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KATJA SEIDEL

## SUPRANATIONAL IDEALS AND PRAGMATIC CHOICES

The High Authority of the European Coal and Steel Community, 1952–1955

The creation of the European Coal and Steel Community (ECSC) triggered the supranational integration of Europe. For the first time, European nation states partly renounced national sovereignty by transferring responsibilities for the coal and steel sector, a restricted but vital part of these countries' economies, to this new European organisation. The treaty establishing the ECSC was signed on 18 April 1951 by the governments of Belgium, France, Germany, Italy, Luxembourg and the Netherlands. The institutional framework of the ECSC laid down in the treaty, was based on four pillars: the European Court of Justice, the Common Assembly, the Special Council of Ministers and the High Authority. The High Authority had executive-type functions. Its main task, after its inception on 10 August 1952, was to set up and manage a common market for coal and steel in which neither of the industries or governments of member states would receive preferential treatment nor be discriminated against. Moreover, it was to watch over the implementation of the ECSC treaty and have decision-making powers of its own. High Authority decisions were binding in the member states (Article 14, ECSC treaty). The institution was authorised to impose fines for non-compliance with the treaty or High Authority decisions and it could request and obtain information from enterprises in the member states (Article 47). It had its own resources from levies on coal and steel production and was entitled to negotiate loans (Article 49). Finally, the High Authority maintained relations with international organisations such as the United Nations and the Organisation for European Economic Cooperation on behalf of the Community (Article 93).

These are powers and competencies that go far beyond what one would normally find in an international organisation. In their history of the High Authority, Dirk Spierenburg and Raymond Poidevin explain that »new ways had to be found [for establishing relations with member state governments, K.S.] because the High Authority was not an international organisation external to the member states. It represented the merging of their sovereignties in its particular field ...«<sup>1</sup>. It emerges from this that the drafters of the ECSC treaty had thought of the High Authority as an institution of a new kind. Neither an international organisation nor a national administration, it was a hybrid between both models: a supranational organisation, or even, as many thought, »Europe's first government«<sup>2</sup>.

1 Dirk SPIERENBURG, Raymond POIDEVIN, *The History of the High Authority of the European Coal and Steel Community: Supranationality in Operation*, London 1994, p. 47.

2 François DUCHÊNE, Jean Monnet. *The First Statesman of Interdependence*, New York, London 1994, p. 235.

According to German sociologist M. Rainer Lepsius the ideological foundation of an institution is based on ›central ideas‹<sup>3</sup>. Consequently, central ideas influence the structure of an institution, and/or structure behaviour in the institutional context. In this article, ›supranationality‹ as the central idea is at the centre of the analysis of the High Authority. Supranationality was part of the High Authority's self-understanding. With the Schuman Plan and the ECSC treaty, the term ›supranational‹ entered the debates about European integration. Article 9 (ECSC treaty) defined the duties of the High Authority as ›supranational‹. Some of the latter's institutional features stipulated in the treaty were declared as being the gateway to supranationality. These were, for instance, the number of High Authority members (nine) which did not correspond to the number of member states (six) or the absence of a rule of unanimity for the decisions taken by the college of High Authority members<sup>4</sup>. Not least, it was thought that a higher degree of supranationality would soon be attained through the *esprit d'équipe* that would inevitably develop between individuals who collaborated in the High Authority and who were »attelés ensemble à la même tâche pour créer véritablement ce sens supranational qui est le fondement du Traité«<sup>5</sup>. Living up to the supranational principle was considered necessary, not least because the ECSC was seen by many as a first step towards the construction of a united Europe. Hence, it had to be a success from the start<sup>6</sup>. No doubt, Jean Monnet, the first president of the High Authority, had conceived the first European administration as a supranational organisation<sup>7</sup>. During his presidency, he and his colleagues sought to build an administration that could meet this principle.

The assumption that supranationality was the central idea of the High Authority and therefore the underlying norm for setting up the organisation, defining working methods and recruiting staff will be tested against the administrative reality in Luxembourg. This article investigates in what way the ideal of supranationality influenced the choices that were made in these three fields of analysis and where the High Authority had to make concessions and deviate from the central idea of supranationality. It is likely, for example, that the High Authority members came under pressure from member state governments and non-governmental interest groups when

3 M. Rainer LEPSIUS, *Institutionenanalyse und Institutionenpolitik*, in: Birgitta NEDELMANN (ed.), *Politische Institutionen im Wandel*, Opladen 1995 (Kölner Zeitschrift für Soziologie und Sozialpsychologie, Sonderheft 35), p. 392–403, p. 394.

4 European Commission, Historical Archives, Brussels (ECHA), CEAB 2 34, République française, ministère des Affaires étrangères, *Rapport de la délégation française sur le traité instituant la Communauté européenne du charbon et de l'acier et la Convention relative aux dispositions transitoires signés à Paris le 18 avril 1951*, Paris, octobre 1951. Confusingly, High Authority can stand for both the institution and the nine members of the High Authority. To distinguish between the two, I use the terms »members« or »college« in addition to High Authority when discussing the nine members.

5 Ibid, p. 21. For the concept of supranationality, see also the study of Anne BOERGER, *Aux origines de l'Union européenne: la genèse des institutions communautaires (CECA, CED, CEE et Euratom). Un équilibre fragile entre l'idéal européen et les intérêts nationaux*, thèse, Liège 1996.

6 Archives nationales, Paris (ANP), archives du commissariat du Plan (81 AJ), 160, Note E. Hirsch, *Réflexions sur l'organisation de la Haute Autorité*, undated.

7 For Jean Monnet see for example DUCHÊNE, Monnet (as in n. 2); Jean MONNET, *Mémoires*, Paris 1976.

setting up this European administration. The time frame of this article is restricted to the founding years of the High Authority. The early years of an institution are regarded as crucial. Once in place, administrative structures, working methods but also core values of the organisation are difficult to modify. Core features of the High Authority were established in the early years, but created long-term path dependencies, defining corridors for the future evolution of the administration. Consequently, for the High Authority, the core period explored is the presidency of Monnet (1952–1955).

### The administrative organisation of the High Authority

The High Authority was headed by a college of nine »independent individuals«, chosen with regard to their general competencies (Article 9) of which eight were nominated by the governments of the member states and one was co-opted, thus emphasizing the supranational character of the High Authority. In addition to Monnet, the members appointed were the Frenchman Léon Daum; the Belgians Albert Coppé (vice-president) and Paul Finet (co-opted member); the Germans Franz Etzel (vice-president) and Heinz Potthoff, the Dutch Dirk Spiereburg; the Italian Enzo Giaccherio and Albert Wehrer from Luxembourg. The members' term of office was six years, with one third of the members to be renewed every two years (Article 10). The ECSC treaty did not contain clear-cut instructions for setting up the High Authority administration, nor did it prescribe the status and number of personnel the High Authority members would appoint. In very broad terms, the treaty stated that the »High Authority shall make all appropriate administrative arrangements for the operation of its departments« (Article 16). It also stipulated that the tasks of the Community institutions should be carried out with a »minimum of administrative machinery« (Article 5). The treaty assigned the president a strong role in administrative matters (Article 16). Regarding the administration, therefore, the members of the High Authority, and the president in particular, were given great autonomy.

Monnet's conceptions of the High Authority's administration were both vague and precise. It is worthwhile taking them into account for he had a vital influence on shaping the High Authority administration. Monnet was, on the one hand, convinced of the crucial importance of institutions as regulators in the relations between states<sup>8</sup>. Contrary to people, who come and go, he considered institutions a factor of stability where experiences and knowledge are accumulated<sup>9</sup>. On the other hand, he was very cautious when it came to establishing rigid and thus possibly irrevocable structures in the High Authority. Similarly, the importance he attributed institutions did not result in a penchant for large and bureaucratic machineries. A model he favoured was, for instance, the Tennessee Valley Authority in the USA, an independent expert based administration setup in 1933<sup>10</sup>. Monnet had introduced a similar

8 MONNET, *Mémoires* (as in n. 7), p. 360.

9 *Ibid.*, p. 449.

10 Cf. *ibid.*, p. 327. On the TVA see David EKBLADH, »Mr. TVA«: Grass-Roots Development, David Lilienthal, and the Rise and Fall of the Tennessee Valley Authority as a Symbol for U.S. Overseas Development, 1933–1973, in: *Diplomatic History* 26 (2002) 3, p. 335–74.

structure at the French Planning Commission, or Plan, which he founded in 1946 to revive and modernise the French post-war economy and which he headed until 1952<sup>11</sup>. For Monnet, the Plan was the proof that an efficient administrative body did not necessarily have to be large<sup>12</sup>. He preferred a small and flexible *administration de mission*. In his memoirs, Monnet explained how he expected the High Authority to work: »Il suffirait de quelques centaines de fonctionnaires européens pour mettre au travail des milliers d'experts nationaux et faire servir aux missions du traité les puissantes machineries des entreprises et des États«<sup>13</sup>. The High Authority should not rival national administrations but collaborate closely with them as well as with industries, interest groups and experts. A small homogeneous team, filled with »European spirit« and capable of adapting to the respective problems and tasks would suffice<sup>14</sup>. They should be supported by a small number of departments, as decreed by the treaty (Article 5), to assist them in their job.

These concepts did not remain unchallenged. A meeting between Monnet and Franz Etzel, future vice-president of the High Authority and then a prominent Christian democrat and member of the German Bundestag, in July 1952 illustrates the clashing views between Monnet and member state governments. The latter were eager to see rigid structures introduced to the High Authority from the outset; structures which they could, ideally, influence. Monnet explained, however, that prematurely introducing rigid organisational structures would not be appropriate for the High Authority, given the novelty of the tasks it had to fulfil. On the contrary, the organisation of the High Authority should be gradually adapted to the experiences gained<sup>15</sup>. Hence, Monnet did not accept the proposals and the organisational scheme forwarded by Etzel in the name of the German government, thus preserving the High Authority's independence to decide on these matters<sup>16</sup>. In a similar vein, he opposed the idea of having a permanent German »mission« established in Luxembourg, something the German government envisaged. Monnet thought the High Authority as a supranational organisation should be enabled to communicate directly with governments of the member states<sup>17</sup>. Other member governments such as the Dutch

11 MONNET, *Mémoires* (as in n. 7), p. 285–292. The French Planning Commission was responsible for setting up and implementing the Plan de modernisation et d'équipement de l'Union française, the French national programme for modernization and reconstruction. This is often referred to as Monnet Plan or French Plan. On the French Planning Commission see Philippe MIOCHE, *Le plan Monnet. Genèse et élaboration, 1941–1947*, Paris 1987 and Id., Bernard CAZES (ed.), *Modernisation et décadence: études, témoignages et documents sur la planification française*, Aix-en-Provence 1990.

12 MIOCHE, *ibid.*, p. 75–76.

13 MONNET, *Mémoires* (as in n. 7), p. 436.

14 ECHA, BAC 233/1980 33, Erwägungen über die Organisation der Hohen Behörde, no author, undated [1952].

15 *Ibid.*, Aide-Mémoire über die Besprechung mit Herrn Etzel, Zeitplan über die Inkraftsetzung des Schuman-Plans, 16 July 1952.

16 For a similar incident one month later see ECHA, CEAB 3 37, Duits Voorstel [rest illegible], 4 August 1952, p. 8–17. The participants at this meeting were: Jean Monnet, Léon Daum, Pierre Uri, Jacques van Helmont, Étienne Hirsch, Heinz Potthoff, Ulrich Sahn, Franz Etzel, Max Kohnstamm and Richard A. Hamburger.

17 ECHA, BAC 233/1980 33, Aufzeichnung über die Besprechung bei Herrn Monnet in Paris am 4. August 1952, p. 2.

had also reflected about the High Authority administration. The so-called Spierenburg report of February 1952, drafted by Dirk Spierenburg, a high official in the Dutch ministry of economics, leader of the Dutch negotiation delegation and future member of the High Authority, urged that the problem of the internal organisation of the ECSC institutions should be tackled before the members took up office in order to guarantee a smooth start<sup>18</sup>. Monnet did not take up this suggestion either. From these preliminary discussions one can derive that Monnet had very precise ideas regarding the role, the independence and the supranational character of the first European administration. At least initially, he succeeded in defending them.

Faithful to Monnet's initial strategy of maintaining the administrative apparatus small and the hierarchies flat, the nine High Authority members and their collaborators attempted to organise the administrative services according to functional principles. A first draft organisational scheme, drafted by a group of high officials, the so-called «Comité de démarrage», envisaged the creation of only four to five large divisions plus a Secretariat<sup>19</sup>. The proposal was rejected by the High Authority, not least because this would not provide a national of each member state with the leadership of a division. More organisational schemes circulated in the High Authority in August and September 1952. It was the proposal of 25 September, drafted by Pierre Uri, a close collaborator of Monnet at the French Plan, which formed the basis of the organisation as it contained the main divisions and services that were created a week later<sup>20</sup>. In its 14<sup>th</sup> meeting, the High Authority thus decided to set up twelve divisions and services: Economics, Production, Investments, Market, Social Affairs, Transport Service, Statistics Service, Legal Service, Financial Affairs Service, Internal Affairs Service, Interpretation and Translation Service and a Secretariat<sup>21</sup>. In an interview, Uri bemoaned that the first organisational chart had been rejected for reasons of nationality, thus deviating from the ideal of supranationality: «Nous [the Comité de démarrage, K. S.] voulions un nombre limité de directions, mais la Haute Autorité, elle, se battait sur l'attribution des pays et des individus, de telle sorte qu'elle a créé plus de directions que prévu»<sup>22</sup>. The minutes of the High Authority's meetings do not reveal these quarrels about the organisational structure. It is likely that the members discussed these questions informally, not least because Monnet thought it important to uphold the unity of the college, at least towards the outside.

18 ECHA, BAC 233/1980 33, Vorbereitung einiger formeller und organisatorischer Fragen betreffend die Einsetzung der Organe der Europäischen Gemeinschaft für Kohle und Stahl, [no author, »Bericht [Report] Spierenburg« added in handwriting to the document], 19 February 1952, p. 31–39. See Yves CONRAD, *Jean Monnet et les débuts de la fonction publique européenne. La haute autorité de la CECA (1952–1953)*, Louvain-la-Neuve 1989, p. 52, for projects of the Belgian government and the Belgian coal industry.

19 Fondation Jean Monnet pour l'Europe, Lausanne (FJM), Personal Papers of Jean Monnet, AMH 3/1/7, Note sur l'organisation de la Haute Autorité, annotations manuscrites de J. M. Corrections manuscrites de P. Uri, undated.

20 FJM, AMH 3/3/14, P. Uri, Note sur l'organisation initiale du travail et des services, 25 September 1952.

21 ECHA, CEAB 2 713, Procès-verbal (PV) of the High Authority, 1<sup>st</sup> October 1952, (pt. 3), p. 68–69.

22 Historical Archives of the European Union, Florence (HAEU), DEP PU 204, Entretien Pierre Uri-Eric Westphal, Paris, 14 February 1966, p. 4.

The High Authority took a fundamental decision in not dividing the administration in coal and steel departments. This was contrary to the opinion of coal and steel experts in the High Authority such as the Belgian François Vinck who argued that the sectors were structurally too different to treat them in the same divisions<sup>23</sup>. In a speech addressed to the organisational committee of the Parliamentary Assembly, Monnet explained this decision: »Si nous avons divisé notre administration en charbon et acier, inévitablement, quoique la Haute Autorité ait pu faire, les voies auraient été différentes et naturellement l'objet fondamental de créer un marché commun aurait été mis en péril«<sup>24</sup>. Effectively, not separating coal and steel had already been envisaged by Monnet before the High Authority took up office<sup>25</sup>. It can be seen as a political move, as blazing a trail for the common market with the possibility of extending it to other sectors of the economy and was thus in conformity with the supranational ideal.

The principle of multiple leadership was another innovative organisational feature. Responsibility for a service was often not assigned to one person but to two or even three individuals of different nationalities. Monnet explained that the traditional form of one director heading one division would not have been an appropriate solution for the High Authority where a »balanced judgement« of decisions was particularly important<sup>26</sup>. This formula implies that multiple leadership was a shield protecting against accusations that the decisions of the High Authority were biased. Maintaining a high degree of independence necessitated extraordinary measures. Also, the president explicitly wanted to boost the team spirit among the officials by attributing the leadership of a division to individuals with different national backgrounds. Especially the »Franco-German couples« were important to Monnet. His »special relationship« with vice-president Etzel was thus reflected, at the administrative level, by the pairs Uri and his deputy Rudolf Regul in the Economics Division, in the Legal Service by Michel Gaudet and Robert Krawielicki and in Transport by Roger Hutter and Werner Klaer<sup>27</sup>. The Market Division was headed by the German Hermann Dehnen, the Belgian Vinck and Tony Rollman from Luxembourg. Multiple leadership did not survive the administrative reform of 1959/60, however, when the twelve divisions were merged into seven Directorates-General (DG), each headed by one director-general<sup>28</sup>. The reform was essentially a realignment of the High Authority's administrative structure and hierarchy with that of the Commission of

23 FJM, AMH 3/3/29, Note pour Monsieur le président, 19 septembre 1952.

24 FJM, AMH 3/3/23, Exposé de M. Jean Monnet, Président de la Haute Autorité, devant la commission d'organisation [de l'Assemblée commune] de la Communauté européenne du charbon et de l'acier, 18 novembre 1952.

25 Politisches Archiv des Auswärtigen Amtes, Berlin (PAAA), Abtlg. 2, Sekretariat für Fragen des Schuman-Plans, Bd. 186, Bl. 73–77, [Monnet], Aufzeichnung über die Organisation der Hohen Behörde, 16. Juli 1952.

26 FJM, AMH 3/3/23, Exposé de M. Jean Monnet, Président de la Haute Autorité, devant la commission d'organisation [de l'assemblée commune] de la Communauté européenne du charbon et de l'acier, 18 novembre 1952.

27 MONNET, Mémoires (as in n. 7), p. 450–451.

28 ECHA, CEAB 2 588, Communiqué, 24 novembre 1959, p. 1–3. For the reform cf. SPIERENBURG, POIDEVIN, High Authority (as in n. 1), p. 479–486.

the European Economic Community (EEC) in Brussels. It can also be seen as a normalisation: there was no need anymore for multiple leadership to demonstrate the impartiality of the High Authority.

### Controlled chaos? Working methods in the High Authority

»Constitué sous forme de collège par le Traité [...] et dotée par celui-ci de responsabilités et de pouvoirs supranationaux, la Haute Autorité a dû se former une méthode de travail originale«<sup>29</sup>. This note on organisational problems, dating from November 1952, suggests that, as a consequence of its supranational character, the High Authority had to develop an original working method. When looking at the archival records, however, one gets the impression that the working methods of the early High Authority were mainly a response to original difficulties. The members of the High Authority had to maintain the principle of collegiality and the non-hierarchical structure of the administration had led to a situation where directorates and services existed side by side »dépourvus de direction commune autre que celle de la Haute Autorité elle-même«<sup>30</sup>. Finally, and not least of the difficulties, was Monnet's reluctance to introduce stable administrative structures. All these problems had to be incorporated in an »original working method«.

One of the main characteristics of the launching period was Monnet's personal leadership. For instance, he had a preference for frequent meetings with his colleagues and leading officials whom he would summon whenever he deemed it necessary – regardless of the time of the day, whether it was a holiday or a weekend<sup>31</sup>. This leadership style may have been appropriate at the very beginning, when a constant exchange of ideas and a high degree of inventiveness were necessary to set up the organisation and to establish the common coal and steel market, but it could not be a permanent solution. Officials soon felt overworked, in particular those working in Monnet's entourage. Similarly, the meetings of the High Authority were randomly summoned, unorganised and exceedingly long<sup>32</sup>. There were early attempts to regularise the meetings<sup>33</sup>, but these were fruitless as the members again tried to introduce a *jour fixe* for their meetings in the middle of 1955<sup>34</sup>. These arbitrary working methods combined with the ideal of the High Authority as a ›think tank‹ prevented the institution from becoming a ›normal‹ administration for a long time.

Initially, for Monnet, the principle of collegiality required avoiding all premature distribution of tasks among the High Authority members<sup>35</sup>. Maintaining a high degree of collegiality was synonymous with preserving the supranational character

29 ECHA, CEAB 1 821, J.P. [J. Poincaré], Organisation du travail de la Haute Autorité, 27 March 1954.

30 FJM, AMH 6/6/1, projet de directive du président de la Haute Autorité, undated [January 1953].

31 HAEU, INT 609, Interview Gérard Bossuat with Jacques-René Rabier, June 1998; DUCHÊNE, Monnet (as in n. 2), p. 240.

32 SPIERENBURG, POIDEVIN, High Authority (as in n. 1), p. 78.

33 ECHA, CEAB 2 713, PV of the High Authority, 14 session, 1 October 1952, pt. 1, 68–70, here 68.

34 ECHA, CEAB 2 268, PV of the High Authority, 268 session, 6 June 1955.

35 ECHA, BAC 233/1980 33, Erwägungen über die Organisation der Hohen Behörde, undated [1952].



of the High Authority. Not least, according to Charles Barthel, the coal and steel industries strongly advocated the collegiate principle, thus hoping that Monnet would be counterbalanced by his colleagues<sup>36</sup>. Consequently, it was necessary to find a working method enabling the High Authority to address its tasks without abandoning the principle of collegiality.

In their 15<sup>th</sup> meeting, the High Authority members discussed their working methods and a possible distribution of tasks<sup>37</sup>. Monnet felt that these questions were closely linked to the role the president would assume within the college. Maurice Lagrange, Advocate-General at the ECSC Court of Justice, advised Monnet in this matter<sup>38</sup>. Of primary importance for Lagrange was the question of who would have the authority vis-à-vis the High Authority's administration. The treaty made the president head of the administration but also provided for the possibility of delegating presidential powers to other members (Article 16). Finally, any possible distribution of tasks should not prevent the college from keeping an overview of the High Authority's policies and from taking decisions in joint deliberations. Monnet, following Lagrange, proposed two alternative ways of realising these principles. Either he could assume the role of a *président-directeur général* (PDG) who alone would be responsible for the administration and the supervision of the preparation and the execution of decisions. A *président du Conseil* was the other solution, whereby each member would be assigned a division or a service by delegation of presidential powers. The High Authority would thus resemble a Council of Ministers<sup>39</sup>. The minutes of the High Authority meetings do not reveal if any decision was taken in this matter. It is likely that neither solution satisfied Monnet's colleagues, the first solution assigning too much power to the president and the second sacrificing the principle of collegiality. The High Authority thus missed out on an opportunity of clarifying competences and defining working patterns early on.

A year later, in autumn 1953, finding a solution became a pressing need as the lack of co-ordination between the services on the one hand, and the college and the administration on the other, seriously affected work in the High Authority. Spierenburg, who thought one year of experimenting with the administration was more than enough, presented a scheme for five working groups to be created, chaired by High Authority members<sup>40</sup>. This time, Monnet was prepared to delegate some of his powers to his colleagues. The options were either to create a »Council of Ministers« with each member taking over responsibility for a division or the establishment of

36 Charles BARTHEL, Das Streben der Stahlhersteller nach einer Gangbarmachung des Schuman-Plans. Einige Betrachtungen aus der Sicht Luxemburger Regierungs- und Industriearchive (1950–1952), in: Gilbert TRAUSSCH, Edmée CROISÉ-SCHIRTZ, Martine NIES-BERCHEM, Jean-Marie MAJERUS, Charles BARTHEL (eds.), *Le Luxembourg face à la construction européenne*, Luxembourg 1996, p. 203–252, p. 243.

37 ECHA, CEAB 2 713, PV of the High Authority, 15 session, 2<sup>nd</sup> October 1952.

38 FJM, AMH 3/3/18, M. Lagrange, Note sur le fonctionnement des services de la Haute Autorité, 6 octobre 1952.

39 ECHA, CEAB 2 713, PV of the High Authority, 15 session, 2<sup>nd</sup> October 1952.

40 ECHA, CEAB 2 586, D. Spierenburg, Note pour les membres de la Haute Autorité, 21 novembre 1953, p. 8–12; including the documents »Projet de Règlement Général d'Administration« and the »Propositions« for working groups.

working parties. Monnet favoured the first solution whereas Max Kohnstamm, secretary of the High Authority, and Spierenburg urged him to opt for the latter model in order to maintain the principle of collegiality<sup>41</sup>. In a memorandum to his colleagues, Monnet established a sort of balance sheet of the first year of activity. According to him, the members had tried to maintain the college as the High Authority's decision-making authority even though the services had worked rather autonomously when preparing the decisions. While this had been acceptable in the launching period, Monnet came to the conclusion that in the future the preparation of decisions should not be separated from their execution. After the opening of the common market for coal and steel in early 1953, the preparation of new decisions had to be inspired by the execution of previous ones<sup>42</sup>. Having said that, Monnet »acknowledged that [...] the various services needed some kind of permanent points of contact on the highest level«<sup>43</sup>. He then suggested delegating some of his presidential powers to his colleagues so that he could concentrate on the overall co-ordination of the High Authority, the negotiations with the US on a loan to the High Authority and the association of the United Kingdom with the ECSC<sup>44</sup>. This suggestion entailed that the members took over responsibility for a certain sector of the High Authority. Etzel's chef de cabinet, Wolf von der Heide, analysed both Monnet's and Spierenburg's proposals and came to the conclusion that Monnet's suggestion would weaken the collegiate principle<sup>45</sup>. He was not the only one to make this conclusion as the High Authority opted – Monnet was outvoted – for setting up six working parties composed of three to four members each, to the presidents of which Monnet delegated his executive powers<sup>46</sup>. However, Monnet remained responsible for the implementation of decisions<sup>47</sup>. One reason for Monnet's defeat in this matter was mentioned by von der Heide: the collegiate principle was a guarantee for member states for the impartiality of the High Authority<sup>48</sup>. With a government-like structure, where every member took over responsibility for one policy area, it would sooner or later be this member who would be decisive in the decisions taken in this area. The High Authority thus decided against extending its supranational rule and risking a hostile reaction from the member states.

41 FJM, AMH 6/7/7, M. Kohnstamm, Note pour Monsieur Monnet, 17 novembre 1953; see also the documents in FJM, AMH 6/4/38 and Bernd BÜHLBÄCKER, La Haute Autorité de la CECA: Quelles méthodes de travail?, in: Wilfried LOTH (ed.), La gouvernance supranationale dans la construction européenne, Brussels, p. 13–37, p. 35–36.

42 ECHA, CEAB 2 1239, J. Monnet, Mémoire du président pour les membres de la Haute Autorité, 24 novembre 1953.

43 Roger MORGAN, Jean Monnet and the ECSC Administration: Challenges, Functions and the Inheritance of Ideas, in: Erk-Volkmar HEYEN (ed.), Die Anfänge der Verwaltung der Europäischen Gemeinschaft, Baden-Baden 1992 (Jahrbuch für europäische Verwaltungsgeschichte, 4), p. 1–9, p. 9.

44 ECHA, CEAB 2 1239, J. Monnet, Mémoire, 24 novembre 1953.

45 ECHA, CEAB 2 586, W. von der Heide, Vermerk, 28. November 1953, p. 47–49.

46 ECHA, CEAB 2 586, Protokoll der 134. Sitzung der Hohen Behörde, 26. November 1953, p. 57–59, with the final decision being taken on 1<sup>st</sup> December: ECHA, CEAB 2 718, PV of the High Authority, 137 session, 1<sup>st</sup> December 1953.

47 ECHA, CEAB 2 718, PV of the High Authority, 137 session, 1<sup>st</sup> December 1953, pt. 1.

48 ECHA, CEAB 2 586, W. von der Heide, Vermerk, 28. November 1953, p. 47–49, p. 48.

The six working parties that were created were: Market; Investments, Finance and Production; Labour; External Relations; General Objectives, Long-term Policy and Short-term Economic Situation; Administrative Matters. Efficiently co-ordinating tasks and maintaining the collegiate character of the High Authority had been the main motivations for creating working groups. Decisions continued to be taken within the college and each member had the right to make suggestions to any working group and to be informed about the progress of work in the working parties. The introduction of working parties and the delegation of presidential authorities were a pragmatic choice and an important step towards a more regularised administration.

There can be no doubt that Monnet's conceptions of the working methods of a supranational administration shaped the early history of the High Authority. The rather chaotic conditions at the beginning, the endless discussions in the frequent but irregular High Authority meetings and Monnet's notion of personal leadership, in short, the omnipresent figure of Monnet have become part of the founding myth of the first European administration. However, Monnet was counterbalanced by members such as Spierenburg, or collaborators such as Kohnstamm, who did not believe that an unclear distribution of tasks and disorganisation were essential features of a supranational administration. It was often perceived that only with the advent of Monnet's successor, René Mayer, did the High Authority turn into a more smoothly running bureaucracy<sup>49</sup>. Nonetheless, the foundation was laid under the Monnet presidency with the introduction of working groups and the evolution of the role of the Secretariat within the High Authority.

Even before the High Authority took up office, Monnet had suggested Kohnstamm for the post of secretary of the High Authority<sup>50</sup>. As Monnet wanted to maintain flat hierarchies, the Secretariat was – in theory – not to be interposed between the college and the administration. It was therefore not conceived as a powerful Secretariat-General that one finds in many international organisations. In reality, however, it came close to becoming such a Secretariat-General as it subsequently turned into the co-ordinating body that the High Authority was otherwise lacking. Although at first reluctant to assign too many tasks to the Secretariat, Monnet sanctioned this development. Much of this is due to the initiative of the first secretary of the High Authority. Kohnstamm's notes and letters to Monnet show the insufficient organisation and overlapping responsibilities in the administrative services and the need for a co-ordinating body. Through Kohnstamm's initiative, the Secretariat became the heart of the High Authority. Importantly, Monnet assigned it responsibility for co-ordinating and facilitating the flow of information in the High Authority. Notes from the divisions that were initially sent to the members directly soon had to be forwarded to them via the Secretariat.<sup>51</sup> Also, the divisions were to keep the

49 Cf. HAEU, INT 659, Interview R.P.B.H. Dingemans, J. Schram with Edmund Wellenstein, The Hague, 10 July 1998.

50 ECHA, BAC 233/1980 33, Aufzeichnung über die Besprechung bei Herrn Monnet in Paris am 4. August 1952. On Kohnstamm see also Katja SEIDEL, Gestalten statt Verwalten: Der Beitrag von Europabeamteten zur europäischen Integration, in: Historische Mitteilungen 18 (2005), p. 136–149.

51 ECHA, CEAB 1 821, J. Monnet, Note à MM. les Directeurs, 1<sup>er</sup> octobre 1953, p. 4.

Secretariat informed about their work. In addition, secretaries were introduced in each division who met in weekly meetings chaired by Kohnstamm. He had suggested these meetings to Monnet in the first place in order to be able to keep the members informed on what was going on in the High Authority<sup>52</sup>. Kohnstamm was also responsible for putting together the agenda of the High Authority meetings and for writing the minutes<sup>53</sup>. In reality, the secretary was indeed interposed between the members and the directors. A collaborator of the Secretariat called it the »Cabinet of the nine members«<sup>54</sup>. After the constitution of the working parties, the information flow was mainly directed via these groups. However, the Secretariat was still in charge of co-ordinating the working parties, of establishing timetables and reports of their meetings for the members<sup>55</sup>. It thus preserved its influential role in collecting and channelling information. In his note to his successor, Monnet wrote that he relied on the Secretariat to keep him informed on everything that was going on in the High Authority as well as concerning the relations between the High Authority and the other institutions of the ECSC. For him, the Secretariat even substituted a »cabinet présidentiel«<sup>56</sup>.

Ministerial Cabinets, that is the personal staff of a minister, have been an important feature in the French administration since the early 19<sup>th</sup> century, but they are also known in Italy and Belgium<sup>57</sup>. The High Authority introduced such a Cabinet system. The Cabinets were small, with only one and later two members, the chef de cabinet and the deputy chef de cabinet. Cabinet officials, as personal aides and advisers, were to assist the members in their daily tasks, preparing opinions on policy matters and informing them on what was generally happening in the High Authority. Cabinet officials could represent their member in the meetings of the working parties but not in the meetings of the High Authority<sup>58</sup>. Another important task of Cabinet staff was to maintain contact to governmental bodies and institutions in the members' home countries<sup>59</sup>. Importantly, in the multinational administration of the High Authority, the Cabinet staff, which was mainly composed of people having the same nationality as their member, was a source of trust. For example, Cabinet members advised their members on the possible implications a policy proposal could have in their country of origin<sup>60</sup>. On the whole, however, Cabinets did not play a very important role in the High Authority. They were significant in that they constituted a national element in the supranational administration. Crucially, Cabinets, intro-

52 FJM, AMH 6/4/15, Letter M. Kohnstamm to J. Monnet, 7 August 1953.

53 FJM, AMH 6/6/1, *Projet de directive du président de la Haute Autorité*, undated [Jan. 1953].

54 FJM, AMH 6/6/5, W. Ernst, *Mémoire demandé par M. Kohnstamm à l'intention de M. Etzel*, 30 June 1953.

55 SPIERENBURG, POIDEVIN, *High Authority* (as in n. 1), p. 74.

56 ECHA, CEAB 2 91, [J. Monnet], *projet de note du président Monnet pour son successeur*, undated [1955], p. 7.

57 Ella RITCHIE, *The Model of the French Ministerial Cabinets in the Early European Commission*, in: HEYEN (ed.), *Die Anfänge der Verwaltung* (as in n. 43), p. 95–106, p. 96–97.

58 ECHA, CEAB 2 577, *PV of the High Authority*, 577 session, 5 May 1960; Interview K.S. with Gérard Wissels, Overijse, 22 April 2004.

59 Cf. Bundesarchiv, Koblenz (BAK), B 102, No 8628, Etzel an Rust, 25. November 1954.

60 Interview K.S. with Winrich Behr, Düsseldorf-Hubbeltath, 14 June 2005.

duced by the High Authority, developed into a core feature of the European administration and eventually became very influential in the EEC and EC Commission.

### Recruitment patterns and the national balance

A regularised recruitment procedure or *concours* was only introduced in 1957. The initial recruitment mechanisms exemplify characteristics of the European administration. According to Monnet and his collaborators, the supranational and independent character of the High Authority should not only be reflected in the institutional setting but also in the recruitment patterns. Was the High Authority able to live up to the supranational principle when it came to appointing its administrative staff? The ideal of a nationally autonomous workforce recruited independently by the supranational High Authority emerged from an early note on the organisation:

»En vertu du caractère supranational de l'institution, les fonctionnaires doivent être choisis par la Haute Autorité elle-même en toute indépendance, en fonction de leur compétence et de leur caractère personnel, sans être présentés par les Gouvernements ou par une organisation quelconque. Il va de soi qu'ils doivent être pris indifféremment dans tous les pays de la Communauté sans faveur pour l'un quelconque d'entre eux. Il suffira d'éviter toute préférence nationale et de se régler sur la compétence personnelle pour que, spontanément, des ressortissants des six pays se trouvent intégrés dans les services, dans des proportions équitables«<sup>61</sup>.

The treaty negotiations in Paris were considered an excellent recruitment ground for European officials with the right attitude to work in the supranational High Authority<sup>62</sup>. Monnet regarded the participants of the negotiations as a source of »European spirit« that they could endow on the High Authority from the outset<sup>63</sup>. He thought that this hard core of Schuman Plan experts should serve as the basis of the organisation<sup>64</sup>. The national delegations in Paris were composed of a small number of people, mostly lawyers and economists and experts of the industries concerned. The often described cordial atmosphere at the negotiations and Monnet's ability to persuade the delegations not to negotiate against each other but to pursue joint solutions contributed to the »corporate feeling developed in the Schuman conference«<sup>65</sup>. However, the Luxembourg government, for one, had other reasons for proposing members of its negotiation team for posts in the High Authority. Because these people had become experts in matters concerning the ECSC treaty, had developed a mutual understanding and worked well with Monnet and his colleagues, only they would be able to control and restrict the power of Monnet as High Authority pre-

61 FJM, AMH 3/1/7, [P. Uri], Note sur l'organisation de la Haute Autorité, Annotations manuscrites de J. M. Corrections manuscrites de P. Uri, undated [circa late 1952].

62 Cf. ANP, 81 AJ 160, E. Hirsch, Réflexions sur l'organisation de la Haute Autorité, undated.

63 FJM, AMH 3/1/1, Aide-mémoire sur la conversation avec M. Etzel, Correction manuscrites de J. M., 16 July 1952.

64 MONNET, Mémoires (as in n. 7), p. 436.

65 DUCHÊNE, Monnet (as in n. 2), p. 220.

sident who »veut dominer tout l'organisme à créer, [et] n'avoir autour de lui que des hommes qui obéissent«<sup>66</sup>.

Clearly, an important obstacle for entering the European administration was Monnet's consent and his understanding of who was to be considered a »European«. It was only a handful of national civil servants, economists, trade unionists and coal and steel experts who first entered the High Authority in August 1952: Uri, Rolf Wagenführ (economic advisor to the DGB), Richard A. Hamburger (ministry of economics, Netherlands), Hans vom Hoff (DGB), Walter Much (ministry of justice, Germany), Vinck (ministry of economics, Belgium), Rollman (Economic Commission for Europe, Geneva (ECE), Arbed, Luxembourg), Kohnstamm (Dutch foreign ministry), Charles Reichling (foreign ministry, Luxembourg), Christian Calmes (foreign ministry, Luxembourg) and Cesare Balladore-Pallieri (Italian ministry of finance).

The core group of collaborators soon had to be extended. The members agreed that each of them would establish a list of candidates for leading posts in the High Authority<sup>67</sup>. Monnet wished to discuss these candidacies with each member individually<sup>68</sup>. Accordingly, the minutes of the High Authority meetings do not mirror discussions on the appointment of leading officials. This way of proceeding suggests that recruitment was a very important process in which the High Authority members did consider the interests of member state governments. In November 1952, the members decided on the recruitment of the directors<sup>69</sup>. The bulk of leading officials was appointed by January 1953<sup>70</sup>.

High officials appointed by the High Authority and – often – suggested by member state governments were certainly chosen for their expertise. However, they were also selected because they were associated with certain social, political and economic worldviews and preferences which should ideally prevail at the European level<sup>71</sup>. Importantly, staffing the High Authority appeared no less than a matter of determining the future economic and social order of Europe. The question was, for example, whether Europe would be governed by a more *dirigiste* economic policy and economic planning, the path France chose after World War II, or a more market oriented policy like in Germany. The Luxembourg foreign ministry raised such concerns already during the treaty negotiations in August/September 1950. In an internal memorandum the administrative staff was considered as a source of power for whoever would head the High Authority administration. The text goes so far as to point out that the recruitment of certain persons could entail the danger that socialist conceptions would be put into practice which were not in the interest of the citizens of Luxembourg and which could be harmful for the economy and the living

66 Archives nationales, Luxembourg (ANL), Affaires étrangères No. 11 393, Le ministre de Luxembourg en France to Bech, 20 June 1952.

67 ECHA, CEAB 2 713, PV of the High Authority, 11 session, 18 September 1952, p. 59.

68 ECHA, CEAB 2 713, PV of the High Authority, 15 session, 2<sup>nd</sup> October 1952, p. 3. Cf. also ECHA, CEAB 2 713, PV of the High Authority, 18 session, 14 October 1952, p. 94–95.

69 ECHA, CEAB 2 713, PV of the High Authority, 23 session, 4 November 1952, p. 120–121; and ECHA, CEAB 1 1414, Situation générale des services du personnel de la Haute Autorité, 29 November 1952.

70 ECHA, CEAB 1 1415, Administration Haute Autorité, 27 January 1953.

71 Cf. Bernd BÜHLBÄCKER, Europa im Aufbruch. Personal und Personalpolitik deutscher Parteien und Verbände in der Montanunion, 1949–1958, Essen 2007, p. 14.

standard in the Grand-Duchy<sup>72</sup>. From the perspective of the governing Christian democrats, Monnet and his collaborators stood for (socialist) statism. Having the right people in the right post in the administration was thus considered important, not least in order to guarantee that the appropriate ›philosophy‹ would reign in the European administration and, ultimately, in Europe.

While it were the members of the High Authority who presented the lists of potential candidates<sup>73</sup>, these lists were most likely established in close collaboration with governments and interest groups in the member states. Experts of the coal and steel sector and representatives of trade unions as well as civil servants figured prominently on these lists. As the High Authority's main clients, representatives of the coal and steel industries had been extremely sceptical about this supranational organisation deciding their fate<sup>74</sup>. The members of the High Authority facilitated the entry of personnel from these interest groups into the administration. The candidacy of Tony Rollman from the Luxembourg steel consortium Arbed, for instance, is a case in point. Recruiting him should have accommodated fears in the Luxembourg government – and, no doubt, in the Arbed – that the local steel industry would not be adequately represented in the services of the High Authority<sup>75</sup>. Other candidates with expertise in, and ties to, the coal and steel sector were Max Schensky, a former high official of the German mining administration, Caspar Berding from the Netherlands and Gérard Delarge, a former director of a mine in the Borinage in Belgium. German industrialists attempted to infiltrate the High Authority's administrative services with trustworthy candidates, as they also feared the statism of Monnet and his collaborators from the Plan. When it became clear that the members of the High Authority would not be representatives of the industries, they focused on the administrative ranks<sup>76</sup>. For instance, Etzel secured Wilhelm Salewski, *Hauptgeschäftsführer* or chair of the *Wirtschaftsvereinigung der Eisen- und Stahlindustrie*, the director post of the Investment Division<sup>77</sup>. Similarly, René Tezenas du Montcel of the French *Groupe de Contrôle Charbon*, which was part of the economic committee at the High Commission to Germany, was the candidate of *Charbonnages de France*, the French state owned coal-mining company<sup>78</sup>. It is thus misleading if Barthel argues that Monnet attracted distrust among the industries concerned because he rarely opted for experienced people with a coal and steel background<sup>79</sup>. In fact, these people actually dominated the technical divisions of the High Authority.

72 ANL, Affaires étrangères, No. 11 384, *Concerne la question des pouvoirs du Président et la création des services administratifs*, STRICTEMENT SECRET, undated [ca. August/Sept. 1950].

73 See FJM, AMH 4/3/186, AMH 4/3/187, AMH 4/3/188, AMH 4/3/190, AMH 4/3/191, AMH 4/3/192 and AMH 4/3/193; list of Etzel: CEAB 12 55, List of Vice-President Etzel, undated, p. 136–141.

74 See BARTHEL, *Das Streben* (as in n. 36).

75 ANL, Affaires étrangères, No. 11 384, Report Wehrer to Bech, 2 August 1950.

76 Werner BÜHRER, *Dirigismus und Europäische Integration*. Jean Monnet aus der Sicht der deutschen Industrie, in: Andreas WILKENS (ed.), *Interessen verbinden*. Jean Monnet und die europäische Integration der Bundesrepublik Deutschland, Bonn, p. 205–224, p. 217.

77 ECHA, BAC 233/1980 33, *Aufzeichnung über die Besprechung bei Herr Monnet in Paris am 4. August 1952*.

78 FJM, AMH 4/3/339, *Candidatures présentées par Charbonnages de France*, 29 September 1952.

79 BARTHEL, *Das Streben* (as in n. 36), p. 243.

Certainly, Monnet brought with him a group of officials from the Plan and the French civil service such as Uri, Gaudet, Jean-Jacques Rabier, François Fontaine, Jacques van Helmont, André Lamy and young high-flyers such as the *inspecteur des finances*, Jean Guyot, who, at the age of 31, became director of the Financial Service in the High Authority<sup>80</sup>. National administrations were generally an important source of officials. Many of those who had taken part in the ECSC treaty negotiations had served in ministries of the member states. The files of the German ministry of economics (BMW<sub>i</sub>) highlight that national administrations identified and presented candidates to the High Authority. Future leading High Authority officials of German origin, such as Schensky, Regul (German Coal Administration, Deutsche Kohlenbergbau-Leitung, DKBL), Hans Michaelis (BMW<sub>i</sub>) and Dehnen (DKBL) had already been in the focus of the ministry since November 1951, long before the members of the High Authority were even nominated<sup>81</sup>. In fact, the majority of leading German officials in the High Authority, employed by January 1953, were suggested by the BMW<sub>i</sub><sup>82</sup>. While this seems to contradict the supranational attitude Monnet initially sought to maintain when recruiting personnel, a pre-selection of candidates at the national level was indispensable as the High Authority administration would not have been able to manage and process thousands of applications from six member states<sup>83</sup>. Moreover, the bulk of the 1,800 candidacies the BMW<sub>i</sub> collected were not taken into consideration by the High Authority. After all, it had autonomy in recruitment matters and civil servants at the BMW<sub>i</sub> like Hans von der Groeben complained that suggestions of the BMW<sub>i</sub> did not have priority<sup>84</sup>. Nonetheless, there is no doubt that the High Authority members had to compromise in recruitment matters and adopted a pragmatic attitude.

Civil servants in the French foreign ministry pondered how best to include officials from the Direction des affaires économiques et financières, the ministry's economics and finance directorate, in the High Authority administration. These should form a link and a source of information for the French administration. In particular, having French officials of the Quai d'Orsay in the entourage of the High Authority's president, the centre of decision-making, was of interest<sup>85</sup>. For the German government there was more to it than merely having a link in the High Authority. It particularly tried to advance individuals who were convinced market economists. For example, when a vacancy in Uri's Economics Division came up, leading BMW<sub>i</sub> officials sought to get someone into the post who was a market economist and could counterbalance the tendencies of planning and *dirigisme* that they believed existed within the High

80 MONNET, Mémoires (as in n. 7), p. 451.

81 BAK, B 102, No. 8614, Kellermann an Dr. Krautwig, Betr.: Organisation der Schumanplan-Behörde, 27. November 1951.

82 BAK, B 102, No. 8614, Deutsches Personal bei der Hohen Behörde, 19. Januar 1953.

83 ECHA, CEAB 3 389, C. Balladore-Pallieri, Vorlage für den Verwaltungsausschuss, undated [presumably 1953], p. 38. The personnel division of the High Authority was inundated with 4,300 applications.

84 BAK, B 102, H. von der Groeben to Staatssekretär L. Westrick, 25. Mai 1953.

85 Ministère des Affaires étrangères Paris, (MAEF), DE-CE Coopération économique 1945–1966, Communauté Européenne du Charbon et de l'Acier, Vol. 527, Note of the direction des Affaires Economiques et Financières, 29 July 1952.



Authority<sup>86</sup>. It was a general concern for the German government which economic model would ultimately prevail in Europe. The administration of the High Authority was also a battleground of the major tendencies in economic governance of the time.

Obviously, the trade unions were also interested in being represented in the services of the High Authority. Whereas Paul Finet was a candidate of the International Confederation of Free Trade Unions (ICFTU) at the level of the High Authority members, the trade unionists Hans vom Hoff and Guiseppa Glisenti were employed at the administrative level. Like Finet, both vom Hoff and Glisenti had taken part in ICFTU meetings<sup>87</sup>. In addition, vom Hoff had been the DGB representative in the German delegation at the ECSC treaty negotiations and the DGB had asked Adenauer to secure a post for him in the High Authority<sup>88</sup>. Vom Hoff thus became *conseiller* in the High Authority. It was never openly acknowledged by Monnet that the High Authority employed people because they had a certain background or useful contacts<sup>89</sup>. This would have gone against the principles of independence and supranationality. Also, once in the High Authority, these people had to prove themselves. In the case of vom Hoff, for example, the BMWi deplored that he »hat sich aber offenbar keine beachtete Stellung schaffen können«<sup>90</sup>. In general, however, trade unionists had excellent relations to Monnet and also Mayer and the European administration was one of the few career opportunities outside the trade unions. According to Patrick Pasture »the transnational European trade union elite [...] shared a common culture with the burgeoning European administration« particularly in those divisions dealing with social concerns<sup>91</sup>.

While Monnet and Uri stated repeatedly that the nationality of the candidates should not play a role in recruitment, the reality was different. Governments of the member states and industries wanted to see their nationals represented in an acceptable number, not convinced that their concerns would be sufficiently looked after in an institution with a supranational label. For example, the German steel industry did not trust an unbiased »Europeanness« to develop in the High Authority soon, and therefore emphasized the need of »national« criteria in recruitment in order to defend their corporate interests, for example the abolition of discriminatory regulations and production controls<sup>92</sup>. In spite of the supranational rhetoric, in October 1952 Uri presented a note on the »balanced distribution« of posts which took into account the figures of production and consumption of coal and steel, the seats in the General Assembly and the population of the member states as criteria for filling posts in the

86 BAK, B 102, No. 8614, Vermerk für Herrn Min. Dgt. Solveen von Dr. Spandau, 6. Januar 1955.

87 Cf. International Institute of Social History, Amsterdam (IISH), ETUC 261, Confédération Internationale des Syndicats Libres. Commission pour le Plan Schuman, Rapport sur la séance du 3 juillet 1952 à Berlin.

88 BAK, B 102, No. 8615, Letter DGB to Adenauer, 27 September 1952.

89 FJM, AMH 4/3/124, Letter J. Monnet to A. Cools, undated [end of 1952/beginning of 1953].

90 BAK, B 102, No. 8614, Note H. von der Groeben to Staatssekretär Dr. Westrick, 28 May 1953.

91 Patrick PASTURE, Trade unions as a transnational movement in the European space 1955–1965, in: Wolfram KAISER, Peter STARIE (eds.), Transnational European Union: towards a common political space, London, New York 2005, p. 109–130, p. 123.

92 BÜHRER, *Dirigismus und europäische Integration* (as in n. 76), p. 208–10.

High Authority<sup>93</sup>. From the outset, a »certain equilibrium« between nationalities was agreed upon by the members<sup>94</sup>. But these rules should be flexible<sup>95</sup>. It seems the resolution to keep a flexible approach towards the national balance was soon abandoned. The High Authority admitted difficulties in maintaining a national equilibrium because well qualified people with the desired national background were often not willing to come to Luxembourg. Especially people from Italy were often not prepared to live permanently north of the Alps<sup>96</sup>. However, the national balance meant that it was hardly possible to appoint a more qualified candidate with a different passport. Sometimes less well-qualified candidates were employed in order to fulfil the national quota<sup>97</sup>.

The departure of high officials and the search for suitable successors triggered discussions about whether they had to be replaced with officials of the same nationality as this would limit the field of candidates and might discriminate against other, more capable, candidates<sup>98</sup>. In these discussions the members usually adopted a pragmatic attitude and sought that their nationality would not be discriminated against, also because they would be pressurised by their governments if they did not ensure the »adequate« representation of their nationality in the administrative services of the High Authority<sup>99</sup>. According to Uri the candidate of a government had to be accepted as it was considered a taboo to judge the candidate of another member state. As a consequence, he thought that a number of candidates were forwarded not with the benefits of the Community in mind but, for instance, to get rid of unwanted personnel<sup>100</sup>. In his note of November 1953, Monnet stated that the initial phase was characterised by the careful choice of collaborators, taking their competencies into account as well as showing consideration for national sensibilities – indispensable in this »première période d'organisation supranationale«<sup>101</sup>. This »first phase of supranationality« was not followed, as Monnet had hoped, by a second phase where the nationality of staff would not play a role. Under pressure of member state governments the formula of recruiting personnel on a »wide geographical basis« entered the ECSC personnel statute (Article 28) and subsequently the personnel statute of the EEC and Euratom.

From the outset it was not clear whether staff in the ECSC institutions would benefit from a statutory regime similar to that of a national civil service<sup>102</sup>. Article 7 of

93 FJM, AMH 4/5/2, P. Uri, Note sur la »repartition équitable« pour les postes dans les services, 15 octobre 1952.

94 ECHA, CEAB 2 713, PV of the High Authority, 23 session, 4 November 1952, p. 118–121.

95 ECHA, CEAB 2 713, Note à MM. les Membres de la Haute Autorité concernant un entretien informel qui a eu lieu le vendredi, 5 décembre [1952], p. 166.

96 ECHA, CEAB 2 1419, E. Wellenstein, Note pour Monsieur Dinjeart, 30 octobre 1958, p. 19.

97 Ibid.

98 ECHA, CEAB 2 726, PV of the High Authority, 268 session, 6 June 1955, pt. 4.

99 ECHA, CEAB 2 352, PV of the High Authority, Sonderprotokoll des geheimen Teils der 352. Sitzung der Hohen Behörde vom 19. Dezember 1956, um 19 Uhr in Luxemburg.

100 HAEU, DEP PU 204, Entretien Pierre Uri – Eric Westphal, Paris, 14 février 1966, p. 25.

101 ECHA, CEAB 2 1239, J. Monnet, Mémoire du Président pour les Membres de la Haute Autorité, 24 novembre 1953.

102 In this article, the preparatory works on the personnel statute of the ECSC, its provisions and implications can only be treated in a cursory manner. For the statute of the ECSC see Silvia SASSI,

the dispositions of the transition period attributed the Committee of Four Presidents the task to elaborate a personnel statute but did not state which form this statute should have. Jacques Rueff, judge at the European Court of Justice, explained that the supranationality of the High Authority was one of the reasons for introducing a statute: »Nous avons pensé qu'un corps de fonctionnaires supranationaux était, en réalité, presque un corps de fonctionnaires nationaux, pour lesquels la nationalité était la supranationalité«<sup>103</sup>. In December 1952, the Committee of Four Presidents set up a Comité statut in charge of elaborating a personnel statute and a provisional statute<sup>104</sup>. The decision to attribute the staff of ECSC institutions the status of European civil servants was thus taken already four months after the inauguration of the ECSC. However, work on the statute progressed slowly because Monnet did not prioritise this project. He did not want the statute to become »le préambule du statut général de la fonction publique européenne«<sup>105</sup>. Instead, it should be short and adapted to the particular problems of the ECSC.

In addition, discussions at the level of member state governments hampered work on the statute. A point of discord between the member states was secondment, for instance. High officials in the Quai d'Orsay wished to uphold the possibility of sending French civil servants to the Community administration where they would stay for a limited period of time and then return to the French civil service<sup>106</sup>. In this, the French were supported by German officials in the Auswärtiges Amt and the BMWi<sup>107</sup>. Monnet was opposed to incorporating seconded national civil servants in the services of the High Authority. On his initiative, Article 27 of the draft statute comprised a paragraph that required national civil servants to quit their post in the national administration before they could take up a post in one of the ECSC institutions<sup>108</sup>. This paragraph was eliminated, however, and did not appear in the final version of the statute. After Monnet resigned from his post as president in November 1954 and left Luxembourg in June 1955, Spierenburg seems to have been the only member left to fight secondment, arguing that it would not guarantee the necessary degree of independence of an official<sup>109</sup>. The other High Authority members claimed, however, that if officials were guaranteed reintegration in their home administration,

Gli statuti del personale delle istituzioni comunitarie (1952–1968), in: Storia Amministrazione Costituzione (Annale dell'Istituto per la Scienza dell'Amministrazione Pubblica) 8 (2000), p. 189–223.

103 ECHA, CEAB 12 73, Compte rendu de la réunion ›Statut du personnel‹, 28 octobre 1953, p. 43.

104 ECHA, CEAB 2 1146, An die Herren Mitglieder der Hohen Behörde, Aufzeichnung über die Sitzung des Ausschusses der vier Präsidenten vom 19. Dezember 1952, Vertraulich, 22. Dezember 1952, p. 4–6.

105 FJM, AMH 4/1/31, J. M., Mémorandum du président de la Haute Autorité sur le statut des fonctionnaires, 25 octobre 1954.

106 MAEF, DE-CE Coopération économique 1945–1966, Communauté européenne du charbon et de l'acier, Vol. 527, Note pour Monsieur le ministre de l'Industrie et du commerce de relations avec la Communauté européenne du charbon et de l'acier, 18 mars 1955.

107 PAAA, B 18, Bd. 151, Dr. Müller-Roschach, Kurzprotokoll der Ressortbesprechung über das Personalstatut der EGKS, 9. Dezember 1955.

108 Cf. CONRAD, Jean Monnet (as in n. 18), p. 69.

109 ECHA, CEAB 2 294, PV of the High Authority, Points secrets du procès-verbal de la 294<sup>e</sup> séance de la Haute Autorité du 30 novembre 1955.

this would make them even more independent<sup>110</sup>. Finally, a very important reason for the High Authority members to abandon the principle of incompatibility between national civil service and European civil service was pressure from the German and French governments<sup>111</sup>. The High Authority adopted the personnel statute in December 1955 and Article 2(3) provided for the possibility of incorporating officials temporarily in the ECSC services<sup>112</sup>. Secondment and national balance were the elements that underline most the grip of the member state governments on the High Authority's staffing policy. Yves Conrad sees in this a gradual sacrifice of supranational principles under Monnet's successors<sup>113</sup>. However, for people who defended supranationality, such as Kohnstamm, the statute was nevertheless of crucial importance for the formation of a high quality corps of European officials<sup>114</sup>.

### Conclusion

»[E]n aucun cas, nous ne montons une administration. Nous voulons maintenir notre organisation aussi restreinte que possible et éviter toute bureaucratie«<sup>115</sup>. However determined Monnet and his collaborators may have been to maintain the High Authority as a small and flexible administration, bureaucratisation seems to have been inevitable, not least because of the increasing complexity of the tasks the High Authority had to fulfil. According to Maurizio Bach, bureaucratisation is a process of consolidation and persistence of the supranational institutional framework<sup>116</sup>. This is a positive view of a process that was often perceived as hampering innovation, flexibility and rationality within the administration.

The High Authority was not able to live up to the aim of retaining a small and flexible administration. At the beginning of January 1953, the High Authority had 280 employees<sup>117</sup>. At the end of 1958, the number of staff had more than tripled to 938<sup>118</sup>. Increasing staff numbers are an indicator for bureaucratisation but also for the changing role of an administration: »[W]ith the opening of the common market, the

110 Ibid.

111 PAAA, B 18, Vol. 7, Dr. Müller-Roschach, Aufzeichnung, 12 January 1956, 3. The Benelux countries were in favour of European officials quitting the national civil service. Cf. *ibid.*, Dr. Motz to the Ministers of the Interior, Finance and Economics, 19 January 1956.

112 CEAB 2 297, PV of the High Authority, 297 session, 21 December 1955. CEAB 12 153, Statut du Personnel de la Communauté, undated [July 1956].

113 CONRAD, Jean Monnet (as in n. 18), 70.

114 FJM, AMH 6/4/31, M. Kohnstamm, Note pour Monsieur Monnet, 22 octobre 1953.

115 FJM, AMH 3/3/23, Exposé de M. Jean Monnet, président de la Haute Autorité, devant la commission d'organisation [de l'assemblée commune] de la Communauté européenne du charbon et de l'acier, 18 novembre 1952.

116 Maurizio BACH, Ist die europäische Einigung irreversibel? Integrationspolitik als Institutionenbildung in der Europäischen Union, in: NEDELMANN (ed.), Politische Institutionen im Wandel (as in n. 3), p. 368–391, p. 370.

117 ECHA, CECA, Haute Autorité, Exposé sur la situation de la Communauté, 10 janvier 1953, p. 18. However, another staff list counts only 100 employées, ECHA, CEAB 3 389, Situation du personnel et des services à la date du 27 janvier 1953, p. 6–10.

118 ECHA, CEAB 2 472, Sonderprotokoll der 472. Sitzung der Hohen Behörde vom 17. November 1958, 13. Dezember 1958, p. 141.

administrative services became increasingly involved in the daily management and adjustment – i.e. the execution – of Community policies<sup>119</sup>. The High Authority had lost its initial character as think tank working with external experts, dear to Monnet, because the services soon aimed at undertaking all the work themselves<sup>120</sup>.

By trying to keep the administration small and flexible, did Monnet »defy organisational logic«, as Sonia Mazey suggests<sup>121</sup>? It is more likely that, with his experience at the Plan, Monnet really believed that the High Authority could remain a small *administration de mission*. However, there were external factors that played against him, such as member state governments requesting the creation of supplementary divisions and observing the national balance. Another factor why Monnet could not succeed in keeping the administration small and flexible was that the staff pressed for job stability. The statute was thus necessary, but at the same time limited the High Authority's flexibility in recruiting and dismissing staff. The High Authority was torn between supranational ideals and pragmatic choices, between setting up an independent and supranational administration and accommodating interests of member states and societal interest groups. Many of the organisational features introduced were a response to this struggle: the collegiate principle, multiple leadership in the divisions and the national balance. Importantly, these decisions were geared towards gaining legitimacy for the new European administration. Member state governments and interest groups needed to feel adequately represented in the High Authority.

Even though the Monnet presidency is often described as a period of job insecurity, chaotic working methods and disorganisation, it was precisely under this president that the High Authority took far-reaching decisions on its organisational form and introduced working methods that would continue to be used until the High Authority ceased to exist in 1967. Similarly, work on the personnel statute had already begun in late 1952 even though it was only introduced in July 1956, after Mayer had succeeded Monnet at the presidency of the High Authority. The introduction of working parties guaranteed that the members continued to take decisions as a college until 1967, thus preserving a supranational decision-making procedure.

The first intake of staff had a great impact on the High Authority and the first to arrive were often those who stayed longest in the administration. However, this also resulted in the blocking of high level posts. Dehnen, Vinck and Rollman, for example, dominated the coal and steel departments of the High Authority until the mid-1960s. The same can be said for the members of the High Authority. People like Coppé, Wehrer, Potthoff and Finet remained in the High Authority, not least because they lacked career opportunities in their home countries. The technical nature of the High Authority's task made it difficult to trigger further integration and to gain attention in the media and among the citizens of the member states. After the departure of both Monnet and Mayer, the High Authority would have needed members with a »vision of Europe«. Monnet and officials such as Kohnstamm had insisted on the wider

119 Sonia MAZEY, Conception and Evolution of the High Authority's Administrative Service (1952–1956): from Supranational Principles to Multinational Practices, in: HEYEN (ed.), *Die Anfänge der Verwaltung* (as in n. 43), p. 31–47.

120 ECHA, CEAB 2 319, PV of the High Authority, 319 session, 17 May 1956.

121 MAZEY, Conception and Evolution (as in n. 119), p. 45.

political impact of High Authority policies and under Monnet's presidency there were attempts to reach the public and to make more of the High Authority than just the coal and steel authority<sup>122</sup>. Still, Mazey's claim that the »High Authority was more intergovernmental than supranational in character«<sup>123</sup> overstates the influence of the member state governments. She leaves aside all considerations of Europeanization of High Authority members and staff and of individuals of member state governments, industries and trade unions who participated in the Council of Ministers or the Consultative Committee and who were certainly affected by the structures, working methods and, in short, by the central idea of supranationality that was at the heart of the High Authority<sup>124</sup>. Thus, in spite of the High Authority not being able to totally live up to the supranational ideal, it is likely that working in a multinational administration with a claim of supranationality had an effect on its administrative staff and created a corporate identity and loyalties with the institution.

While the EEC Commission, set up in 1958, shared many of the High Authority's characteristics, the term supranational became discredited and did not enter the treaty establishing the EEC, as the political circumstances in the mid-1950s made it less likely for member state governments to accept a rhetoric of supranationality, in particular after the French National Assembly had rejected the European Defence Community in 1954. However, the institutional set-up of the ECSC with a supranational administration having executive-type functions was maintained and transferred to the EEC and members of the Commission such as its first president Walter Hallstein pursued the ideal of supranationality. Core features of the High Authority like the collegiate principle, Cabinet structure and national balance were taken up by the Commission.

122 Cf. FJM, AMH 6/4/7, M. Kohnstamm, Note pour Monsieur Monnet, Personnel et confidentiel, 30 mars 1953.

123 MAZEY, *Conception and Evolution* (as in n. 119), p. 46.

124 The book of Mauve CARBONELL, *Des hommes à l'origine de l'Europe. Biographies des membres de la Haute Autorité de la CECA*, Aix-en-Provence 2008, shows that the High Authority members did indeed undergo a Europeanization in the High Authority.