



## WALTER HALLSTEIN: THE USA, THE ATLANTIC PARTNERSHIP AND THE EUROPEAN COMMUNITY

Corrado MALANDRINO\*

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**RESUMEN:** Estudio sobre Walter Hallstein, uno de los políticos que en los años setenta y ochenta del siglo XX contribuyó a la construcción de la Unión Europea. Fue el fundador de la maquinaria burocrática de la Unión Europea. Previamente formó parte de la Iglesia Confesante que se opuso al nazismo, pero fue militarizado en la segunda guerra mundial, y fue hecho prisionero por los norteamericanos. Sería profesor en diversas Universidades alemanas. Hombre clave en las relaciones entre Europa y los Estados Unidos de América.

**PALABRAS CLAVE:** Walter Hallstein, Edward Heath, Jacques Delors, Helmut Kohl, Heinrich von Brentano, Paul van Zeeland.

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### 1. *Hallstein: who was he?*

In the opinion of the main European political men, who actually helped to prepare in the 1970s and 1980s the construction of the European Union – like Edward Heath, Jacques Delors, Helmut Kohl – Walter Hallstein “was a great European”, not only because he was the first President of the Commission of the EEC and the founder of the European Community's bureaucratic machinery<sup>1</sup>. But Hallstein is today, as a matter of fact, “a forgotten European” for a very important part of the European public intellectuals and the public opinion. Hardly anybody remembers he was at the end of 1950 the head of the German delegation who was negotiating with the French Foreign Minister

\* Ordinario di storia delle dottrine politiche. Università degli studi del Piemonte Orientale.

<sup>1</sup> See W. Loth, W. Wallace and W. Wessels (ed. by), *Walter Hallstein the forgotten European?*, foreword by J. Delors, E. Heath and H. Kohl, St. Martin Press, New York, and Macmillan Press, London, 1998, p. xiii.

Robert Schuman and his counsellor Jean Monnet the Treaty of Paris (1951), that instituted the European Coal and Steel Community (ECSC) and was signing 1957 for Germany – with Konrad Adenauer – the Treaties of Rome that established the EEC and the Euratom.

So it is not inappropriate to ask himself today: who was actually Hallstein?<sup>2</sup> And to give some basic informations about his life before he was appointed in January 1958 the President of the European Commission.

Walter Hallstein was born on 17 November 1901, the son of a Protestant family. His father was the head of the planning department and building control officer in Mainz (Rhine Palatinate). He studied jurisprudence and political science in Bonn, Munich and Berlin. Having graduated he quickly went into the university and became 1925 assistant professor of Civil Law. In 1930 he was appointed a professor in the University of Rostock and in 1941 received a chair at Johann-Wolfgang-Goethe University in Frankfurt, where he worked as the director of the Institute for Comparative Law and as the director of the Institute for Commercial Law. There is to note that in the meantime he was close to antinazi Evangelical “Confessant” Church of Martin Niemöller and Dietrich Bonhoeffer, and took no part in political nazism.

His brilliant jurist career was interrupted by his conscription to military service in the second world war. He was an officer of the mounted artillery in occupied northern France when the Allies invaded in June 1944. He became an American prisoner-of-war and was taken to Camp Como in the US state of Missisipi. There he organized a camp prisoner university, demonstrating his ability to manage operations on a larger scale. He entered also for the first time in touch with the American way of life and made friends with American authorities, contacts wich were consolidated in postwar period when he became in 1946 professor and Chancellor of Frankfurt University and returned in 1948 in USA as a visiting professor in the Georgetown University.

Hallstein played a part in the reorganization of the higher education system in the Western-occupied German zone as a Chairman of the Standing Committee of the Southern German Higher Education Congress. He met first Adenauer in 1948 in the German Delegation to the Congress of the European Movement in The Hague. This time Hallstein had a reputation as one of the German personalities whom the Allies wanted to promote in consolidating their democratization programme. He supported in 1949 the founding of a German UNESCO Commission whose became 1950 the first president. After the foundation of the Federal Republic in 1949, the Chancellor Adenauer appointed Hallstein in June 1950 to conduct the German delegation in Paris for the government negotiations on the Schuman Plan. Since 1951 he became Adenauer’s State Secretary for the “Office for Foreign Affairs” in the federal Chancellery too. The German ambassador Joachim Jaenicke, 1956-9 spokesman for the Foreign Office, wrote that since 1951 untill 1955 «Hallstein was the minister responsible for laying the foundations of foreign policy and for the day-to-day running of the Foreign Office»<sup>3</sup>. When the “Office for Foreign

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<sup>2</sup> For the European biography of Hallstein see C. Malandrino, *“Tut etwas Tapferes”: compi un atto di coraggio. L’Europa federale di W. Hallstein (1948-1982)*, Bologna, Il Mulino, 2005.

<sup>3</sup> Compare J. Jaenicke, *Remembering Walter Hallstein*, in W. Loth, W. Wallace and W. Wessels (ed. by), *Walter Hallstein the forgotten European?*, p. 35.

Affairs” moved out of the federal Chancellery and Adenauer retained the position of Foreign Minister, Hallstein was the actual head of a federal ministry.

As a State Secretary to the Foreign federal ministry (also with the new minister Heinrich von Brentano since 1955) he conducted the European and German policies. He became famous particularly for the so named “Hallstein-Doctrine”, that supported the Federal Republic’s claim to be the sole representative of German interests against any similar pretension of the communist Eastern Democratic Republic. This “Doctrine” was actually an elaborated strategy of the Minister von Brentano and of the director of Foreign Office Wilhelm Grewe. As a State Secretary, Hallstein stated it 1956 to the public opinion. When this “Doctrine” caused an acute crisis in the autumn of 1957 with the establishment of diplomatic relations with Yugoslavia and GDR, Hallstein had no part in it for he was outgoing from federal government and engaged above all in European policy. But he remained labeled this way as a strong anticommunist political man for the rest of his political life that, on the contrary, was devoted only to European activities.

## *2. Hallstein’s American relationship: the Atlantic inspiration and the influence of the American federalism*

There can be no doubt that Hallstein’s reflections during his stays in the USA in 1940s made him more and more aware of the necessity to anchor the destiny of Germany – and of Europe as well – to Atlantic and American strong relationships. In the conference at the Georgetown University held on 12 March 1952<sup>4</sup> he remembered his prison years 1944-5 and the visiting professor period in 1948-9. They were in his opinion the richest years of his life, not only for his culture, but for assimilating a new way of life. A way so far from the heavy German *Weltanschauung* during the period between the two world wars, fed with revanscist and racist feelings and militarist aggressive policies. On the contrary he saw the American way inspired to freedom and vitality ideals, to a sense of greatness and large horizons, desires of realism and transformation, but also to a concept of fairness. “The Americans are the best Europeans” he sentenced, and he meant that the best European values continued to live in the American political culture. Moreover he intended also that the USA performed successfully a role of “federator” of the European states.

In fact, Hallstein was persuaded that the American federalist tradition, beginning with the original experience of his transition from the Confederation Articles of 1778 until the federalist constitution by the ideologic struggle of Hamilton and Madison’s *Federalist*, could represent *mutatis mutandis* a good example for the European states too.

Axel Herbst, German ambassador, diplomatic attaché in Washington 1953-57 and from 1960 until 1968 deputy Secretary-General of the EEC Commission with Hallstein, wrote that «living through the war and living in the postwar period, combined with experience at Konrad Adenauer’s side, convinced Hallstein that the goodwill and support of the USA was imperative for the

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<sup>4</sup> See W. Hallstein, *Schumanplan und europäische Integration*, typescript of 19 pages, in "Nachlass Walter Hallstein" NWH, Bundesarchiv Koblenz, N 1266 N. 1964.

security of the Western world and for the rebirth of Europe»<sup>5</sup>. Consequently Hallstein thought it was necessary to engage in continuous dialogue with the Americans who were in position of responsibility. He faced this challenge courageously.

As matter of fact, the American administration realised with the Marshall Plan and suggesting the constitution of the Organization of European Economic Cooperation (OEEC) a first form of concrete aid not only for European states' material recovery, but in the way of uniting the continent. The political significance of the Marshall Plan was his premise of the necessary form of strong cooperation of all European states for using the recovery aid. And his necessary result was the constitution of the OEEC, which represented for Hallstein a model of common work for future development.

Of course, Hallstein was aware that the ideal of European unity took throughout the world war too on added strenght either in the minds of statesmen or in the aspirations of refugees, Resistance fighters, political prisoners in the continent. One could remember for example the names of Winston Churchill, Charles de Gaulle, Paul van Zeeland. But in his opinion the first decisive step was taken in 1947, with the announcement by George Marshall of the plan for American aid to Europe. «The economic significance of this proposal – wrote Hallstein – requires no stressing: Europeans can never be oblivious of the courage, the wisdom, and the generosity that it represented, or of the vital foundation which it laid for European recovery»<sup>6</sup>.

But though he was aware of the importance of the OEEC, he thought that «the political results of Marshall aid and of the OEEC which sprang from it, fell far short of the hopes it had originally aroused»<sup>7</sup>. In fact, the scope of the OEEC was restricted. Its structure remained that of a classical intergovernmental conference in permanent session. Its executive body was a council subject to unanimous voting; although abstention was not held to invalidate otherwise unanimous decisions, application of agreements was limited to those countries who had not abstained. Moreover, a contrary vote sufficed to veto an otherwise unanimous decision – a fact that created difficulties, even if it failed to prevent the formation of something like a general European consciousness which was to prepare the way for further steps. According to Hallstein, the more important of these steps was the Schuman Plan, because of his "supranational [and political] aspect". In force of this character the European Coal and Steel Community (ECSC), founded by the Paris Treaty of 18 April 1951, was essentially differentiated from the international bodies already existing as the OEEC, because «the goal of integration is political», he wrote<sup>8</sup>.

### 3. American and "Atlantic partnership" according to Hallstein in 1950s and beginning 1960s

What I have till now said should have made comprehensible the fact, that Hallstein was very far from a definition of the Atlantic Community, which was in

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<sup>5</sup> Compare A. Herbst, *W. Hallstein and the Anglo-Saxon world*, in W. Loth, W. Wallace and W. Wessels (ed. by), *Walter Hallstein the forgotten European?*, p. 202.

<sup>6</sup> Compare W. Hallstein, *United Europe. Challenge and Opportunity*, Harvard University Press, Cambridge Massachusetts, 1962, p. 6.

<sup>7</sup> *Ibidem*.

<sup>8</sup> *Ivi*, p. 62.

the 1940s elaborated either by Walter Lippmann, or Henry Luce in the *Life Magazine* (both authors are never appointed in NWH or in Hallstein's works). Hallstein's recognition of the American role in European recovery and development was very different from the acceptance of an "Atlantic Community". In the reconstruction of this ideological concept made by Marco Mariano<sup>9</sup>, the characters of the "transatlantic, Christian and white world" composed a framework for the USA as "leader of a transatlantic space that included North America, western European countries, and the dominions of the southern hemisphere of the «white settlers»"<sup>10</sup>.

Of course this vision supposed "shared political and economic principles and institutions (liberal democracy, individual rights and the rule of law, free market and free trade), cultural traditions (Christianity and western civilization), national interests" (p. 163), which the European Hallstein in according with the Atlantic Charter and Nato's political and strategical antisoviet finalities could largely share too. What Hallstein could not entirely share in this vision was probably the stress upon the minor consideration of Europe in the terms of leadership and contours of this "western civilization". He preferred anyway to speak more of an "open partnership" than of "community".

It is interesting to see the reason why.

In fact, since 1947-8 Hallstein saw at the relationship between America and Europe in terms of "gratitude", "Atlantic dialogue"<sup>11</sup> and "solidarity", but never as an "Atlantic community" in the sense of to recognize an American imperial superiority or its particular destiny as a "new Jerusalem", "a new Rome", and so on like something comparable with Luce's ideological construction. After the foundation of the European Economic Community, the rapid development of this supranational organization quickly put many problems of cooperation, concurrence and regulations on the field of the international commercial policy inside the western allied too. Hence the need of a general arrangement on tariffs and trade, which persuaded President Kennedy to start in January 1962 his proposal on foreign economic policy entitled "Foreign Economic Policy for the 1960s", later recognized as the "Kennedy Round".

It is interesting to know, that Kennedy received Hallstein (at that time he was called by the American press as "Mr Europe") in the White House on 15 May 1961. Axel Herbst wrote that two days after Kennedy-Hallstein meeting the EEC President spoke of this meeting to the Overseas Writers' Club in Washington «in a businesslike style, as if such a meeting were merely routine». And, in actual fact, it was a great moment in European-American relations, for the man at the head of America, the world power, «whom Hallstein regarded as a statesman and an ally, who agreed with his ideas and accepted the principle of Europe's equality», went on to proclaim in Philadelphia on 4 July 1962 the "Atlantic Partnership" as the main objective of his policies and as the mainstay

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<sup>9</sup> Compare M. Mariano, *The U.S. Discovers Europe: Life Magazine and the Invention of the "Atlantic Community" in the 1940s*, in *The Place of Europe in American History: Twentieth-Century Perspectives*, ed. by M. Vaudagna, Otto Editore, Torino, 2007, p. 161-185.

<sup>10</sup> Ivi, p. 162.

<sup>11</sup> Compare W. Hallstein, *Vom europäisch-amerikanischen Dialog zur Atlantischen Partnerschaft*, in T. M. Loch, *W. Hallstein. Europa 1980*, Bonn, Eicholz-Verlag, 1969 (1<sup>a</sup> ed.), p. 129-145. See also Idem, *Nordamerika und die europäische wirtschaftliche Integration*, Nato-Parlamentarier-Konferenz, Washington 18. November 1959, in Id., *Europäische Reden*, ed. Th. Oppermann, Stuttgart Deutsche Verlags-Anstalt, 1979, p. 134-148.

of global peace<sup>12</sup>. Kennedy announced in the Paulskirche in Frankfurt on 25 June 1963 his support for the following vision of Europe: «[...] a Europe, united and strong, a world power which is able to tackle world problems as a full-fledged and equal partner – within the framework of an Atlantic partnership. As a totality of interdependent parts which share both burdens and decisions and are linked by the tasks of defence as well as by the work of peace»<sup>13</sup>.

Hallstein shared this definition used by Kennedy of the new form of relationship between USA and Europe as an "open partnership". He was aware of the fact that many people had chosen to call this partnership the formation of an "Atlantic Community". But he preferred the other formule. According to Hallstein, the term "Atlantic Community" reminded of "Voltaire's remark about the Holy Roman Empire"<sup>14</sup>, that it was neither holy, nor Roman, nor an empire. With this witticism he meant that the so-called "Atlantic Community" could not be confined to the Atlantic area, for its effects embraced also the partners in Africa and the Pacific (with whom Hallstein as EEC President prepared a close cooperation by the Yaoundé Treaty, far from an imperialistic relationship), nor was a real "community" in the sense that this word by that time was applied to the European Community, that is «a full economic union, one new Atlantic personality, with integrated institutions and strong political implications»<sup>15</sup>. That was a real "community", that was in German language a "Gemeinschaft". Otherwise between Europeans and Americans there could be a "Gemeinsamkeit", that was in English a "to stay together", but not really a community in a strong sense. There could be a common responsibility, a cooperation among equals, about many vital problems, but not a community in the sense of the EEC.

Hallstein wrote: «Whatever the degree of our interdependence, it would be unrealistic to expect our America and other friends outside Europe to assume all the obligations of the European treaties, with all their political overtones. What seems much more likely to emerge, in fact, is a close partnership between two personalities, the European Community and the United States, benefiting not only its partners, but the other countries as well»<sup>16</sup>. The instruments of such a partnership on the economic level were the GATT and the Organization for Economic Cooperation and Development (OECD), on the strategic terrain the NATO.

It was absolutely clear for Hallstein that all those economic and commercial problems were much more than a matter of commercial policy or even of foreign economic policy. He said that for the EEC, the USA and for the whole "free world" they were a matter of the utmost political importance. If the "free world" did not succeed in solving them, the risk would have been of an exposition to the reproach which Communist ideology had always taunted free economic society: its radical weakness and probable destruction by its own internal contradictions.

So the "Atlantic Partnership" was in Hallstein's opinion neither a pattern to justify an American political hegemony nor a formule for Europeans to escape their responsibilities. He was aware that for many people that was the

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<sup>12</sup> Herbst, *W. Hallstein and the Anglo-Saxon world*, p. 206.

<sup>13</sup> *Ibidem*.

<sup>14</sup> Hallstein, *United Europe*, p. 87.

<sup>15</sup> *Ibidem*.

<sup>16</sup> *Ivi* p. 87-88.

expression of the American position of world power and particularly of a power protecting Europe. But that was according to him a rest of the past. The present and the future world would have asked more and more a partnership's dialogue among equals.

Kennedy's tragic death was in Hallstein's opinion a great loss for European-American relations. He grieved over this crime before the European Parliament on 26 November 1963. In the absence of Kennedy's infectious optimism and will to explore new possibilities, doubts began to arise in America as to whether an actually operational "Atlantic partnership" could be realized. With President L. B. Johnson, though he endeavoured to resurrect the idea of an "Atlantic partnership", Kennedy's "grand design" crumbled. And in Europe also diminished the belief in taking measurable steps in the direction of unity, because there were growing – against Hallstein's thought – forces believing that Community had to be seen as more of a trading bloc in formation than as a political partner and military ally which would be able to ease the USA's growing burden of global responsibility.

De Gaulle Europe's politics of an "Europe of the Europeans" – against American and NATO's influence –, with his veto against Britain's accession on January 1963 in the EEC, the gaullist France's egocentric policy of the "empty chair", which ended with Hallstein's defeat, and France's withdrawal from the military integration of NATO, made grow the American disillusion as for the possibility of an "Atlantic partnership" with the Europeans.

Hallstein followed this transformation of American and European attitudes with concern. With a heavy heart, he had to concede in his speech on 13 April 1967<sup>17</sup> in front of the American publishers and correspondents in the McGraw-Hill Publications in Brussels, that the "Atlantic partnership" was stagnating in foreign policy and military strategy and could had follow only in the terms of a purely economic cooperation in the frame of GATT and other similar initiatives.

Nevertheless, he considered that as a developing period and underlined that European integration was "a long-term undertaking" and that the present economic Europe was only the core of the future Europe. He asserted: «Only when full economic union is seen and felt by Europeans to be a real part of everyday life, will this EEC develop a strong urge in the direction of political union. Political union remains a necessary and realistic objective of European integration policy. It is the objective which the fathers of the Rome Treaties had before them, and the Treaties were framed with it in view»<sup>18</sup>. In this perspective, but not automatically, Hallstein foresaw Europe had to develop a foreign common policy and a common defence policy. And there, in a "world of tomorrow", had had to be a new encounter for American-European "Atlantic partnership".

How far is today's world from this vision, everybody can judge.

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<sup>17</sup> Compare W. Hallstein, *Atlantic partnership 1967*, in Idem, *Europäische Reden*, p. 663-9.

<sup>18</sup> Ivi, p. 666.