History of the Council of Europe

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General introduction

> "We must re-create the European Family in a regional structure called, it may be, the United States of Europe. And the first practical step would be to form a Council of Europe."[4]

In his famous speech at the University of Zurich on 19 September 1946, Winston Churchill called on Europe to unite. With the Second World War barely in the past, he made an eloquent plea for reconciliation and urged the European family to establish a "Council of Europe".

His words helped to generate the impetus which inspired staunch Europeans from some 20 countries to meet in The Hague two years later and give Europe an organisation dedicated to achieving "greater unity between its members". This was the Strasbourg-based Council of Europe, brought into being by a treaty signed in London on 5 May 1949 by 10 founding states (Belgium, Denmark, France, Ireland, Italy, Luxembourg, the Netherlands, Norway, Sweden and the United Kingdom). It had a decision-making body, the Committee of Ministers, which consisted of government representatives, and a "deliberative" assembly of parliamentarians from all the member states. Its field of action was vast, but its Statute barred it from dealing with defence, which was covered by the North Atlantic Treaty, signed just a month earlier, on 4 April 1949. It was also given a law-making role – that of drawing up European conventions for adoption by the Committee of Ministers, and later signature and ratification by the member states.

At first sight, one might think that the Council of Europe was exactly what Churchill had in mind in 1946: a European organisation bringing the European family together and enabling its members to co-operate in many different areas. In reality, however, it would be wrong to see the Council of Europe as simply the real-life projection of his vision. In its structure, modus operandi and membership, it was essentially the fruit of a compromise between differing visions of Europe: between the intergovernmental Europe envisaged by the United Kingdom, and the more federalist version favoured (chiefly) by France and Italy; between a political Europe based on a European organisation, and an economic Europe resting on a large common market; and, finally, between a Europe based on a shared culture and shared basic values, and a Europe defined solely in terms of geography.

The Council of Europe, indeed, embodies the "European idea" – a multiform concept, which has inspired numerous projects since the 19th century.[5] Even

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4. Winston Churchill, 19 September 1946, Zurich, Switzerland.
5. Much has been written on the origins and development of the European idea: see, for example, Girault and Bossuat 1993; Bossuat 1994; Girault 1994; Du Réau 1996; Frank 2004; Chabot 2005.

Churchill's term, "United States of Europe", had been coined in the great revolutionary year of 1848 and later taken up by countless intellectuals and writers. The best known was Victor Hugo, who, addressing the Paris Peace Congress on 21 August 1849, suggested that "a day will come when we shall see those two immense groupings, the United States of America and the United States of Europe, face to face and clasping hands across the ocean".[6]

At a much later stage, between the two world wars, many "Europeanist" movements came forward with plans for European unity. There was no fixed pattern. Some wanted a cultural, others an economic, and others again a political Europe. Some favoured a vast, federal Europe, others a Europe based on new regional organisations, or existing international organisations, such as the League of Nations. Some felt that Europe should include Russia and the United Kingdom, and even forge ties with Africa, while others saw it in strictly continental terms, with France and Germany as its central elements.

And so the establishment of the Council of Europe marked the end of one story, the story of the European idea, and the start of another, the story of how that idea was realised after 1945, a process usually known as the building of Europe.[7] No study of the Council of Europe's development from 1949 to 2009 can ignore that switch between narratives.

The Council of Europe was actually born as part of a Europe-building process which began soon after 1945, in a Cold War context, initially with projects aimed at reconstructing and reorganising the continent's economies. This was the focus of the Marshall Plan, launched by the United States in June 1947, which led to the founding on 16 April 1948 of the first European organisation, the Organisation for European Economic Co-operation (OEEC), to ensure that Europeans worked together in allocating and administering American aid. At the same time, "military" Europe began to take shape after the Prague coup of February 1948 which brought the communists to power in Czechoslovakia. The continent was now divided, and five west European states[8] signed a mutual support and defence treaty, the Brussels Pact, on 17 March 1948. A year later, on 4 April 1949, Western Europe established military ties with the United States in the North Atlantic Treaty, from which the North Atlantic Treaty Organization (NATO) emerged in 1950. The Council of Europe was established just one month after the birth of this "Atlantic" Europe, on 5 May 1949. Then, barely a year later, on 9 May 1950, Robert Schuman proposed the pooling of coal and steel production, and this led to the Treaty of Paris, establishing the European Coal and Steel Community (ECSC), which was signed on 18 April 1951.

The Council of Europe's story is thus bound up with that of several other European and Atlantic organisations – the European Economic Community (EEC), NATO, the ECSC – which were founded in short order between 1948

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6. See Wilhelm 2000.
7. On the early stages of that process, see Bitsch 2008, pp. 34-42.
8. France, the United Kingdom and the three Benelux countries.

and 1951. Its main feature was the relationship which developed between "Greater Europe" (the Council of Europe's 10 member states) and "Smaller Europe" (the ECSC's six member states or "the Six",[9] all Council members too, whose integration centred on France and Germany). As time went on, however, the smaller group, which bonded within the EEC in 1957 and, from 1992, the European Union (EU), grew steadily. The Council of Europe was largely sidelined and even forgotten, both by specialists on the development of Europe and by the public at large. How many people realise that Europe still comes in two sizes today – "smaller" (the 27-member EU) and "greater" (the 47-member Council of Europe)?

So why – given that Europe seems largely the creation of the EEC and, later, the EU – should we look more closely at the Council of Europe? Perhaps because the Council embodies another Europe, a Europe which stands less for an economic market than for a community of fundamental values based on human rights, democracy and the rule of law. A Europe the geographical boundaries of which extend far beyond that of the EU and which includes both Russia and Turkey, two states which, for different reasons, invariably feature in any discussion of the limits of "Community" Europe. Retracing the Council of Europe's history thus involves seeing the European process in broader terms and shifting the focus away from the (chiefly economic) integration achieved by the smaller group.

The Strasbourg organisation's development falls into three main periods. The first runs from its inception in 1949 to the "Greek crisis", that is, the Greek military leaders' decision to withdraw from it in 1969. The second covers its search for a new identity in the ensuing two decades up to the fall of the Berlin Wall in 1989. In fact, once the Europe of the Six had expanded to include the United Kingdom, Denmark and Ireland in 1973, the Council increasingly found itself facing competition from the EEC. Finally, the third period, running from 1989 to 2009, sees it becoming a pan-European organisation and progressively opening its doors to the formerly Soviet-bloc countries of Central and Eastern Europe, including Russia.

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9. France, Germany, Italy and the three Benelux countries.