Introduction

Ever since the nation-state came into existence, some more than two hundred years ago, there have been patterns of cooperation and coordination among them that operated along with countless occurrences of wars, battles and skirmishes. These two patterns of relation among the nations existed side-by-side; almost like two sides of a coin. However, with the advent of the industrial revolution and spurt of material welfare, the progress in the techniques of warfare was phenomenal. As a result, there existed more often a condition of war or troubled peace than that of constructive peace that could allow the amicable state of affairs among the nation-states. Nevertheless, there were many statesmen and politicians who realized that a certain level of cooperation among the warring as well as the among the friendly nations is necessary for general well-being and progress. The concept of interdependence and self-preservation both functioned behind the various attempts made by the statesmen to reduce the danger of wars and enhance the welfare of people.

The cooperation at the regional level has a long history and it was perceived as essential to maintain peace, to save mankind from the scourge of war and to promote general well-being of people. During the early years of the existence of the nation-state the geographical proximity, cultural and religious homogeneity and a more thorough knowledge about one another was very conducive in arriving at an understanding. Hence the regional arrangements
have a longer history than the universal cooperation.¹

During the nineteenth century, there were attempts made at the regional level to achieve some kind of cooperation and coordination in their policies. There were numerous pacts, alliances and arrangements of various kinds and durations. Most famous among them was the Holy Alliance, the mutual aid pact initiated by Czar Alexander I of Russia and agreed upon by Austria and Russia. Then in 1815 the Congress of Vienna established a Confederation of thirty-eight Central European countries. Across the Atlantic too, attempts were made at the regional level. The Pan-American Republics of 1826 resulted in inter-American Solidarity by 1914.

Even in the economic and social fields many pacts were signed. The foundation of economic regional organizations, in fact would be traced to the German Zollverein of 1856. It had initiated the economic cooperation among the several parts of Germany that had resulted in the political unification of Germany in 1871.

However, these attempts were mostly short-lived and involved only a small number of countries. There was no conceptual approach behind them nor was any attempt made to organize systematically to attain cooperation among them.

The Covenant of the League of Nations, for the first time recognized the existence of the regional agencies at the legal level and attempted to codify them. Article 21 of the Covenant reads.

Nothing in this Covenant shall be deemed to affect the validity of international engagement, such as treaties of arbitration or regional understandings like the Monroe Doctrine for securing the manifestation of peace.

But the Covenant had made no attempt to define the regional arrangements and looked upon them basically as regional security arrangements. Moreover, Article 21 gave legal validity to the Monroe Doctrine which was viewed as the legalization of American hegemony in Central and South America and described by many on the policy of "Dollar Imperialism".2

Peace continued to elude the European continent after World War I and the post-war system spread over a very large area: in the Far East, Middle East, Africa and in South America. This was viewed by many as beyond the means of Europe and, "in many quarters there was a feeling that an international organization on a narrower basis would contain more promise of reality."3 In the sequence some people, including statesmen started talking

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about the "United States of Europe".4

Then M. Briand in September 1929 came with his plan of an European Union so that trustworthy security could be achieved. Obviously, he had French security in mind. His plan went to the special commission of the League for the further study and died there. But during the course of discussion, Austria suggested regional economic agreements as the first step. Germany accepted this idea and a custom union between the two was announced to be established on 21 March, 1931.

This led to the instant protest by France, Czechoslovakia and Italy, while the UK was ambivalent. The legal validity of the act was challenged because Austria had earlier committed not to engage in any economical or financial engagement that could undermine Austrian independence. Hence the matter went to the Permanent Court of International Justice at this stage which declared it illegal by eight to seven votes. But, "the decision of the court was of academic interest because two days earlier the Austrian Chancellor, Dr. Schober, had announced that the Union had been abandoned."5

Thus, the significant economic union during the period between the two wars could not be achieved. Nevertheless, there were many attempts being

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4 The French Prime Minister, M.Herriot was the first statesman to made this reference on Oct.1924 and by Jan 1925 he developed his own theories of the 'United States of Europe'.

made for regional economic and political arrangements. In fact, the League established as an universal organization, worked more like a regional organization of the European level because of the limited extent of membership and appeal.

The United Nations and Regional Arrangements

The various mid-war conferences among the USA, the USSR and Britain aimed to establish a general purpose international organization, hence the regional arrangement figured only at a late stage of negotiations. At the four-power conference, at Dumbarton Oaks in 1944 regional arrangements were discussed. Britain and the US favoured regional arrangements under the universal body. The USSR also accepted the proposal and it was decided that the regional agencies would not take enforcement action without the authorization of the Security Council and they would keep the Security Council informed of their activities. The Dumbarton Oaks proposal thus declared:

"no enforcement action was to be taken under regional arrangements or by regional agencies without authorization of the Security Council."^{6}

Meanwhile at the Yalta Conference the Big Four had agreed upon the 'Veto' in the Security Council which had made the concurrence of its permanent members necessary for any enforcement action. The regional

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agencies, thus, were practically powerless and the chances of enforcement action by them became remote because of the unlikelihood of all the permanent members being agreed upon a particular action, given the political condition in the world prevailing then.

The Arab League was established by the seven countries of the Middle-East, in 1945 and the Latin American countries signed the Act of Chaultapec at Mexico in the same year, which was the act of collective security among them. It should be noted that the Latin Americans had a long history of regional arrangements and were always eager to protect their autonomy. The Arabs too were very conscious of their regional identity. Hence, at San Francisco the problem of regionalism became "one of the knottiest problems."\(^7\)

At San Francisco, the Egyptian delegation wanted to give a definition to the regional arrangements based on geographical proximity and historical, cultural, linguistic and religious affinity.\(^8\) But it was rejected on the plea that it did not cover all the situations which might be covered by regional arrangements.\(^9\) The Latin Americans were anxious to enhance the autonomy of these arrangements and wanted to eliminate the prior approval of the

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8 See, UNCIO UN Doc.533, Vol.12, p.850.

9 UNCIO UN Doc. 889/4/92, p.505.
Security Council.\textsuperscript{10} Australia and New Zealand were also eager to see the autonomy of regional arrangements. Australia wanted to add a para at the end of the regional provisions, so that, in the event of non-action by the Security Council, the regional agencies could take the enforcement action.\textsuperscript{11}

This created quite a crisis in the conference. The European Powers, especially the UK, were eager to protect the right of the regional organizations to take action against the enemy states. The USSR wanted to keep its autonomy intact over Germany and was not ready to subscribe to the idea of freedom of action by regional arrangements against the 'enemy states' because the USSR treated Germany as 'the enemy state'.

Also, these states wanted to keep the 'Veto' untouched and were not ready to compromise the supremacy of the 'Universal Organization' for the sake of regional agencies. Ultimately a compromise formula was devised that stated the right of self-defence as inherent in any action and in the event of an armed attack against any country, the countries associated for mutual assistance could take action.\textsuperscript{12}

This formula was an integration of regional system with the universal system of international security. It modified Section VIII-C of the Dumbarton Oaks proposals. The declaration of the Colombian Foreign Minister Llemas

\begin{itemize}
  \item \textsuperscript{10} See, Roth B. Russel, \textit{History of the UN Charter} (Washington D.C. Bookings Institution, 1958).
  \item \textsuperscript{11} UNCIO UN Doc 588, Vol.12, p.675.
  \item \textsuperscript{12} UNCIO, UN DOC - 589, Vol.12, pp.680-82.
\end{itemize}
Camargo, who was the Chairman of the Technical Committee, became Article 51 of the Charter.\textsuperscript{13}

Article 51 recognises the inherent right of individual or collective self-defence in an event of armed attack against it, or against any member. While this article provides the legal validity of regional defence pacts, it does not cover the regional arrangements as such.

In the Charter, Chapter VIII, Arts.52, 53 and 54 contain the provisions dealing with regional arrangements. The Charter does not touch upon the legality of the existence of regional agencies, but provides only a set of principles bearing upon the activities of regional agencies. It also recognizes the right of the member states to establish regional arrangements for pacific settlement of disputes among them.

These regional arrangements are supposed to have two prerequisites: (i) the matters dealt by them must be appropriate for the regional action; and (ii) their activities must be consistent with the purpose and principles of the UN.

It is clear that the Charter does not attempt to define these arrangements and gives them a very broad parameter since the prerequisite of being in consistence with the purpose and principle of the UN is too loose a connotation. Basically, the Charter expected them to maintain peace and security through pacific settlement of disputes. Hence it designates them as

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\textsuperscript{13} \textit{Ibid.}
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the "necessary auxiliary" to the world organization.\textsuperscript{14}

**Defining Regional Organizations**

The UN Charter does not define the regional organizations. In fact, it does not use this term, instead referring to them as 'regional arrangements. The term of reference in the Charter is very broad and rather vague so that entire gamut of regional organizations could be classified as such. Geographical proximity was thought of by many scholars as an important criterion, the oldest regional organization, the Organization of American States, being the most noteworthy example. However, it cannot be treated as the exclusive standard since many organizations such as NATO do not qualify this test.

Thomas Frank had tried to define them as such -

A regional organization is any grouping of states in some defined geographical context with historic, ethnic or socio-political ties, which habitually acts in concert through permanent institutions to foster unity in wide range of common concerns.\textsuperscript{15}

The definition is based on the old concepts of geographical proximity etc. which was derived by many scholars. Alf Ross notes, "the expression "regional" cannot require that the participating states shall be placed in a certain

\textsuperscript{14} See Article 53 of the Charter that bars the regional arrangements to take any enforcement action without the authorization of the Security Council. Article 54 directs them to keep the Council informed of their activities.

Nevertheless, the regional organizations are confined to one or more particular regions and do not have universal membership. Russett has given the following criteria of defining a regional organization: (a) social and cultural homogeneity; (b) shared political attitudes and behaviour; (c) political interdependence; and (d) geographical proximity.17

It would be pertinent to say that geographical proximity is indeed a criterion of defining the regional organizations and most of the well-established organizations are based upon this criterion. Defence pacts such as NATO are more of a regional system than that of a regional organization,18 hence the geographical proximity in this kind of arrangement is the most prominent base.

**Why Regionalism**

Regionalism has an older history, as already indicated, and almost certainly a better success record than the universal organizations. Evidently they have a major role to play in international relations. As it there are several


important consequences of their existence, especially after the Second World War, there are a number of reasons for their existence too.19

The international system until very recently had functioned like a rigid but unstable bipolar system, described as an anarchical regime by many scholars. The two rigid blocs operated with shifting balance of power and uncertain power relations. These regional organizations had brought a certain amount of stability, multipolarity, especially in non-security matters and flexibility in the prevailing system. Secondly, some of them such as the Organization of African Unity have acted as a forum for the weak and newly independent states, where they had provided a certain kind of political education to these states. Their political socialization had enabled them to play a role in the system and had made the influence of big power less easy to operate on them. Thirdly, the regional organizations have less ambiguous and less ambitious goals than the universal organizations, hence it is easier for them to operate.

Perhaps, most important is the fact that because of a certain degree of geographical proximity and cultural homogeneity, the member states of a regional organization have more shared perception of their problems. Hence the certain amount of integration was possible among the sovereign member states. This integration had resulted in successful mediation in the disputes

among them and their avoidance. As a consequence, the regions of more successful regional organizations have witnessed more enduring peace and security resulting in closer economic and social cooperation, yielding higher material benefits.

**From Organization to Integration**

The rationale and success of many regional organizations and the concepts behind them obviously lead to the road of integration. From cooperation and coordination in economic, social and political fields to a certain amount of integration was the logical outcome.

It is a fact that the UN was established to save mankind from the scourge of war. The instrument to achieve the goal was conceived as redistribution of resources and a certain kind of social change. Hence the issue of economic development was bound to be soon taken up by the world body. Very soon (from 1947) the regional economic commissions were established by the ECOSOC upon the recommendations of the General Assembly. Later on, these economic commissions, their functions and findings, became the major inspiring sources for the regional economic cooperations.

The transformation and social change which the UN was committed to was dependent upon as Elmandjra has noted, "two non-indispensable
ingredients: Integration and peace."20

After the War it was clear that the nation-state was not equipped to solve all human problems. The UN, therefore tried to integrate various social, cultural, humanitarian and economic aspects of mankind which do not recognize the frontiers of the states. This was a highly unavoidable world of interdependence. There were several areas that required an integrated approach, such as: economic planning, environment protection, science and technology, human rights, combating contagious diseases, fighting poverty and hunger and controlling information technology. And the UN is too diverse and broad a body to deal with these problems effectively.

The logical answer was the regional organizations which were considered more well-equipped to tackle these problems at the local level because of better management and a closer affinity prevailing amongst the people of the member states. The member states of a regional organization are more interdependent, hence there are more chances of integrating the units. As Karl Deutsch has noted, "Integration then is a relationship among units in which they are interdependent and jointly produce system properties which they would separately lack". 21

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Since the UN system had not managed to translate its purposive intentions in favour of international integration because of its inability to affect the 'vertical transfer' of resources, the regional organizations were looked upon as a better alternative. Various concepts, attempts and theories of economical and political integration were developed and tried upon, most noteworthy on the European Economic Community (EEC) which had its own historical necessity of tackling the problem of economic growth and peace.

The present study is divided into two seven chapters:

**Chapter I:** Regional Integration: Theories and approaches. It studies the various theories of integration and examines the corresponding approaches to the regional integration;

**Chapter II:** The Institutions of European Community, traces the historical forces leading to the establishment of the European Community (EC), along with studying its various institutions;

**Chapter III:** Decision Making Process of the European Community. It deals with the development of the decision making process of the EC until the signing of the Single European Act.

**Chapter IV:** The Single European Act and the Institutional Reforms. This chapter evaluates the historical necessities of the SEA coming into force along with discussing the institutional reforms introduced by it.

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Chapter V: European Political Union - Transforming the Community into an Union. This chapter is an analysis of the EPU and the decision making process, changed hitherto.

Chapter VI: Decision making process of the Community: Some case studies. The analysis of four cases two prior to the SEA coming into force, one after it, and, one after the Maastricht treaty become effective is done to highlight the consequential changes in the decision making process of the EC since its establishment to present.

Chapter VII: Summary and Conclusions. The last chapter of the study sums up its findings and tries to look into the future of the EC beyond Maastricht.