen, Bremen and Brussels, significantly shaped the creation of the European Monetary System (EMS); the Fontainebleau

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Meetings in the European Community, 1973-75’, *The Hague Journal of Diplomacy*, 44, 3 (2009), 219–238;

Matthias Waechter, *Helmut Schmidt und Valéry Giscard d’Estaing: auf der Suche nach Stabilität in der Krise der 70er Jahre* (Bremen: Edition Temmen, 2011), 78–98; Béatrice Taulègne, *Le Conseil européen* (Paris: Presses universitaires de France, 1993), 61–87.

meeting in 1984 was instrumental in solving the British budgetary question; and the Milan meeting in 1985 paved the way for the future Treaty revision. The 1986 Single European Act (SEA) marked the first formal appearance of the European Council in an EEC treaty, albeit in a minimalistic fashion with only three sentences (Article 2, Title I) and no detail about its functions. Numerous European policymakers, regardless of their belonging to a specific political party, institution or member state, acknowledged the usefulness of the European Council in the EEC's institutional set-up – without being blinded, of course, by its limits. Overall therefore, thanks to its important role in the above-mentioned landmarks as well as on other occasions, the European Council quickly placed itself at the centre of Europe's governance, as a forum for both top-level deliberation and decision-making.

How can one explain this tension, between a relatively uneasy creation, nurtured by various concerns about a greater orientation of EEC policymaking in favour of the intergovernmental method, and the European Council's rapidly acquired centrality in the life of the EEC polity? This article argues that four intertwined factors account for this rapid and smooth emergence, in spite of some early misgivings about heads of governments' meetings. First, the rise of globalisation, under all its guises – economic, environmental, financial, monetary, social – rendered regular and frequent meetings at heads of government's level a necessary feature of European and international politics, in spite of all the frustrations to which such meetings could also give rise. Second, the new-found institutional balance in the EEC after the creation of the European Council proved satisfactory to the multiple actors involved in EEC policymaking, and thereby alleviated doubts about the exact role and functions of summit meetings. Third, the public impact of the European Council's gatherings, especially in terms of media coverage and involvement of civil society/societal actors, contributed to make these meetings central and imperative in the EEC's political life. Fourth, the perennial debates over

legitimacy in the EEC offered a window of opportunity for heads of government to attempt to re-politicise European debates – a situation which, in spite of its ambiguities, allowed institutionalised heads of government’s meetings to quickly become vital. All four factors made the European Council an indispensable actor in European governance, and indeed made it become a proper institution in the mindset of the many actors involved in European policymaking well before its formal successive treaty consecrations in 1986 (SEA), 1992 (Maastricht) and 2007 (Lisbon). This article deliberately moves the focus away from the key individuals that took part in European Council meetings to look instead at the structural forces that explain the European Council’s rise in the EEC’s institutional set-up. This is not meant to imply an opposition of the two – individual vs. systemic forces – but instead to try to overcome a tendency of the literature on summits to fall into the trap of case-by-case study of the doings of purportedly visionary leaders. This article is not concerned with personal inclinations, but root causes and systemic analysis. The argument is based throughout on a large multi-lingual, multi-archival research, spanning over five countries (Britain, France, Germany, Ireland and Italy), and is the first article to use the archives of the European Council itself. This article is covering 35 European Councils over a twelve-year period, going from its inception in 1974 until the Single European Act in 1986.<sup>3</sup>

In spite of the importance the European Council has quickly taken in the life of the EEC, the historical literature on the early years of the European Council is still very limited. Recent historiography on European integration made significant contributions to the understanding of the evolution of the EEC as an incipient polity, following in that earlier political science literature. But it has also tended to downplay intergovernmental bargaining, focusing instead on non-governmental actors, as if the intergovernmental and non-governmental trends had to

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<sup>3</sup> Three meetings per year were held until 1985; only two took place in 1986.

be seen in opposition, or even in isolation.<sup>4</sup> This article reintroduces more firmly the role of national governments in the analysis, and demonstrates that these different strands – supranational, intergovernmental, transnational – often mutually reinforced each other: non-governmental connections with the European Council reinforced heads of government meetings as an incipient institution of the EEC polity; the supranational European Commission took an active part in European Council meetings; and the European Council's ever-widening agenda led it to deal with an ever larger set of transnational and global issues that went beyond the only EEC remit. In that sense, the rise of the European Council in the EEC institutional set-up represents a typical example of the ever greater embeddedness of European integration and cooperation in global dynamics.<sup>5</sup> This article argues that the dynamics of the European Council cannot be properly understood without reference to the supranational Community dimension (including the role of the EEC Commission and the European Parliament in particular) and to the mutual influence with transnational actors (such as trade unions, business groups and consumer organisations). A large literature from political

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<sup>4</sup> See for instance Wolfram Kaiser, Brigitte Leucht, and Morten Rasmussen, *The History of the European Union Origins of a Trans- and Supranational Polity 1950-72* (New York; London: Routledge, 2009) which covers the pre-1974 period but has a wider research agenda. For reflections about the need to overcome such artificial distinctions from a political science perspective, see François Foret and Yann-Sven Rittelmeyer, 'Introduction', in François Foret and Yann-Sven Rittelmeyer, eds., *The European Council and European Governance. The Commanding Heights of the EU* (Abingdon: Routledge, 2014), 2.

<sup>5</sup> On the wider issue of articulating global and European dimensions see Federico Romero, ed., 'The International History of European Integration in the Long 1970s', *Journal of European Integration History*, 17, 2 (2011), 330–360; Éric Bussière, ed., 'Régionalisme européen et mondialisation', *Les cahiers Irice*, 9, 1 (2012); Kiran K. Patel, 'Provincialising European Union: Co-Operation and Integration in Europe in a Historical Perspective', *Contemporary European History*, 22, 4 (2013), 649–673.

science,<sup>6</sup> law<sup>7</sup> and European Council observers<sup>8</sup> analyses the emergence of regular EEC/EU summit meetings and especially their role in today's governance.<sup>9</sup> These works provide many important insights, but all use a different methodology and most importantly a different questioning from this article. Early research on the European Council improved our understanding of the role and functions of regular EEC summit meetings, while more recent studies look into the contemporary evolution of the European Council in EU policymaking.

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<sup>6</sup> Foret and Rittelmeyer, *The European Council and European Governance*; Yann-Svenn Rittelmeyer, 'L'institutionnalisation du Conseil européen: étude du processus de codification de l'ordre politique européen,' unpublished PhD Thesis, Université Libre de Bruxelles, 2012. Pioneering studies on the European Council include Wolfgang Wessels, *Der Europäische Rat: Stabilisierung statt Integration?: Geschichte, Entwicklung und Zukunft der EG-Gipfelkonferenzen* (Bonn: Europa Union Verlag, 1980); Simon Bulmer, 'The European Council's First Decade: Between Interdependence and Domestic Politics', *JCMS: Journal of Common Market Studies*, 24, 2 (1985), 89–104; Simon Bulmer and Wolfgang Wessels, *The European Council: Decision-Making in European Politics* (Basingstoke: Macmillan, 1987); Jean-Marc Hoscheit and Wolfgang Wessels, *The European Council 1974-1986: Evaluation and Prospects* (Maastricht: European Institute of Public Administration, 1988). For more recent accounts see Michel Mangelot, 'Un nouveau président pour l'Union européenne: le traité de Lisbonne ou le triangle institutionnel à quatre côtés', *Savoir Agir*, 11 (2010), 111-117; Wolfgang Wessels, 'The Maastricht Treaty and the European Council: The History of an Institutional Evolution', *Journal of European Integration*, 34, 7 (2012), 753-767, and Wolfgang Wessels, *The European Council* (London: Palgrave, 2016).

<sup>7</sup> Taulègne, *Le Conseil européen*; Frederic Eggermont, *The Changing Role of the European Council in the Institutional Framework of the European Union* (Cambridge: Intersentia, 2012).

<sup>8</sup> Jan Werts, *The European Council* (New York: Elsevier, 1992 and London: John Harper, 2008); Christopher Bramsen, 'Le Conseil européen: son fonctionnement et ses résultats de 1975 à 1981,' *Revue du Marché Commun*, 25, 262 (1982), 624–642; Pierre de Boissieu (et al.), *National Leaders and the Making of Europe: Key Episodes in the Life of the European Council* (London: Harper, 2015).

<sup>9</sup> The library of the EU Council of Ministers provides a useful bibliography on the European Council: General Secretariat, Directorate-General F – Communication and Transparency Library, *Research on the Council of the EU, the European Council and the General Secretariat – a bibliography*, Brussels, October 2012.



By adopting a historical approach, this article aims, by contrast, to shed new light on the reasons why the European Council lasted, bringing new evidence drawn from previously unused European Council archives.

### **Europe in a globalising world**

The rise of globalisation at the turn of the 1970s is the first element explaining why the European Council emerged as a key actor in the EEC's (economic) governance.<sup>10</sup> Faced with multiple international crises, EEC leaders realised that their coordination at EEC level was poor, and decided to meet on a regular and frequent basis in order to try coordinate their response to those international challenges. Among the various problems facing the EEC from the mid-1970s, macroeconomic issues ranked very high, including European monetary instability, inflation, the development of the common/single market, and international trade. Since these policy issues had implications beyond the traditional remit of individual ministries, the EEC needed a greater degree of coordination at heads-of-government level, if not some kind of collective leadership, in order to try and tackle these problems. Even in the absence of concrete results, the ability to present a united EEC front at the international level was something much looked after by heads of government.<sup>11</sup> The European Council offered the ideal institutional setting where these issues could be discussed. The two sentences

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<sup>10</sup> This argument can be broadened to the rise of institutionalised international summitry in general, see Emmanuel Mourlon-Druol, 'Managing from the Top': Globalisation and the Rise of Regular Summitry, Mid-1970s–early 1980s', *Diplomacy & Statecraft*, 23, 4 (2012), 679–703.

<sup>11</sup> See Federico Romero's argument about the G7, that also applies well to the European Council: Federico Romero, 'Refashioning the West to dispel its fears: the early G7 summits', in Emmanuel Mourlon-Druol and Federico Romero, eds., *International Summitry and Global Governance: the Rise of the European Council and the G7, 1974-1991* (Abingdon: Routledge, 2014), 117-137.

constituting part of the uncodified constitution of the European Council, namely, the December 1974 Paris summit communiqué, made plain the centrality of this globalisation dynamic in the holding of meetings at heads-of-government level:

“Recognizing the need for an overall approach to the internal problems involved in achieving European unity and the external problems facing Europe, the Heads of Government consider it essential to ensure progress and overall consistency in the activities of the Communities and in the work on political co-operation. The Heads of Government have therefore decided to meet, accompanied by the Ministers of Foreign Affairs, three times a year and, whenever necessary, in the Council of the Communities and in the context of political co-operation.”<sup>12</sup>

A detailed analysis of the deliberations and agendas of the European Council helps better witness the predominance of macroeconomic issues during heads of government meetings. Instead of looking at the European Council’s conclusions and then deducing from those the European Council’s agenda as is the case in recent political science studies, I looked at the actual discussions as reported in the various records of the meetings.<sup>13</sup> Focusing only on the conclusions overlooks the fact that deliberation was at the centre of the European Council’s activity from the very start; and that this deliberation was not necessarily recorded in the conclusions. Quite regularly, the discussion about the macroeconomic situation did not automatically lead to clear-cut conclusions that heads of government considered worthy of recording. But having had the opportunity to actually discuss them represented one of the *raison d’être* of the European Council, namely, providing the opportunity for EEC leaders to

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<sup>12</sup> Final communiqué of the meeting of heads of government of the Community, Paris, 9 and 10 December 1974, in *Bulletin of the European Communities*, December 1974, 12, 7-12 (hereafter 1974 final communiqué).

<sup>13</sup> Petya Alexandrova, Marcelo Carammia, Sebastian Princen and Arco Timmermans, 'Measuring the European Council Agenda: Introducing a New Approach and Dataset', *European Union Politics*, 15, 1 (2014), 152–167; Petya Alexandrova, Marcello Carammia, and Arco Timmermans, 'Policy Punctuations and Issue Diversity on the European Council Agenda', *Policy Studies Journal*, 40, 1 (2012), 69–88.

freely exchange their views in a regular European institutional framework. I have arranged the topics heads of governments tackled in eleven wider themes, as shown in Table 1.

<b>Simplified heading</b> (in alphabetical order)	<b>Individual topics</b>
<b>British question</b>	renegotiation of the mid-1970s, budgetary question of the 1980s
<b>CAP (common agricultural policy)</b>	Fishing policy was also discussed (5 meetings)
<b>EEC enlargement</b>	Enlargements to Greece, Spain and Portugal
<b>Environment</b>	-
<b>European Council's functioning</b>	1977 London declaration; occasional debates about the functioning of the European Council (EUCCO)
<b>European Parliament matters</b>	direct election, salary of MEPs
<b>Future development of the EEC</b>	Tindemans Report, Three Wise Men's report, Spaak Committee, Spierenburg Report, successive Commission's Reports on European Union, etc.
<b>Macroeconomic situation</b>	economy, finance, currency relations, unemployment, inflation, trade, energy
<b>North-South relations</b>	North-South dialogue, aid for development
<b>Political cooperation</b>	Includes all topics that did not fall under the Treaties of Rome (eg European Political Cooperation matters, judicial cooperation)
<b>Relations with Japan</b>	Mostly relating to trade but discussed as a separate item

Table 1 – European Council's main topics of discussion, 1975-1986

All 35 meetings tackled the macroeconomic situation (Figure 1); and indeed most of them started off with an often lengthy and detailed discussion of the macroeconomic situation, in its multi-faceted policy dimensions (economic and social situation, currency relations, inflation,

unemployment). The European Council provided a key forum to (attempt to) coordinate macroeconomic policies in an EEC context. The European Council was the central forum where heads of government exchanged their views on how the EEC's economies could and should work in a European/global context. This was plain in the run-up to the EMS and in the early 1980s when the French government's economic policy course was under pressure.<sup>14</sup> Heads of government's deliberations did not necessarily lead to policy results, but the mere ability to deliberate in an EEC-wide forum about international macroeconomic issues represented a significant evolution in the EEC institutional set-up. Most often, all different aspects of macroeconomic policymaking were taken together. Energy was perhaps the only exception, since at the time of the oil shocks it was treated as a separate item, although always linked back to its overall economic implications, such as inflation. Some sessions also began with a report from the president on the discussion he had just had with the European Trade Unions Confederation (ETUC), as I will develop in the third section, and then immediately moved on to macroeconomic matters. The EEC's integration in a globalising world also concerned other policy areas, although still heavily related to economic issues. Japan's trade relations with the EEC occupied an important place in European Councils' agendas (9), as well as North-South relations/aid for development (8), the British question (13) and the CAP/fishing policy (13/5). As second topic most discussed in European Council meetings, political cooperation comes up close, with 31 sessions out of the 35 meetings analysed in this article. This is no cause for surprise and highlights the genuinely hybrid nature of the European Council, covering both Community affairs *and* political cooperation (that is, the policy areas that were not covered by the EEC legal framework). The issues tackled were

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<sup>14</sup> See respectively Emmanuel Mourlon-Druol, *A Europe Made of Money: the Emergence of the European Monetary System* (Ithaca/NY: Cornell University Press, 2012), chapters 2 to 4 and Vincent Duchaussoy, *La Banque de France et l'État: de Giscard à Mitterrand, enjeux de pouvoir ou résurgence du mur d'argent ?, 1978-1984* (Paris: L'Harmattan, 2011).

extremely varied, and did not necessarily lead to clear-cut conclusions, including East-West relations, Middle East, Africa, terrorism and judicial cooperation, to name but a few. Only four meetings did not really tackle political cooperation topics. The EMS and the so-called concurrent studies about greater EEC resource transfers that ran in parallel, the remuneration of the members of the European Parliament, CAP and fishing policy exclusively dominated the discussions of the Brussels European Council session held in December 1978; and internal Community issues (chiefly the British budgetary question) largely sidestepped any political cooperation discussions during three consecutive summits (Athens in December 1983, Brussels in March 1984 and Fontainebleau in June 1984).

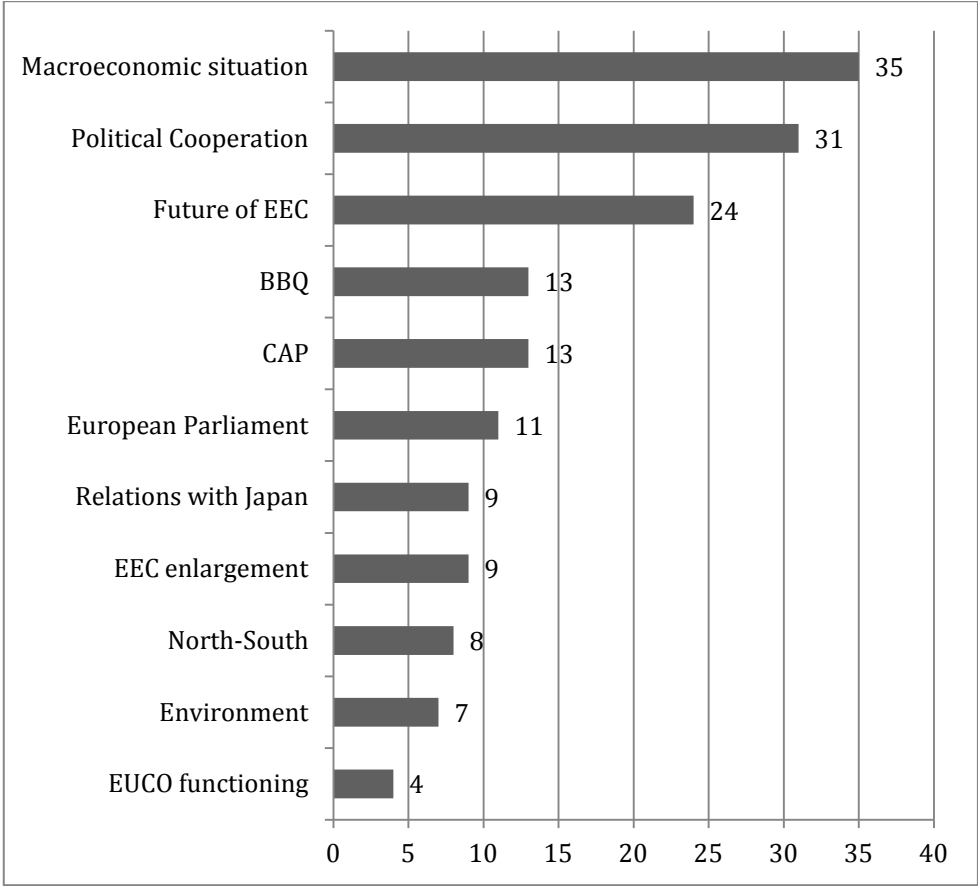


Figure 1 – Topics discussed in the European Council, 1975-1986<sup>15</sup>

<sup>15</sup> Author’s calculations based on European Council’s official and unofficial records of discussions, briefings (in the case where no record of the discussions existed), communiqués and conclusions.

Having the European Council as the “predominant player in economic governance” is therefore hardly a new feature of the post-Maastricht period, contrary to what Uwe Puetter recently argued.<sup>16</sup> Ever since the European Council’s inception, macroeconomic issues gave (and still give<sup>17</sup>) birth to long interpretative discussions about the causes, consequences and possible remedies of the multifaceted economic crises. If the Essen European Council of 1994 focused on the employment situation, the rise of unemployment was equally central to European Council discussions in the 1970s and 1980s. From the mid-1970s to the early 1980s, and in addition to the rise of unemployment, EEC prime ministers talked at length in European Council meetings to share their views about how to deal with international monetary instability, and the oil shocks, to name but a few. These discussions were often long simply because heads of governments did not agree on the root causes explaining the situation, or even more simply did not understand them. The various records of European Council sessions until 1986 reflect the heads of government’s striking lucidity about the difficulty to make sense of the crises of the 1970s-early 1980s. British prime minister Jim Callaghan was reported as having made this point at a European Council meeting in Brussels in 1976: “At this stage, Mr Callaghan would just like to note that the world today is experiencing the most profound socio-economic evolution of peoples since the beginning of the twentieth century and most governments if not all seem largely incapable of mastering

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<sup>16</sup> Uwe Puetter, 'Europe's Deliberative Intergovernmentalism: The Role of the Council and European Council in EU Economic Governance', *Journal of European Public Policy*, 19, 2 (2012), 161–178, and Uwe Puetter, *The European Council and the Council: New Intergovernmentalism and Institutional Change* (Oxford: Oxford University Press, 2014).

<sup>17</sup> See for instance the description of European Council discussions in recent years in Cerstin Gammelin and Raimund Löw, *Europas Strippenzieher. Wer in Brüssel wirklich regiert* (Berlin: Econ Verlag, 2014) or the EuroComment's Briefing Notes ([www.eurocomment.eu](http://www.eurocomment.eu), accessed 13 August 2014).

this whole phenomenon.”<sup>18</sup> In spite of such occasional frustrations however, the European Council’s emergence did fill a void in the EEC’s institutional set-up, as the next session will show.

### **A new and satisfactory institutional balance**

Within twelve years, European Council meetings found their place in the EEC institutional balance. This surely did not go without problems; but the fact that the newfound equilibrium in the EEC polity was satisfactory to all the actors involved in EEC policymaking allowed for the European Council to become a central actor in Europe’s governance. The European Council’s stabilisation in the EEC institutional landscape is best observed in two respects, one related to the European Council’s functions, the other to the EEC’s overall constitutional order.

The functions of the European Council were not described in the 1986 Single European Act, which merely mentioned the European Council’s existence.<sup>19</sup> Only the 1992 Maastricht treaty added a little more details.<sup>20</sup> The absence of any codified constitution represented a very

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<sup>18</sup> CMA, HICA.H.CM2 CEE, CEEA.1976.2.4, Procès-verbal de la session du Conseil européen tenue à Bruxelles les 12 et 13 juillet 1976, 21 September 1976. My translation.

<sup>19</sup> Article 2 reads: “The European Council shall bring together the Heads of State or of Government of the Member States and the President of the Commission of the European Communities. They shall be assisted by the Ministers for Foreign Affairs and by a Member of the Commission. The European Council shall meet at least twice a year.”

<sup>20</sup> Title I, Article D, reads: “The European Council shall provide the Union with the necessary impetus for its development and shall define the general political guidelines thereof.” Article 103 mentions that the European

British way of having an unwritten constitution that was largely foreign, until then, to the EEC legal tradition.<sup>21</sup> The British Foreign Office most aptly summarised this state of affairs in a brief to British prime minister Margaret Thatcher in preparing the very first European Council meeting she attended, in Strasbourg in June 1979: “The European Council is not an institution set up by the Treaties and its formal status is nowhere very clearly defined – partly in order to preserve its informality of procedures.”<sup>22</sup> This also partly explains why interpretation about the European Council’s institutional nature came to be one of the very first contentious issues.<sup>23</sup> Regular heads of government’s meetings could be interpreted as a part of a confederal scheme, since their existence prioritised intergovernmental cooperation. But such regular meetings also institutionalised the participation of heads of government in a process of supranational cooperation (the European Commission participated from the outset in 1974): this was the version considering the European Council as an excrescence or a variant of the Council of Ministers.<sup>24</sup> These ambiguities prevented the European Council from

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Council could discuss economic conditions: “The European Council shall, acting on the basis of the report from the Council, discuss a conclusion on the broad guidelines of the economic policies of the Member States and of the Community.” Finally article J8 states that “The European Council shall define the principles of and general guidelines for the common foreign and security policy. (...) It shall ensure the unity, consistency and effectiveness of action by the Union.”

<sup>21</sup> Except perhaps for some of the institutional changes that occurred in the 1960s, see N. Piers Ludlow, *The European Community and the Crises of the 1960s: Negotiating the Gaullist Challenge* (Abingdon: Routledge, 2006). Interestingly the European Council was called an “institution”, in spite of not being one formally yet.

<sup>22</sup> The National Archives, UK (hereafter TNA), FCO brief on European Council, Strasbourg, 21/22 June 1979, 7 June 1979.

<sup>23</sup> CMA, HICA.H.CM2 CEE, CEEA.1975.126.4, Note of Hommel, Conseil européen de Rome, 1er/2 décembre 1975, 31 March 1976.

<sup>24</sup> For more details about the different legal interpretations about the European Council’s place in the EEC’s constitutional order, see Taulègne, *Le Conseil européen*, 92–100.



being viewed as exclusively one of these two options, and opened the way for a third one: that of a *sui generis* institution.<sup>25</sup> The European Council came to be seen as a new institution, functioning in the Community framework, but distinct from the Council of Ministers. In that sense, the European Council could be both intergovernmental and *communautaire*. The practice progressively blurred the intergovernmental/*communautaire* distinction, as will be shown below. The European Council allowed EEC heads of government to discuss topics of common interest, overriding administrative (and increasingly artificial) distinctions between EEC and non-EEC matters.

The institutional practice that developed over time witnessed the clear emergence of the European Council's two main functions – orientation and arbitration – already after only a few years of operation.<sup>26</sup> Heads of government developed a custom that their successors mostly kept intact. The ability of the European Council to orient the future EEC endeavours had, for instance, clearly appeared well before it was enshrined in the Maastricht Treaty's Title I, Article D. In the course of the 1970s and 1980s, the European Council often talked about the future of European integration (in 24 meetings, see Figure 1), and commissioned reports about it as well, like the Tindemans report and the Three Wise Men's report, to name but two obvious examples.<sup>27</sup> The capacity of the European Council to concentrate discussions

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<sup>25</sup> Taulègne, *Le Conseil européen*, second part; and Emmanuel Mourlon-Druol, 'Regional Integration and Global Governance: The Example of the European Council, 1974-1986', *Les Cahiers Irice*, 1, 9 (2012), 91–104.

<sup>26</sup> Taulègne, *Le Conseil européen*; Emmanuel Mourlon-Druol, 'The Victory of the Intergovernmental Method? The Emergence of the European Council in the EEC's Institutional Set-Up, 1974-1977', in Daniela Preda and Daniele Pasquinucci, eds., *The Road Europe Travelled Along: The Evolution of the EEC/EU Institutions and Policies* (Brussels: Peter Lang, 2010), 27–40.

<sup>27</sup> The European Council commissioned these reports respectively at the Paris summit (December 1974) and the Brussels meeting (December 1978).

on the future of European integration allowed summit meetings to partly appropriate themselves the prospective dimension of integration.

A second important function was that of arbitration. The European Council was, whenever possible, acting as an EEC referee, that is, choosing between the different options available on the negotiations' table. Summit meetings offered an opportunity to try to agree on issues that had not been settled elsewhere. In the press conference that took place after the European Council meeting in Brussels in December 1977, president of the Commission Roy Jenkins lauded the European Council's "ability to cut through disagreements where necessary and to give a renewed momentum to the process of integration."<sup>28</sup> The EMS negotiations provide a good example of this, and an early one in the history of the European Council. In the specialised committees (Monetary Committee and Committee of Governors), the EEC member states' delegations found themselves unable to agree on the role to be given to the so-called divergence indicator that the EMS was supposed to include. The divergence indicator was a technical device that would be used to pinpoint at the currency that was diverging from the EEC currencies' average. But what action would the identification of the divergent currency trigger? Two options were envisaged during the negotiations: automatic interventions by the central banks to support a currency, or mere consultations among them. The EEC heads of government, during the European Council meeting of December 1978 in Brussels, decided to reject the option of automatic interventions, thereby removing an obstacle to the eventual inception of the EMS.<sup>29</sup>

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<sup>28</sup> CMA, HICA.H.CM2 CEE, CEEA.1977.3.3, European Council, 6 December 1977, press conference.

<sup>29</sup> Mourlon-Druol, *A Europe Made of Money*, 250–257.

The clarification of the European Council's functions removed the degree of uncertainty that may have remained about the purpose and usefulness of such meetings. Regular heads of governments meetings established a new administrative and diplomatic practice; all actors involved in EEC policymaking processes knew what was the European Council's potential as an institutional tool, even societal actors, as the next section will show. Such a clarification of the European Council's functions constitutes the first aspect that contributed to stabilise the European Council in the EEC polity.

The ability to map the European Council in the EEC constitutional landscape represented the second element that contributed to stabilise, and render central, the European Council. The three-pillar structure created by the Maastricht treaty was certainly the most striking constitutional evolution of the early 1990s. The newly created EU was composed of three elements: the European Communities (EC), the Common Foreign and Security Policy (CFSP) and Justice and Home Affairs (JHA). The first pillar represented the "Community method" while the second and third pillars were "intergovernmental" in nature. The European Council was, in such an institutional set-up, the "federating power of the three pillars" as it was described in a background note to French president François Mitterrand at the time of the Maastricht Treaty negotiations.<sup>30</sup>

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<sup>30</sup> Archives nationales, site de Pierrefitte (hereafter AN), 5AG4/PHB8 dossier 4, Fiche du Conseiller technique, présidence de la République, la structure du traité, 6 December 1991.

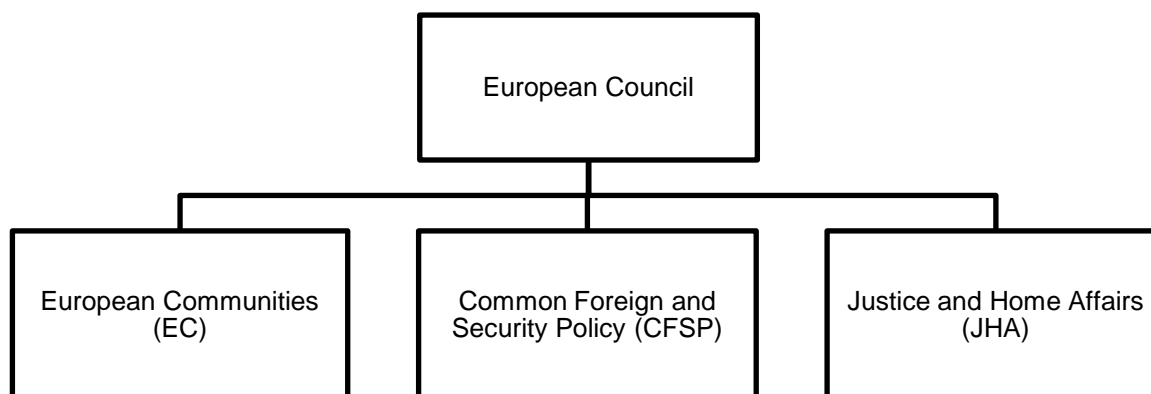


Figure 2 – The European Council’s place in the Maastricht Treaty’s three pillars structure

Yet this structure was in fact a mere formalisation of the set-up that had been in place since the mid-1970s.<sup>31</sup> As mentioned above, the European Council did possess a constitution, but it was an uncodified one: it was composed of the Paris summit communiqué of December 1974 and the London declaration of June 1977.<sup>32</sup> In setting out the reasons explaining the creation of the European Council, the 1974 final communiqué mentioned above explicitly mentioned that heads of government would “ensure progress and overall consistency in the activities of the Communities and in the work on political co-operation.” The communiqué put an end to the long-standing French opposition to having simultaneous meetings of foreign ministers in the EEC and EPC contexts: “In order to ensure consistency in Community activities and continuity of work, the Ministers of Foreign Affairs, meeting in the Council of the Community, will act as initiators and co-ordinators. They may hold political cooperation

<sup>31</sup> On this point see Helen Wallace, 'The Institutions of the EU: Experience and Experiments', in Helen Wallace and William Wallace, *Policy-Making in the European Union* (Oxford: Oxford University Press, 1996), 56.

<sup>32</sup> To these two texts could also be added the 1981 London report on EPC, which confirmed the role of the European Council in EPC, and the 1983 Stuttgart Solemn Declaration, which formalised the regular visit of the European Council’s president at the European Parliament once a year.

meetings at the same time.” Finally, it is worth noting that the 1974 communiqué duly stated that it respected the “constitutional bloc” of both the EEC and EPC: “These arrangements do not in any way affect the rules and procedures laid down in the Treaties or the provisions on political co-operation in the Luxembourg and Copenhagen Reports. At the various meetings referred to in the preceding paragraphs the Commission will exercise the powers vested in it and play the part assigned to it by the above texts.”

The 1977 London declaration foreshadowed, *mutatis mutandis*, the “rules of procedure” adopted by the European Council in December 2009 shortly after the Lisbon Treaty.<sup>33</sup> The latter are of course more detailed, but the goal of the 1977 London declaration was similar: to clarify in writing the internal functioning of the European Council. After about two years of activity, EEC heads of government felt the need to set out in some detail the way in which the European Council should function. Giscard, in leaving the European Council meeting in The Hague in November 1976, declared that he was unhappy with the way in which the European Council worked, and announced that he would soon send propositions on how to improve it.<sup>34</sup> This initiated a correspondence between heads of government about how European Council meetings should function. Overall, this exchange of letters highlighted that all heads of government had found in the European Council a useful instrument.<sup>35</sup> The outcome of this correspondence, the 1977 London declaration, focused on the organisation of the meetings in

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<sup>33</sup> Official Journal of the European Union, European Council Decision of 1 December 2009 adopting its rules and procedures, 2009/882/EU. It is also interesting to note that the very expression of “president of the European Council” had currency already in 1975, long before the creation of the permanent position set out in the 2009 Lisbon Treaty.

<sup>34</sup> CMA, HICA.H.CM2 CEE, CEEA.1976.3.4, Procès-verbal de la session du Conseil européen tenue à la Haye les 29 et 30 novembre 1976, 14 January 1977.

<sup>35</sup> This exchange of letters is available in CMA, HICA.H.CM2 CEE, CEEA.1977.1.2.

five areas: the type of discussions, the preparation of the agenda, the issuing of statements, the recording of conclusions, and the attendance of officials.<sup>36</sup> One of the most important features of the declaration was to distinguish between “informal discussions,” that did not necessarily lead to decisions, and “formal decisions.” This very distinction highlights the growing importance that the European Council took in EEC policymaking. It moved beyond the “fire-side chat” that Giscard and Schmidt wanted to make regular in 1974, and further progressed towards becoming a full-fledged institution.

A close examination of the EEC structure as modified after the European Council’s creation in 1974 highlights that the Maastricht Treaty’s three-pillar structure was a mere codification of the three-fold structure which had been emerging over the years. The three pillars were already sketched in the mid-1970s: most obviously, the “Community affairs” described in the 1974 communiqué became “the Communities” in the Maastricht treaty; EPC became Common Foreign and Security Policy (CFSP); and the Trevi meetings were forerunners of the Justice and Home Affairs (JHA) pillar.<sup>37</sup> The overall picture, if slightly different from that of the Maastricht treaty, bears however a striking resemblance with it, in particular with respect to the European Council’s place at the apex of the construction. Based on the description of the 1974 Paris communiqué, the EEC institutional set-up from 1974 until 1992 is presented in Figure 3.

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<sup>36</sup> London declaration on the organisation of European Council meetings, 30 June 1977, in *Bulletin of the European Communities*, June 1977, 6, 83.

<sup>37</sup> On the relationship between the European Council and EPC/political cooperation, see Emmanuel Mourlon-Druol, 'More than a Prestigious Spokesperson: The Role of Summits/the European Council in European Political Cooperation, 1969-1981', in Foret and Rittelmeyer, eds., *The European Council and European Governance*, 43–52.

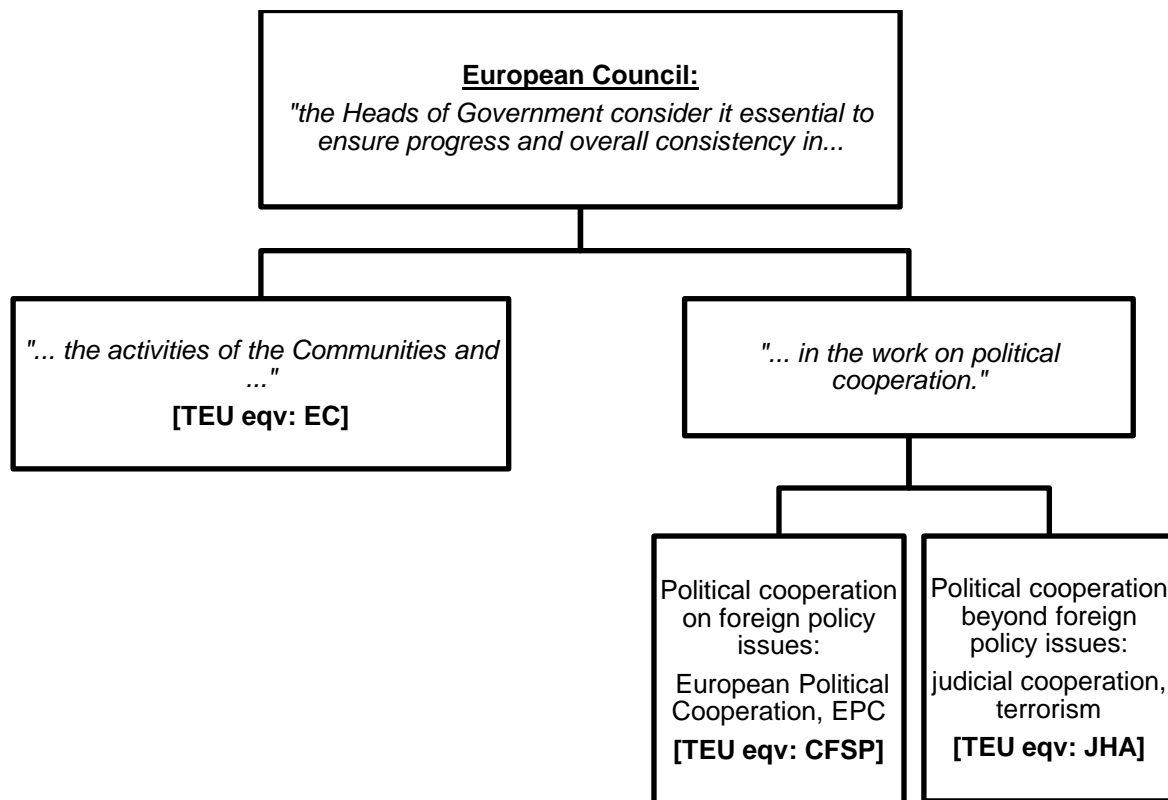


Figure 3 – The European Council’s institutional place in the EEC, 1974-1991

The European Council allowed pulling together various policy areas at the top, especially in cases where some form of European cooperation was needed, but could not necessarily take place in the existing legal apparatus of the EEC.<sup>38</sup> This institutional flexibility allowed for the development of a number of new policies that belonged to political cooperation but not to EPC, and that would subsequently be put under the umbrella of the Maastricht Treaty’s JHA pillar. The 1970 Luxembourg report had indeed circumscribed “political unification” to EPC,

<sup>38</sup> The issue of overlapping of international fora was for instance well reflected in a internal note of the French Foreign ministry, see Archives du ministère des affaires étrangères français (hereafter AMAE), Direction des affaires économiques et financières (hereafter DAEF), 2499, Direction des affaires juridiques, Instances dans lesquelles sont abordées les questions relatives au terrorisme, à la drogue et aux contrôles des frontières, 3 December 1986.

although some topics did not relate exclusively to foreign affairs.<sup>39</sup> Such topics belonged to what Simon Nuttall dubbed the “Grey Area” and concerned two important dimensions, judicial cooperation and terrorism.<sup>40</sup> The European Council played a significant role in the development of both areas.<sup>41</sup> The 1981 London Report on EPC confirmed this institutional set-up placing the European Council at the apex of the EPC hierarchy.<sup>42</sup>

This newfound institutional balance can also be witnessed in the European Council’s relationship with the other EEC (full-fledged) institutions. In fact, Gueben’s criticism against the European Council, referred to at the beginning of this article, related precisely to EEC inter-institutional relations:

“the regularity of the sessions (three per year) leads necessarily the European Council to deal with questions that fall under the competence of “classic” institutions. These institutions, therefore, experience a natural tendency to “wash their hands of it,” voluntarily or not, as in the end the final decision escapes them. (...) Concerning final decisions, it seems that, more and more, those are taken outside the institutional or para-institutional system of the Community. This is a formula of the type *directoire aménagé* that is applied, in the sense that the consensus is looked for, and often established, by bilateral relations between the three big of the Community.”<sup>43</sup>

Gueben’s note reflected regular concerns about the European Council’s place in the EEC institutional set-up. But if these inter-institutional relations were mostly uncodified, they have

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<sup>39</sup> Davide Zampoli, 'I primi passi della cooperazione politica europea: problematiche ed evoluzione istituzionale', in Antonio Varsori, ed., *Alle origini del presente. L'Europa occidentale nella crisi degli anni settanta* (Milan: FrancoAngeli, 2007), 169-192.

<sup>40</sup> Simon Nuttall, *European Political Cooperation* (Oxford: Clarendon Press, 1992).

<sup>41</sup> For more details see Mourlon-Druol, 'More than a Prestigious Spokesperson'.

<sup>42</sup> AMAE, DAEF 4972, Conseil européen de Londres, 26-27 novembre 1981, résultats politiques.

<sup>43</sup> CMA, HICA.H.CM2 CEE, CEEA.1976.2.2, Gueben to Hommel, Conseil européen des 12-13 juillet 1976, 6 July 1976.



however been progressively clarified in practice. The first institution that may have called in doubt the European Council's existence was the European Commission. It must be recalled that the Commission has ever been present, and very actively involved, at European Council meetings from the very start, unlike in the G7.<sup>44</sup> In terms of diplomatic protocol, the president of the Commission was treated like a head of government.<sup>45</sup> The Commission's successive presidents – François-Xavier Ortoli, Roy Jenkins, Gaston Thorn, Jacques Delors – all supported the institution.<sup>46</sup> Reporting to the European Parliament on the results of the first European Council held in Dublin in March 1975, Ortoli described the meeting as having confirmed that regular heads of government's meetings were very useful. He further asserted that the role of the Commission had been duly respected.<sup>47</sup> Jenkins' appreciation of the European Council is more famous. It is still worth noting that he welcomed in 1977 the fact that "the European Council agrees with the Commission that the broader issues [about EMU] are to be carried into the other Community institutions, Parliament, Economic and Social Committee, Tripartite Conference" – in short, that the European Council respected each EEC

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<sup>44</sup> Giuliano Garavini, 'The Battle for the Participation of the European Community in the G7 (1975-1977)', *Journal of European Integration History*, 12, 1 (2006), 141–158.

<sup>45</sup> AMAE, Direction Europe (hereafter DE), 4973, Direction d'Europe, Note de compte-rendu n°960/EU, Colloque sur le Conseil européen, Erenstein, 26-27 octobre 1984, 30 October 1984.

<sup>46</sup> N. Piers Ludlow, 'Relations with the European Council', in Éric Bussière et al., eds., *The European Commission 1973-1986: History and Memories of an Institution* (Luxembourg: Publications Office, 2014), 207–212.

<sup>47</sup> CMA, HICA.H.CM2 CEE, CEEA.1975.124.5, Note d'information sur les travaux de l'Assemblée, Communications du Président du Conseil et du Président de la Commission sur les résultats du Conseil européen qui s'est réuni à Dublin les 10 et 11 mars 1975, 18 March 1975.

institution's place and role.<sup>48</sup> Gaston Thorn, Luxembourg prime minister (1974-1979) when the European Council was created, and already supportive of the institution at the time, was unlikely to suddenly turn into an opponent once appointed president of the European Commission (1981-1985), especially as he succeeded two other presidents who had been sympathetic with the idea of regular heads of government's meetings. Finally Jacques Delors, president of the European Commission from 1985 to 1995, was perhaps the most famous at skillfully using such routine heads of government's meetings.<sup>49</sup>

Relations with the European Parliament, if overall limited, also existed from the very beginning. Garrett Fitzgerald, Irish foreign minister, and Ortolini, began reporting on the results of the summit to the European Parliament as early as after the very first European Council meeting held in Dublin in March 1975.<sup>50</sup> The practice of having the presidency's foreign minister and the president of the Commission informing the European Parliament after each European Council session was subsequently maintained. The Irish foreign minister attended the inaugural session of the directly-elected European Parliament in 1979.<sup>51</sup> In June 1984, the French foreign ministry even considered inviting the president of the European Parliament to one of the meals of the European Council for an informal discussion with heads of

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<sup>48</sup> CMA, HICA.H.CM2 CEE, CEEA.1977.3.3, European Council, 6 December 1977, press conference. On Jenkins' very conscious use of the European Council in the EMS negotiations, see Murlon-Druol, *A Europe Made of Money*, 160-162.

<sup>49</sup> See Ken Endo, *The Presidency of the European Commission under Jacques Delors: The Politics of Shared Leadership* (Basingstoke: Macmillan, 1999); Werts, *The European Council*, 2008, 49.

<sup>50</sup> CMA, HICA.H.CM2 CEE, CEEA.1975.124.5, Note d'information sur les travaux de l'Assemblée, Communications du Président du Conseil et du Président de la Commission, 18 March 1975.

<sup>51</sup> Report on European Institutions presented by the Committee of Three to the European Council, October 1979, 20.

governments – although it does not seem that this suggestion has been taken any further.<sup>52</sup> It was only on 16 December 1981 that for the first time a head of government herself, Margaret Thatcher, reported to the European Parliament on the last European Council session held in London in November.<sup>53</sup> The tradition was maintained and formalised after the 1983 Stuttgart Solemn Declaration which set out that “The European Council will address a report to the European Parliament after each of its meetings. This report will be presented at least once during each Presidency by the President of the European Council” – that is, a head of government, instead of the foreign minister. German chancellor Helmut Kohl did so after the Stuttgart meeting itself on 30 June 1983, and insisted on “the need for a dialogue between the European Parliament and the President of the European Council.”<sup>54</sup>

Multiple reports acknowledged the importance of the European Council in the EEC institutional set-up. The so-called Three Wise Men’s report released in 1979 even read that “The European Council has existed under the name for less than five years. It is now agreed that it has become indispensable in the overall operation of the Community.”<sup>55</sup> Both the November 1981 German-Italian initiative for a Draft European Act and the subsequent 1983 Solemn Declaration on European Union confirmed the centrality of the European Council.

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<sup>52</sup> AMAE, DE 4974, Direction d’Europe, Invitation du Président du Parlement européen au Conseil européen, 22 June 1984.

<sup>53</sup> CMA, HICA.H.CM2 CEE, CEEA.1981.3.4, respectively speech by secretary of state for foreign and commonwealth office, 3 July 1981 and déclaration du Conseil européen à la suite de la réunion de Londres, 16 December 1981.

<sup>54</sup> Official Journal of the European Communities (OJEC). Debates of the European Parliament. 30.06.1983, n° 1-301. “Report by Helmut Kohl to the European Parliament (30 June 1983)”, p. 16-21.

<sup>55</sup> Report on European Institutions presented by the Committee of Three to the European Council, October 1979, 15.

The two documents placed the European Council at the centre of the EEC polity in terms of its orientation and decision-making abilities. Perhaps more importantly the European Council was clearly presented as the key institution likely to give coherence to the development of EEC matters and political cooperation – in order to avoid seeing them evolve into two separate and isolated areas.<sup>56</sup>

All this is certainly not to suggest that inter-institutional relations in the EEC were undergoing some sort of honeymoon throughout the 1975-1986 period. Rather it is to highlight that in spite of inevitable ups and downs, the fact that the European Council's relations with other EEC institutions did not go through major tensions and crises contributed to its emergence in the EEC institutional landscape as a stable, and indispensable, institution. The European Council's public impact in terms of media coverage and connections with civil society only further reinforced this trend.

### **Societal actors and an ever-increasing public impact**

The third factor that needs to be taken into account in explaining why the European Council emerged as a central and stable actor in the EEC polity is its public impact. First of all, the

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<sup>56</sup> Point 1 of the Draft Act reads: "The decision-making structures of the European Communities and European political cooperation shall be brought under the responsibility of the European Council. The European Council shall be the source of political guidance of the European Community and of European political cooperation." In German-Italian initiative, Draft European Act, *Bulletin of the European Communities*, No. 11/1981; Margaret Thatcher Archives (hereafter MTA), document 114112, Stuttgart European Council: Presidency Conclusions, 19 June 1983. See also CMA, HICA.H.CM2 CEE, CEEA.1985, Ad hoc committee for institutional affairs, Report to the European Council, 29-30 March 1985.

EEC leaders' political legitimacy – or even lack thereof – gave much impact in the public to their meetings. Praised or criticised, the gathering of EEC heads of government needed to be covered by the press, for it appeared to be the clearest moment in the complex EEC machinery when a decision could actually be reached. To be sure, many agreements reached on the occasion of European Councils were, and still are, to a large extent, the fruit of negotiations carried out elsewhere. Even in the cases where the European Council achieved its most famous breakthroughs – British budgetary question, monetary cooperation – other fora have been central in paving the way to the final agreement (Council of Ministers, Committee of Governors, Monetary Committee, COREPER, etc.). But what the public and the press could perceive was certainly a different narrative. Gossip about heads of government's discussions represented the perfect ingredient to an easy journalistic story-telling, unlike technical issues discussed in an abstruse fashion during obscure Committee meetings.

Second, and reinforcing the first trend, the leaders themselves perceived the public impact of their meetings as an important reason to hold them in the first place; the European Council's public impact quickly became a critical factor that heads of governments wanted to take into account during their meetings. In opening the first European Council meeting in Dublin in March 1975, Irish prime minister Liam Cosgrave announced that “there should be no formal communiqué issued after the meeting. At the same time participants will be aware that there is a certain anxiety on the part of some that formal declarations be made on certain issues arising at the meeting.”<sup>57</sup> Aware of the importance for public opinion of the choice of topics for debate between heads of government, Giscard was thus reported to have said in a European Council meeting in Luxembourg in April 1976 “that it would amaze public opinion if heads

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<sup>57</sup> CMA, HICA.H.CM2 CEE, CEEA.1975.124.3, Meeting of heads of government, Dublin, 10-11 March 1975, Taoiseach's opening remarks, speaking notes.

of Government were not to exchange views about the economic situation.”<sup>58</sup> European Council meetings, in a way that is familiar to us today and very similar to the G7 meetings, became key opportunities for leaders to project their presence on the international scene often for domestic political purposes. The discussions among heads of governments that led to the 1977 declaration stressed this. In mentioning the need for the European Council to be able to discuss confidentially and informally some issues of importance, Italian prime minister Giulio Andreotti insisted that this very function of the European Council would need to be explained to public opinion so as to avoid disillusion. <sup>59</sup> Giscard insisted that the European Council should help to make Europe’s voice heard in the Nine’s public opinions. <sup>60</sup> Gaston Thorn, then Luxembourg prime minister, explained that a *prise de position* of the European Council was necessary if “there was an expectation from the public”<sup>61</sup>; and about six years later, in opening the Brussels meeting in March 1983, Thorn declared that “we should send a clear message to the public that our meeting today is dominated by our determination to concentrate all our efforts to securing a steady recovery of the economy and a reversal of the trend in unemployment. This overall view should be behind our conclusions [final communiqué] concerning the economic and social situation.”<sup>62</sup> The difficulty to balance public expectations and summit meetings’ achievements represented an important challenge to heads of governments. In 1977 Danish prime minister Anker Jorgensen wished “a more balanced and more realistic attitude in public opinion as to the mission of the [European] Council.”<sup>63</sup> An opinion mirrored by Jenkins, still in 1977, when he declared before the

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<sup>58</sup> TNA, PREM 16/853, Record of a meeting of the European Council, Luxembourg, 1 and 2 April 1976.

<sup>59</sup> CMA, HICA.H.CM2 CEE, CEEA.1977.1.2, Andreotti to Giscard, 6 February 1977.

<sup>60</sup> CMA, HICA.H.CM2 CEE, CEEA.1977.1.2, tableau synoptique, 1977.

<sup>61</sup> Ibid.

<sup>62</sup> CMA, HICA.H.CM2 CEE, CEEA.1983.1.2, Opening of the meeting, 21 March 1983.

<sup>63</sup> CMA, HICA.H.CM2 CEE, CEEA.1977.1.2, Jorgensen to Giscard, 24 February 1977.

European Parliament that “Either too much or too little is generally expected of European Councils. There is rarely a balanced public expectation of the results that might be achieved.”<sup>64</sup> It is also noticeable that in the whole strategy Jenkins used to relaunch the public debate about European monetary integration in late 1977, the Commission’s president very consciously used the European Council as a trigger to launch a wider public debate in Europe on this issue.<sup>65</sup>

Third, the press coverage of European Council meetings was more important than for any other EEC institution, and indeed increased over time. Investigating transnational communication in European integration, Jan-Henrik Meyer explains that “if there was European public communication in the media in the 1970s and 1980s at all, it was most likely to be found around the European summits” instead of in any other EEC meeting such as those of the Commission, Council or specialised committees. European Council meetings had indeed become central media events in Europe.<sup>66</sup> The recording of journalists’ accreditations in the European Council’s archives is unfortunately inconsistent over time. The data available however provides a number of insights (Figure 5). It shows first a clear increase in the

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<sup>64</sup> CMA, HICA.H.CM2 CEE, CEEA.1977.2.5, Declaration of M. Jenkins at the European Parliament, 6 July 1977.

<sup>65</sup> Historical Archives of the European Union (hereafter HAEU), Fonds Émile Noël (hereafter EN), 1143, Record of conversation between the president of the European Commission and the French prime minister, 19 November 1977.

<sup>66</sup> Jan-Henrik Meyer, *The European Public Sphere: Media and Transnational Communication in European Integration 1969-1991* (Stuttgart: Steiner, 2010), 105. Meyer’s study focuses on a selection of important European Council meetings (Paris 1974, Brussels 1978, Luxembourg 1985, Maastricht 1991, and The Hague summit of 1969).

numbers in the journalists accredited, from 300 at the Brussels meeting in March 1975<sup>67</sup> to 1000 in Fontainebleau in June 1984. In comparison, a regular Council of Ministers meeting attracted between 100 and 150 journalists in the mid-1970s.<sup>68</sup> When a European Council meeting was expected to reach a significant decision, or constituted a landmark, it predictably attracted more journalists than those European Council meetings that had a more ordinary agenda. The meetings in Brussels in December 1978 (EMS), in Stuttgart in June 1983 (Solemn Declaration), in Athens in December 1983 (first European Council meeting in Greece) and in Fontainebleau in June 1984 (British budgetary question) thus attracted more journalists than the average (respectively 509, 850 and 1000 for Athens and Fontainebleau); while in comparison Strasbourg in June 1979, Luxembourg in April 1980, Maastricht in March 1981 and Brussels in March 1982 did not seem to have captivated the media with respectively 190, 196, 250 and 91 accreditations. Domestic interests also heavily influenced the number of journalists accredited: Greek journalists represented almost a third (73) of the 250 press accreditations for the Maastricht meeting in March 1981, as it was the first European Council meeting that the Greek government attended as a new EEC member state.<sup>69</sup>

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<sup>67</sup> CMA, HICA.H.CM2 CEE, CEEA.1975.125.1, Schwaiger to Seingry, 23 June 1975.

<sup>68</sup> CMA, HICA.H.CM2 CEE, CEEA.1975.125.1, Questions relatives à la presse à tenir en considération lors de la préparation de la réunion des Chefs de Gouvernement à Bruxelles, 22 May 1975

<sup>69</sup> CMA, HICA.H.CM2 CEE, CEEA.1981.1.1, Accréditation de presse, Conseil européen de Maastricht, mars 1981.



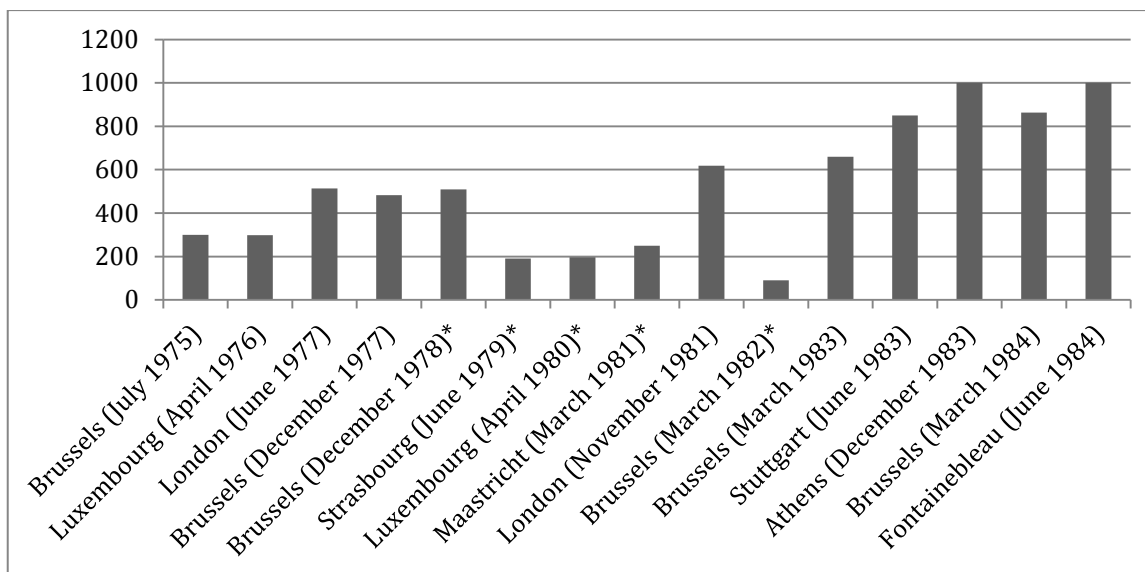


Figure 4 – Number of journalists accredited at some European Council meetings, 1975-1984<sup>70</sup>

Fourth, transnational civil society directed its attention and lobbying efforts more and more towards the European Council, and thereby contributed to reinforce heads of governments' meetings' public impact. Trade unions, business groups, consumer associations and even European federalists turned their attention to the European Council as a new major actor in the EEC machinery that they could not afford to overlook. It suffices to consult the European Commission's online audiovisual library to witness the many demonstrations that were aimed at head of governments' meetings ever since the European Council's inception.<sup>71</sup>

The European Trade Union Confederation (ETUC) seems to have been the fastest non-governmental actor to grasp the importance of European Council meetings. From 1975

<sup>70</sup> Based on the various calculations provided by the General Secretariat of the Council of Ministers. The five figures marked with an asterisk are the author's calculations based on the full list of the journalists' names provided by the Council (Brussels December 1978, Strasbourg June 1979, Luxembourg April 1980, Maastricht March 1981 and Brussels March 1982), while the remaining figures are those already calculated by the Council itself.

<sup>71</sup> See <http://ec.europa.eu/avservices/index.cfm?sitelang=en>, accessed 30 July 2014.

onwards, the ETUC president managed to organise a meeting with the then president of the European Council – that is, the head of government of the member state then presiding the EEC – right before the holding of a European Council meeting. The meeting usually took place in the morning preceding the first afternoon session. It was quite often the first element reported by the president of the European Council in opening the European Council session. The first meeting between the president of the European Council and the ETUC on the occasion of a European Council meeting took place in July 1975 in Brussels. On 6 July, Theo Rasschaert, secretary general of the ETUC, wrote to Aldo Moro in his quality of president of the European Council to ask “the European Council to receive a delegation of the European Confederation of Trade Unions on the occasion of its meeting on 16 and 17 July 1975, (...) in order to outline the common apprehensions and demands formulated in the name of the 37 million of workers that the ETUC represents in Europe.”<sup>72</sup> In considering its reply, the European Council administration contacted the permanent representatives and wondered who would exactly receive the delegation – the European Council as a whole, or only its president.<sup>73</sup> The ETUC request was finally accepted on 15 July, when it was agreed that the presidents of the European Council and the European Commission would receive a delegation of ETUC representatives on 17 July at 9 am.<sup>74</sup> This became a custom, as the ETUC itself

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<sup>72</sup> CMA, HICA.H.CM2 CEE, CEEA.1975.125.6, Rasschaert to Moro, 6 July 1975. My translation.

<sup>73</sup> CMA, HICA.H.CM2 CEE, CEEA.1975.125.6, Fricchione to Hommels, Demande d’audition d’une délégation de la Confédération européenne des syndicats au Conseil européen, 10 July 1975.

<sup>74</sup> CMA, HICA.H.CM2 CEE, CEEA.1975.125.6, Fricchione to Hommels, Rencontre entre les représentants de la Confédération européenne des syndicats et M. le président Moro, 15 July 1975.

noted in July 1976.<sup>75</sup> The president of the European Council used to report about his meeting in opening the session, as did for instance Callaghan in March 1977 in Rome.<sup>76</sup>

Business organisations and economic associations were no less reactive. The Union of Industrial and Employers' Confederations (known by its acronym UNICE after the French name Union des industries de la Communauté européenne, now BusinessEurope), the leading business lobby group, also regularly sent opinion papers to the European Council ahead of its meetings. This started as early as in 11 July 1975, when UNICE sent a brief on raw materials; it later took position on the Tindemans Report, for instance.<sup>77</sup> The European League for Economic Cooperation (ELEC) also turned its attention to summit meetings. In November 1976 for instance, it issued a "Resolution in view of the European Council of 29 and 30 November 1976" that set out its policy positions; in November 1981 about the "European revival"; or again in November 1983 focusing on the Community's own resources.<sup>78</sup>

Consumers associations also targeted the European Council. In November 1978, Anna Fransen, president of the Bureau Européen des Unions de Consommateurs (BEUC), consortium of consumer organisations of the EEC member states, wrote to German

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<sup>75</sup> CMA, HICA.H.CM2 CEE, CEEA.1976.2.5, Press communiqué of the ETUC, 13 July 1976.

<sup>76</sup> CMA, HICA.H.CM2 CEE, CEEA.1977.1.4, Procès-verbal de la session du Conseil européen tenue à Rome les 25 et 26 mars 1977, 12 April 1977

<sup>77</sup> See respectively CMA, HICA.H.CM2 CEE, CEEA.1975.125.6, Huvelin to Moro, Avis sur les matières premières, 11 July 1975 and CMA, HICA.H.CM2 CEE, CEEA.1976.1.6, UNICE, Press release, European Council 1-2 April 1976: Report of Mr. Tindemans on European Union, 26 March 1976.

<sup>78</sup> See respectively CMA, HICA.H.CM2 CEE, CEEA.1976.3.5, LECE, Résolution en vue du Conseil européen des 29 et 30 novembre 1976; CMA, HICA.H.CM2 CEE, CEEA.1981.3.4, UNICE Resolution in connection with the European Council, 26-27 November 1981; CMA, HICA.H.CM2 CEE, CEEA.1983.3.5, Recommendation of the European League for Economic Cooperation to the European Council in Athens, 15 November 1983.

Chancellor Helmut Schmidt in his capacity of “President of the European Council.”<sup>79</sup> She wrote that the BEUC “call[ed] on the Heads of Government to promote a Council meeting at ministerial level charged with discussing the guidelines for the Community’s future consumer policy, and the promotion of directives which really benefit consumers.” The rest of the letter detailed some measures in specific policy areas, agriculture and import controls/protectionism. But the most interesting aspect of this writing was the acknowledgement by the BEUC of the European Council’s capacity to steer policy change in the EEC.

Even the Union of European Federalists (UEF) – which could hardly be counted among the first supporters of the intergovernmental method – took the European Council very seriously. In 1976 the UEF organised a demonstration at the entrance of the Centre Européen Kirchberg in Luxembourg where the European Council meeting took place on 1 April 1976.<sup>80</sup> The UEF wanted to show its support of the decision to elect by direct universal suffrage the members of the European Parliament. In 1977 the UEF decided to organise a petition criticising EEC governments’ inaction, and calling them for renewed efforts towards European integration, especially in the EMU field. The UEF explicitly addressed the text to the European Council and sent it to Leo Tindemans, in his capacity of “President of the European Council.”<sup>81</sup>

Evaluating the results of such contacts would require delving into much more narrowly-confined case studies that go beyond the scope of this article. The point stands, however, that

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<sup>79</sup> CMA, HICA.H.CM2 CEE, CEEA.1978.3.7, Fransen to Schmidt, 29 November 1978.

<sup>80</sup> CMA, HICA.H.CM2 CEE, CEEA.1976.1.6, Letter of Angel and Wagner, Manifestation européenne publique à Luxembourg le 1er avril 1976, 9 March 1976.

<sup>81</sup> CMA, HICA.H.CM2 CEE, CEEA.1977.3.6, Chizzola (Secretary General of the UEF) to Tindemans, Pétition au Conseil européen, 5 December 1977.

if these organisations increasingly turned their attention towards the European Council in such a systematic fashion, this means that they considered regular EEC summits as meetings of prime importance. In return, this further highlights the centrality that the European Council acquired in the EEC institutional machinery. European Council members themselves attached much importance to these connections with societal actors. In the press conference at the end of the December 1977 European Council held in Brussels, Tindemans thus reported that he had met the ETUC and the UNICE before the beginning of the European Council, and stressed the importance of such contacts with representatives of social organisations.<sup>82</sup> The public impact was therefore a self-nurturing process: European Council meetings attracted media attention because of the presence of heads of governments, this attracted in turn more public scrutiny, interest groups' attention, which necessarily attracted even more media attention, and so on. This inevitably gave birth to creative endeavours, like that of the organisation Sail for Europe. This association "of Europeans who wish to promote the Community-idea through sailing" wrote to the European Council in March 1977. The association was seeking encouragement from heads of government for its next project, namely, the organisation of a " 'European' entry in the next 'around the world' sailing race."<sup>83</sup> The name of the boat was *Treaty of Rome*, and it was meant to symbolise "a European Community which is on the move." Set aside an indisputable talent for picking up the perfectly uncontrollable metaphor, this episode further highlighted the importance the European Council had taken in the wider public's imagery as the EEC institution most capable of representing European integration. But the European Council not only contributed to represent the process of European integration, it also gave substantial input in the democratic legitimacy debate in European integration, as the next section will show.

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<sup>82</sup> CMA, HICA.H.CM2 CEE, CEEA.1977.3.3, European Council, 6 December 1977, press conference.

<sup>83</sup> CMA, HICA.H.CM2 CEE, CEEA.1977.1.6, Sail for Europe to Callaghan, 25 March 1977.

## Legitimising European integration

The issue of democratic legitimacy in the EEC provided a window of opportunity for the European Council to become a central institution of Europe's governance. The legitimacy issue in European integration has given rise to a wide debate in political science.<sup>84</sup> The Lisbon Treaty, the onset of the global financial crisis in 2008, and the subsequent Eurozone crisis in 2009 induced multiple reforms at EU level that further revived this debate.<sup>85</sup> The 2014 European Parliament elections, the appointment process of the new Commission's president, and the question of the European Central Bank's (ECB) accountability are chief examples of this.<sup>86</sup> In analysing the EU's democratic legitimacy, Peter Lindseth argues that there is a

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<sup>84</sup> For a recent overview, taking into account a longer time-span, see Claudia Schrag Sternberg, *The Struggle for EU Legitimacy: Public Contestation, 1950-2005* (Basingstoke: Palgrave Macmillan, 2013). See also Andrew Moravcsik, 'Reassessing Legitimacy in the European Union', *JCMS: Journal of Common Market Studies*, 40, 4 (2002), 603–624; Andreas Follesdal and Simon Hix, 'Why There Is a Democratic Deficit in the EU: A Response to Majone and Moravcsik', *JCMS: Journal of Common Market Studies*, 44, 3 (2006), 533–562; Vivien A. Schmidt, 'Democracy and Legitimacy in the European Union Revisited: Input, Output and 'Throughput'', *Political Studies*, 61, 1 (2013), 2–22; Giandomenico Majone, 'Europe's 'Democratic Deficit': The Question of Standards', *European Law Journal*, 4, 1 (1998), 5–28; Fritz Wilhelm Scharpf, *Governing in Europe Effective and Democratic?* (Oxford; New York: Oxford University Press, 1999); Myrto Tsakatika, 'Governance vs. Politics: The European Union's Constitutive 'democratic deficit'', *Journal of European Public Policy*, 14, 6 (2007), 867–885. For a historical perspective on the concept, see Martin Conway and Peter Romijn, 'Introduction', *Contemporary European History*, 13, 04 (2004), 377–388.

<sup>85</sup> On the post-2008 analysis, see in particular a special issue of the JCMS: Michael Blauberger, Sonja Puntischer Riekmann and Doris Wydra, eds., 'Symposium: Conventional Wisdoms Under Challenge - Reviewing the EU's Democratic Deficit in Times of Crisis', *JCMS: Journal of Common Market Studies*, 52, 6 (2014).

<sup>86</sup> A recent discussion of these issues can be found in Antoine Vauchez, *Démocratiser l'Europe* (Paris: Seuil, 2014).

“seeming disconnect between supranational regulatory power on the one hand, and national democratic and constitutional legitimacy on the other.”<sup>87</sup> Lindseth explains that a number of mechanisms attempt at bridging this gap. The European Council, albeit Lindseth does not develop extensively this point, arguably represents one such. The European Council accomplished this in two different ways. First, the European Council was an attempt at bringing some coherence to the two dimensions of European integration, that is, Community and intergovernmental affairs; second, the European Council’s two central functions – arbitration and orientation – were not necessarily about actually controlling supranational developments, but also about legitimising them.

As mentioned above, the European Council was a hybrid institution active in two areas: Community affairs (the Treaties of Rome) and intergovernmental affairs (political cooperation, among which EPC). The European Council represented an attempt at making more coherent European cooperation processes, as the 1974 Paris summit communiqué made plain. This is indeed a reason why many actors who could have been opponents to the European Council in fact supported this institution. The European Commission and the smaller member states were, for instance, in this case.<sup>88</sup> Because of the European Council’s capacity to launch new projects, European Council members saw themselves as part of a potential European government. This point was very clearly articulated by Giscard, Schmidt

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<sup>87</sup> Peter L. Lindseth, *Power and Legitimacy: Reconciling Europe and the Nation-State* (Oxford; New York, N.Y.: Oxford University Press, 2010), 12.

<sup>88</sup> See the European Union Report of 1975, produced by the European Commission, and the Tindemans Report of 1976, written by Belgian prime minister Leo Tindemans.

and Wilson as early as in July 1975.<sup>89</sup> Finally, if we consider that the European Council was part of an attempt at making the overall EEC/EU institutional structure more understandable to European citizens, it could also be argued that it contributed to an improvement of the democratic legitimacy of the whole system.<sup>90</sup>

Besides this attempt at improving the coherence between the various strands of European cooperation, European Council meetings represented an effort, although in a modest fashion, to get European governance closer to European citizens; or at least to increase public scrutiny over European governance, as the next section will show. After a few years of functioning, some leaders noted that the meetings always took place in the capitals, and therefore endeavoured to gather outside of these classic venues. At the end of the European Council meeting held in Brussels in December 1977, “All the heads of government had agreed that (...) [they] should not meet in capitals, but in secluded venues, with no teams of officials present.”<sup>91</sup> True, part of the motivation of this move was to try to return to the informal fireside chat that these meetings were originally meant to be. The European Council meeting held in Fontainebleau in 1984 clearly falls into that category, which recalls the Rambouillet G7 1975 template. But it was also a way for the EEC heads of government’s meetings to avoid being only perceived as a top-level gathering not interested in economic realities beyond official capitals. And indeed the meetings that were not held in capitals, were not held – Fontainebleau apart, surrounded by a forest and with only around 15000 inhabitants – in what could be described as “secluded venues”: Bremen (1978), Strasbourg (1979), Venice

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<sup>89</sup> Bundesarchiv Koblenz (hereafter BAK), B136/17144, Note of Schmidt, EG-institutionelle Ergebnisse meiner Vier-Augen- Gespräche mit Premierminister Wilson und Staatspräsident Giscard d’Estaing am 24. Juli bzw. 26. Juli 1975, 27 July 1975.

<sup>90</sup> Werts, *The European Council*, 1992, 192.

<sup>91</sup> TNA, PREM16/1640, Discussion between heads of government after dinner on 5 December 1977.



(1980), Maastricht (1981), Stuttgart (1983), Milan (1985) and The Hague (1976, 1986). The effectiveness of such a strategy may be open to debate, but the effort was clear, and not negligible overall, as figure 4 shows.

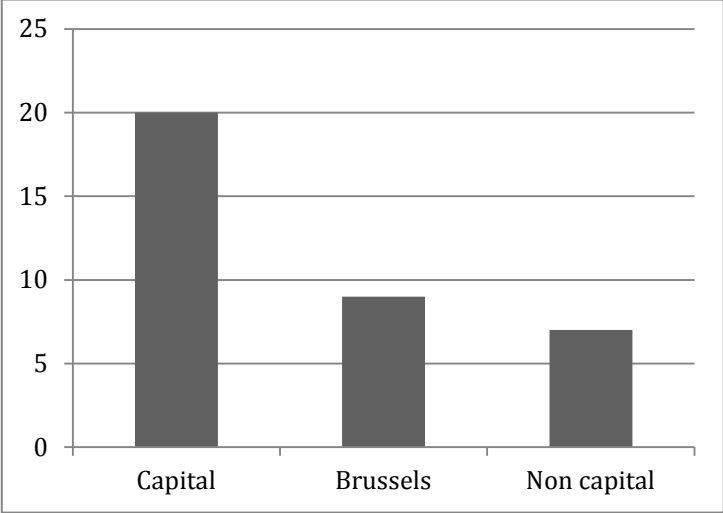


Figure 5 – Number of European Council meetings held in capitals, non-capitals and in Brussels, 1975-1986<sup>92</sup>

Finally, as the previous section made plain, the European Council contributed to trigger greater media attention and greater involvement of civil society in the integration process. In that sense, the fact that the European Council predominantly talked about macroeconomic issues played a major role, since it was a way to legitimise coordination at a European level in order to overcome the different economic difficulties. The European Council contributed to the existence and liveliness of debates about economic convergence and monetary stability, to name but a few, by bringing to the agenda regular discussions on these matters. This was an important move, as it was instrumental in increasing the politicisation of the integration process, and in balancing the power of independent institutions such as the European

<sup>92</sup> A distinction is made here between Brussels understood as the capital of Belgium (EEC member state) and Brussels as the EEC capital (author’s calculations).

Commission and the European Court of Justice.<sup>93</sup> In short, the media salience of the European Council increased the level of scrutiny directed at the European level of decision-making.

In discussing the disconnect between supranational integration and constitutional/democratic legitimacy, Lindseth makes an important distinction between control – a power to influence a specific policy direction – and legitimation – an oversight mechanism, a democratic connection.<sup>94</sup> Interestingly the two key functions of the European Council, orientation and arbitration, were more about legitimation than control. The European Council provided an oversight mechanism run by EEC heads of government, rather than a direct control exercised by member states' chief executives. The European Council's arbitration function refers to its capacity to act as an EEC referee able to settle a dispute which could not be resolved at another institutional level. The British renegotiation settled at the European Council in Dublin in March 1975, the 1978 EMS negotiations, and the British budgetary dispute at the European Council in Fontainebleau in 1984 can count among the most prominent examples.

Admittedly, part of the arbitration function was indeed about controlling the eventual outcome of the last stages in a given negotiation. But it was also believed that the highest political authorities could more effectively – and more legitimately – settle disputes which had not been resolved elsewhere.<sup>95</sup> Heads of government were perhaps less inclined than individual ministers to be dominated by sectorial interests. Agriculture or finance ministers

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<sup>93</sup> For a wider discussion on the role of independent institutions in European integration, see Vauchez, *Démocratiser l'Europe*.

<sup>94</sup> Lindseth, *Power and Legitimacy*, 21-22.

<sup>95</sup> It should also be noted that part of the European Council's own legitimacy in the EEC institutional set-up comes from the fact that it always respected the Treaties of Rome. Without any doubt, this explains why smaller member states and the European Commission never really opposed the emergence of the European Council in the 1970s and 1980s.

were and are frequently accused of being influenced by various lobbies. Again, this is not to say that heads of governments were perfectly neutral; rather, it is to highlight that their involvement was seen, from the mid-1970s, as a useful improvement of the EEC decision-making process since prime ministers could take a more global, comprehensive view over specific issues. This was even more so the case since foreign ministers, who had previously been expected to perform this generalist role through the Council, could no longer perform it effectively because of the ever higher technicality of the issues at stake in Brussels. The EMS negotiations highlighted this point very well, since the both the general affairs Council and the finance council had been unable to reach an agreement. Heads of government were able, to a certain extent, to hold in balance different national concerns and interests in a way that sectoral ministers could not.

The European Council's orientation function, as explained in more detail above, refers to its capacity to provide overall guidance to the endeavours of the EEC. One of the reasons explaining the creation of the European Council was the widespread perception of a lack of leadership in the EEC – a “leaderless Europe” as Hayward put it much later<sup>96</sup> – and more importantly the lack of a long-term political view. Chief executives would be able to bring this general guidance, instead of leaving this only and solely in the hands of the Commission. This function could already be seen at The Hague (ad hoc) summit of 1969 for instance, which advanced the idea of “widening, deepening and enlargement”, and identified a number of new policy areas to be developed. The creation of the European Council showed the willingness of the EEC's chief executives to regularise this state of affairs.

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<sup>96</sup> Jack E. S. Hayward, *Leaderless Europe* (Oxford; New York: Oxford University Press, 2008).

These attempts at bridging the “democratic disconnect” did not prevent the European Council from suffering severe criticisms. Was a summit to reach a significant result, the decision taken could be criticised as undemocratic/illegitimate. This was for instance a criticism voiced after the creation of the EMS in 1978. During the Brussels European Council, Callaghan started out his intervention by carefully noting that, in order to respect the powers of the British Parliament, he would ask to replace the sentence “the European Council decided” by “agreed as follows.”<sup>97</sup> An earlier Cabinet meeting, on 26 October, had raised similar questions about the role of the European Council: “The procedure by which the EMS proposal had been developed also deserved discussion. It had originated in a Franco/German initiative and there seemed to have been a commitment in principle at the European Council. This raised questions both of collective Cabinet responsibility and of the role of the European Council under the Rome Treaty. The constitutional implications of any limitation on the Government’s freedom to decide its exchange rate policy would also need to be considered.”<sup>98</sup> The legitimacy and the democratic character of the European Council’s procedures were thus called into question. Conversely, were a summit not to reach any particular decision, it would be seen as a failure. The absence of decision taken would then nurture the feeling of an impotence of political leaders, thereby calling into question the legitimacy, if not the usefulness, of their regular meetings. Overall therefore, decisions and absence of decisions could potentially call into question the legitimacy of the European Council’s efforts – and nurture the argument about the EEC’s democratic deficit.

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<sup>97</sup> Centre des Archives diplomatiques de Nantes (hereafter CADN), Représentation permanente de la France auprès de la CEE (hereafter RPCEE), 1167, PV (Conseil) de la session du Conseil européen tenue à Bruxelles les 4 et 5 décembre 1978.

<sup>98</sup> TNA, CAB/128/64/16, 26 October 1978, 4.

The French constitutional court provided interesting reflections as to the European Council's role in the EEC polity. In 1978, a number of French MPs argued that a treaty signed without having respected the French Fifth Republic's constitution had instituted the EMS. In a decision on 29 December, the French *Conseil constitutionnel* stated that the European Council does not take "decisions" but reaches political agreements. The *Conseil constitutionnel* explained that

"by a resolution on 5 December 1978, the European Council has planned for the creation of the European monetary system (...) and has outlined its broad orientations; this resolution constitutes a declaration of a political character and not (...) a treaty of an international agreement having by itself legal effect. (...) following this resolution it is the responsibility of the European Economic Community and, should the case arise, the national authorities to take the necessary measures to the establishment of a new European monetary system within the framework of their respective competencies and according to the appropriate rules."<sup>99</sup>

In other words, the European Council took only an orientation, not a decision. The decision legally fell under the responsibility of other institutions, in that case, the Council of Ministers and the Committee of Governors.

The European Council's activity was hence not so much about actually controlling supranational developments. It was rather an attempt at using the heads of government's legitimacy in order to act as a referee (arbitration) and to provide overall guidance to the development of European integration (orientation). European Council meetings not only contributed to increase the level of public interest in the European integration process; they also represented an attempt at reconciling supranational integration and the intergovernmental method.

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<sup>99</sup> Conseil constitutionnel, Décision n°78-99 DC du 29 décembre 1978, <http://www.conseil-constitutionnel.fr/conseil-constitutionnel/francais/les-decisions/acces-par-date/decisions-depuis-1959/1978/78-99-dc/decision-n-78-99-dc-du-29-decembre-1978.7697.html>, accessed 15 August 2014. My translation.

## Conclusions

The emergence of the European Council from 1975 to 1986 is a good illustration of how ever more complex policy-making in the EEC polity had become. Not only had a new central institutional actor emerged, but also the traditional dichotomies – intergovernmental vs. transnational/supranational; Community vs. political cooperation – became increasingly blurred.<sup>100</sup> The European Council's lack of a formal codified constitution, in the continental European sense, proved a source of strength for its institutional development in this context. It allowed the European Council to smoothly and rapidly establish itself as an indispensable EEC institution, well before its formal consecration by the Lisbon Treaty in 2007. Being a hybrid institution, the European Council contributed to overcome the classic – but largely artificial – dichotomy between supranational integration and intergovernmental bargaining. The European Council embodied the increasing interconnections between Community and intergovernmental affairs. Luuk van Middelaar called this the “intermediate sphere” in his recent history of European integration.<sup>101</sup> In a 2010 speech, German chancellor Angela Merkel referred to the intertwining of the supranational and intergovernmental method as the “Union method.”<sup>102</sup> This method, according to the German Chancellor, is “a combination of the community method and coordinated action by member states,” that is, an

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<sup>100</sup> On the specific case of EPC see Jakob C. Øhrgaard, 'Less than Supranational, More than Intergovernmental': European Political Cooperation and the Dynamics of Intergovernmental Integration', *Millennium - Journal of International Studies*, 26, 1 (1997), 1–29.

<sup>101</sup> Luuk van Middelaar, *The Passage to Europe: How a Continent Became a Union* (New Haven and London: Yale University Press, 2013), 18-24.

<sup>102</sup> Speech of Angela Merkel at the College of Europe, 2 November 2010, available online at <http://www.coleurope.eu/template.asp?pagenam=speeches>, accessed 16 June 2015.

intergovernmental method. In “consider[ing] it essential to ensure progress and overall consistency in the activities of the Communities and in the work on political co-operation,” the EEC heads of government gathered in Paris in December 1974 called for something very similar. Being situated at the crossroads of Community affairs and political cooperation, the European Council did (does) not fit so easily into the intergovernmental box, as it had complex interconnections, and influences, over the supranational integration process and transnational non-governmental actors, as this article has shown.

This certainly constitutes a challenge to the international historian. It further confirms the need for a multilingual, multi-archival research. Methodologically, it calls for a greater consideration of macroeconomic issues.<sup>103</sup> The European Council, as much as the G7 for the West, represented an attempt at coordinating macroeconomic policies in the EEC, and this international political economy dimension deserves to be scrutinised more closely, not least due to its longer-term economic, political and societal impact. It finally stresses the need for a reconciled, qualified interpretation not only of the role of the European Council itself in European integration, but also of the interplay between intergovernmental, supranational and transnational actors at work in European cooperation processes, rather than their isolated, compartmentalised, study.

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<sup>103</sup> For a recent reflection on the state of the historiography in this respect see Laurence Badel, 'Milieux économiques et relations internationales: bilan et perspectives de la recherche au début du XXI<sup>e</sup> siècle', *Relations internationales*, 157, 2 (2014), 3–23.