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# 1 Rescuing the European welfare state

The Social Affairs Committee of the early European Communities, 1953–1962

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## Introduction<sup>1</sup>

Welfare and European integration are emblematic of Western Europe's revival after the tumult of economic depression, social dislocation, mass population movements, genocide and war that marked the first half of the twentieth century. They were children of the post-war era, though they drew and built upon pre-war models. Several decades ago, Charles Maier famously employed the phrase "the politics of productivity" to analyse the nexus of domestic and international socio-economic policies that shaped the "post-war consensus" from the Marshall Plan to the early European communities.<sup>2</sup> Maier's formulation fits well with John Ruggie's concept of "embedded liberalism," in which international institutions provided an anchor of stability and a propitious setting around which national governments constructed welfare states.<sup>3</sup> In these accounts, the philosophy that guided the hands of the architects of Western Europe's revival was that a stable institutional foundation for economic growth would in itself engender an improvement in living standards and welfare, a view shared as well by the International Labour Organization.<sup>4</sup> The European communities, which later became the European Union (EU), were among the most important products of this context of designing institutions to manage the economics and politics of inter-state bargaining. For his part, historian Alan Milward took a different approach to Maier and Ruggie, famously arguing that the European communities were designed to "rescue" national welfare systems, in particular by passing the costs of welfare in troubled economic sectors (Belgian coal and European agriculture) to the European level.<sup>5</sup>

Though social rights have found piecemeal recognition in European conventions and treaties in the last sixty years, they have generally been subordinated to internal market issues in European law. The second-tier position of social rights in the European communities mirrors their marginalization in Western conceptions of international human rights law established in the 1940s–1950s. The 1948 United Nations Declaration of Human Rights embodied "a dominant Western paradigm of individual rights" in which "economic, social, and cultural rights were included ... but in a secondary position" that was further degraded when debates shifted to negotiating a legally binding human rights convention.<sup>6</sup>

Despite the UN General Assembly voting multiple times for the inclusion of economic and social rights in a single covenant with civil and political rights, the “human rights convention ... was further fragmented into two treaties – civil and political rights, championed by Western states, and economic, social, and cultural rights, supported, albeit less forcefully, by Third World states and the communist bloc and therefore given an inferior legal and political status in the UN system.”<sup>7</sup> The 1950 European Convention on Human Rights (ECHR), described by one scholar as “the crown jewel of the Council of Europe and more generally postwar Europe,” also excluded social rights; it contained instead only “a select number of civil and political rights.”<sup>8</sup> According to Marco Duranti’s influential study, the ECHR must “be understood as a product of its free-market and social conservative origins” in which a coalition of conservatives and Christian Democrats defeated centre-left concepts of social rights as human rights in the 1949–1950 debates in the Council of Europe.<sup>9</sup> Nonetheless, the ECHR remained largely a dead letter until the end of the 1950s, whereas a supranational European community opened in 1952–1953. The Treaties of Rome (1957) that established the European Economic Community (EEC) largely omitted social policy, though it figured more prominently in the Treaty of Paris (1951) that created the European Coal and Steel Community (ECSC).

Social policy in the European communities, the subject of this chapter, was contentious from the start. In the spirit of Roger Normand and Sarah Zaidi’s work on the UN and of Duranti’s book on the Council of Europe, this chapter does not view “the denigration of economic and social rights” within the European communities as “inevitable nor inescapable” but rather as “closely contested and historically contingent.”<sup>10</sup> Historians have investigated the inter-governmental negotiations that led to the (limited) social provisions of the EEC Treaty, the role of member states and the European Commission in setting up the European Social Fund and the European Investment Bank, the collaboration of the International Labour Organization in the social policy of the ECSC/EEC, and the consultative Economic and Social Committee that brought together employer, trade union and consumer organizations.<sup>11</sup> This contribution is among the first to analyse in its own right the early years of the Social Affairs Committee of the Common Assembly, from 1958 the Social Committee of the European Parliamentary Assembly, the predecessor of today’s European Parliament.<sup>12</sup> European deputies were national parliamentarians delegated by their parliaments to oversee community activities and ensure the democratic accountability of the High Authority and European Commission, the communities’ executive bodies. The assembly held few formal powers and its claims of democratic representation were undermined by the exclusion of communist and far-right deputies. Nonetheless, the deputies’ positions were strengthened by their dual mandates in national and European assemblies and their persistence in treating the Common Assembly as a formidable European parliament in the making. The initiative for the creation of the Social Affairs Committee came from community socialists, who argued for a robust and expansive mandate for the assembly during its inaugural sessions. Dissatisfied with the proposal for a

committee mandate limited to “housing issues,” they proposed a committee “on work and social questions” in September 1952 that would deal with “questions concerning workers’ policies, freedom of migration, living standards, and social affairs and benefits.” The Social Affairs Committee was inaugurated in January 1953 as one of four large committees (along with common market, investment and external relations) that would conduct the lion’s share of the assembly’s day-to-day work overseeing ECSC policy.<sup>13</sup> It is worthwhile examining how this international group of politicians conceptualized welfare in the move from a coal and steel common market to a general common market in the 1950s–1960s. Doing so brings to the fore the contested nature of early European social policy. In this committee, moderate socialists, centre-left Christian Democrats and socially minded liberals held a majority that supported social rights and distrusted aspects of the “politics of productivity.” The chapter covers a timeframe from the opening of the coal and steel market in 1953 to the move from the first to second transitional stage of the EEC customs union in 1962. It begins by considering how committee members conceptualized the impact that a coal and steel common market would have on the working conditions, (un)employment, and social rights of coal and steel workers in 1953–1955. It then examines their attempts to influence and revise the social clauses of European treaties in communication with the High Authority and the intergovernmental team negotiating the Treaties of Rome in 1955–1957. Finally, it analyses their efforts to build supranational welfare policies in and beyond heavy industry during the first years of the EEC in 1958–1962. Through an examination of committee minutes, resolutions and communications the analysis demonstrates (1) how committee members claimed to speak for workers in their repeated criticisms of the inadequacy of European social policy, (2) how they differentiated between groups of workers as they campaigned for supranational social rights, and (3) how the focus on employment as the basis for social rights as well as their acceptance of contemporary social and gender norms constricted their otherwise large ambitions to build legitimacy for the European project by means of a pro-active and interventionist European social policy.

### **Building legitimacy for European integration by promoting workers’ welfare, 1953–1955**

Jean Monnet, president of the supranational ECSC High Authority, spoke of the “tight interdependence” between economics and social policy in his first appearance in April 1953 before the Social Affairs Committee of the ECSC Common Assembly. In preparation for this meeting, Monnet wrote, “I believe that it is no exaggeration to say that all of the High Authority’s activities have a social character.”<sup>14</sup> Despite Monnet’s gloss, the ECSC treaty’s philosophy is better summed up by Albert Coppé, a High Authority commissioner, who told the first meeting of the Common Market Committee that “it is essentially by means of a rise in productivity, the principal task of the Community, that we will arrive at an improvement in the living and working conditions of workers.”<sup>15</sup>

This interpretation of the treaty as an embodiment of the “politics of productivity” found a cold welcome in the new Social Affairs Committee. From its inception, committee members were at odds with core aspects of this governing philosophy of the European Community. The elected chair, Gerard Nederhorst of the Dutch Labour Party, opened the committee’s second meeting in March 1953 by stating, “When we examined the report of the High Authority” in January, “I had the impression that our committee did not fully approve the method employed by the High Authority to develop projects in the social domain.” He complained that the High Authority “has given the wrong impression that social policy is of secondary importance” and that “compared to the constant movement in the economic field, the major lines of policy that the Coal and Steel Community intends to practice in the social field remain vague and poorly defined.”<sup>16</sup> He suggested a formal protest to Monnet, a request his colleagues unanimously approved. It was this protest that prompted Monnet to respond with the assurances quoted earlier.

In the first committee meetings, members expressed concern that a neglect of social policy could gravely damage the legitimacy of the European project. The committee attempted to add weight to social policy by strengthening its own position vis-à-vis the High Authority and the other Common Assembly committees. Nederhorst and his colleagues insisted that the High Authority consult the committee before making major decisions on issues like pricing and cartel policy, core fields of community activity. In these early years, comments such as this were common: “It is [unacceptable] that a decision has been taken in the economic or financial domain without having first examined the social consequences of these decisions.”<sup>17</sup> In addition, committee members emphasized the importance of expanding units of the High Authority bureaucracy devoted to employment and social issues that were understaffed compared to their economic counterparts.

Most glaring were the apprehensive remarks committee members repeatedly made about how people in their countries perceived the newly founded community. Italian member Italo Mario Sacco said during Monnet’s appearance that

the creation of the International Labour Organization in the Treaty of Versailles gave birth to great hopes of the improvement of working conditions but these hopes were in large part disappointed. The reason was that certain countries, fearing competition, adopted an overly restricted or prudent social legislation and were forced to do so by their neighbouring countries. It is necessary not to fall into the same error.<sup>18</sup>

Sacco emphasized the “psychological problem” that “workers have the impression that the interest in the social aspect of problems is somewhat neglected,” pointing to employers using “the pretext of the uncertainty born of the creation of the common market ... to delay accepting workers’ demands that certainly would have been accepted at other moments.” Nederhorst, for his part, relayed to his colleagues, “In the Netherlands we are witnessing a weakening of interest of the population” in the ECSC.<sup>19</sup>

Especially prominent in committee debates were members' claims that the community was damaging the interests of miners and steel workers in their countries. Often forgotten in European integration history is that many coal and steel workers and their trade unions reacted with considerable misgivings or strong opposition to the original ECSC proposal. This was so in the Nord/Pas-de-Calais and the Ruhr, the main coal-producing regions of France and Germany, as I have analysed elsewhere, and in the Borinage, Belgium's troubled mining area.<sup>20</sup> A central purpose of the ECSC was to lower the costs of energy to fuel the economic modernization needed to fund reconstruction and the emergence of modern welfare states, but, somewhat perversely, this goal had the potential to harm the workers for whose benefit the rudimentary welfare systems of the eighteenth and nineteenth centuries had first emerged: coal miners and raw steel producers. Furthermore, coal and steel workers tended to be the largest reservoir of support for communist parties in Western Europe during the early Cold War, presenting a toxic cocktail for the ECSC if not handled carefully. Nederhorst warned the High Authority in January 1954 that, "public opinion often attributes unemployment to the existence of the High Authority and the Common Market."<sup>21</sup> Willi Birkelbach, a German Social Democrat, repeatedly invoked the situation of steel industries in Salzgitter, near the border of East Germany, for which "the establishment of the Common Market has accentuated the deleterious effects" of the region's structural difficulties. "Without the Common Market," which banned state subsidies, "Germany would have taken vast measures on the national scale to stimulate steel production." Most concerning, for Birkelbach, was that "the Government of the Soviet Zone has exploited this situation in its propaganda against the ECSC."<sup>22</sup>

Discussions on welfare focused on the two industrial sectors that fell under the ECSC treaty. On this basis, Nederhorst explicitly defined whose welfare fell within the purview of the committee and whose welfare did not. This came out clearly in an April 1953 exchange between Alfred Bertrand, the committee's Christian Democratic vice president, and Nederhorst in which Nederhorst stated that the committee's work would focus only on coal and steel workers and not on consumers as Bertrand had suggested. In January 1956, Nederhorst said that "he is of the opinion ... that the Treaty authorises isolating in a way the two industries that fall under the Treaty from other branches of the economy," and he sought to further define its focus, suggesting that "under these conditions, would it not be possible to separate the working conditions of underground miners from those of [surface] workers?"<sup>23</sup>

Despite its focus on a traditional welfare constituency, the committee did more than replicate national discussions on coal and steel: it spent a large proportion of its time discussing the living, employment and housing conditions of migrant workers in these industries whose conditions had typically been neglected by national governments as well as trade unions.<sup>24</sup> The perennial problem of the transferability of welfare benefits across borders was of particular concern.<sup>25</sup> This interest was soon channelled into support for the international negotiations that began in 1954 to create a framework for non-discrimination and the portability of social benefits for all migrant workers (of signatory states) and then

into support for the resulting 1957 European Convention on Social Security of Migrant Workers, the history and importance of which Karim Fertikh discusses in Chapter 2 of this volume.<sup>26</sup> Further, there were discussions of the welfare of migrant workers' families, in particular the children of Italian miners who had migrated to the coalfields of Belgium, France and Germany.

In its first three years, the committee emphasized the concerns of coal and steel workers largely to the exclusion of workers in other fields as well as people outside of the labour force. A number of members urged the committee to consider any potentially negative impact that its proposals might have on workers in other sectors, but these comments did not go much beyond statements of principle.<sup>27</sup> Underlying the committee's agenda was a recognition of the traditionally privileged status of coal and steel workers relative to other "blue-collar" occupations. One member, for instance, recalled, "the numerous privileges (exemption from military service, the highest salaries) that compensated for the inconveniences of the profession" and regretted that, "the current levelling of working conditions for all has brought disadvantages to the miners."<sup>28</sup> Another stated that "the committee does not hesitate to conclude that it is necessary to grant miners a privileged situation," and "[t]he working conditions in the mines are such that it would not be necessary to extend the advantages conceded to miners to workers in other sectors...."<sup>29</sup> This commitment to miners' welfare manifested itself in a continuous dialogue with High Authority officials in which committee members urged the community's executive to interpret its legal powers as widely as possible. ECSC social policy was almost entirely devoted to the well-being of coal and steel workers. It included a re-adaptation programme in which community funds matched national government investment in the retraining of workers laid off due to competition in the common market; a reinstallation programme to fund the resettlement of unemployed coal and steel workers to other sectors; a housing investment programme in mining and steel regions; investigations into the living and working conditions of migrant workers in coal and steel; and study commissions focused on workplace safety and occupational hazards and diseases.<sup>30</sup>

Committee members quickly concluded that the ECSC treaty did not provide sufficient supranational powers to combat the negative social repercussions that might befall certain workers during the opening of the common market. As early as April 1953, Belgian Socialist Max Buset stated, "The Treaty [only] grant[ed] the possibility of indirect actions, [and therefore] it is necessary to entirely exhaust [the legal possibilities] until a supranational authority [invested with appropriate powers] is created."<sup>31</sup> Disappointment with community social policy combined with a critique of the limitations imposed by the ECSC treaty. By 1954, the committee was discussing a treaty revision that would expand the powers of the High Authority and the Common Assembly. In advocating a pro-active community social policy, committee members demanded that the High Authority gain the legal right to initiate aid to workers when national governments failed to do so. Nederhorst lamented that "the procedure foreseen in social affairs by the authors of the Treaty has not led to the favourable results expected," and "[t] herefore we must foresee a new manner of acting in the future, especially in the

area of a generalised common market.”<sup>32</sup> Such was the general thrust of discussions within the committee, though there were divisions over what policies should move from national to supranational levels as well as disagreements concerning the leeway available within the existing treaty to expand the community’s role in social affairs.

When the six ECSC member-state governments began negotiations to extend the common market to their entire economies in the aftermath of the June 1955 Messina conference, committee members ratcheted up their criticisms of the meagre role assigned to social policy in the community. Bertrand noted that “the economic evolution ... following the establishment of the Common Market has been favourable, but the owners have been the primary beneficiaries while labour should also share in the benefits obtained.”<sup>33</sup> A trade unionist deputy agreed, telling the committee that “the results of three years of the common market have frankly disappointed the workers who had a right to expect more tangible benefits.”<sup>34</sup> An Italian member said that “at the moment of the ‘European relaunch’ ... it is more important than ever to create, by means of tangible benefits for the working class, this European consciousness without which the treaties will have little success.”<sup>35</sup> Bertrand summed up the committee’s assessment of the first years of ECSC social policy by stating that “it has generally been admitted that the economic improvements due to the common market would automatically bring with it social improvements” but “three years of experience have demonstrated that this is not the case.”<sup>36</sup>

### **Lobbying for supranational social policies during the European “relaunch,” 1955–1957**

The year 1955 was a bustling time in European integration history. The question of West German rearmament, which had paralysed integration initiatives beyond coal and steel in 1952–1954, fell from the supranational agenda and a path opened for Dutch Foreign Minister Johan Beyen’s proposal for a European common market. The Dutch initiative was the basis for a June 1955 Messina summit in which the six governments established a working group, the Spaak Committee, to prepare a new treaty. This committee, after intense negotiations, issued a report in favour of the common market, laying the groundwork for the hard-nosed inter-governmental negotiations that unfolded from October 1956 to March 1957. The result was the Treaties of Rome for a supranational atomic energy community and, most important, a European Economic Community. Beyen’s 1955 proposal came at a time when the ECSC was nearing full operation. The growth in community activity on all fronts is evidenced by the rising number of committee meetings and by the increased length of committee protocols.

The Social Affairs Committee was no exception, and, in addition to the quantitative increase in committee records, there was a qualitative burst in enthusiasm, as Nederhorst welcomed that, for the first time, “social problems are situated at the heart of [the community’s] concerns.”<sup>37</sup> The European “relaunch” came as the committee was preparing proposals to expand the ECSC’s authority in social



policy. The ECSC Treaty allowed revision at the end of a transition period in 1957. In preparation, the Common Assembly formed a working group to coordinate the views of the various committees. In a June 1955 letter, the president of the Working Group, Roger Motz, instructed Nederhorst to indicate, first, “the measures that would permit the full application of the treaty without modifying the text” and, second, to lay out “what extension will be necessary to give the Community powers in social affairs necessary to fulfil the objectives fixed in the Treaty.”<sup>38</sup> Herein lay the crux for the discussions in the Social Affairs Committee.

In its reply, the committee presented its case for a pro-active community policy. First drafted in June 1955, the month of the Messina conference, it claimed that “in the current system, the Community cannot sufficiently protect workers’ interests” because it “leaves to governments the initiative in the area of social legislation” while “experience shows us that governments hesitate to grant workers in the coal and steel industries the social advantages they could obtain.” This state of affairs “creates obstacles to the realisation of the social objectives of the Treaty,” and it was therefore necessary to grant the community the right to initiate supranational social policies. The note supported expanding supranational powers (but to varying degrees) over working conditions, salaries, housing construction, re-adaptation and migration. The text was an internal compromise, especially on the issue of the “harmonization” of member-state social policies that was a constant source of dispute in other international fora like the International Labour Organization. The committee would only support weak supranational powers over salaries, calling instead for the High Authority to promote community-wide collective bargaining between trade unions and employer organizations. This contrasted with the stronger supranational powers the committee promoted for other policy fields. The overall intention was to “permit the Community to directly realise social improvements and influence living standards.”<sup>39</sup>

The note signalled the committee’s dissatisfaction with ECSC social policy. It described the community’s efforts in the field of re-adaptation as “completely deficient,” regretted that national governments left many laid-off coal and steel workers in the lurch by not requesting community funds to assist them, and objected that the treaty’s provision to facilitate the migration of coal and steel workers was being interpreted in such a way as to “inevitably restrain free movement.” The discontent continued during the following years. In June 1957, the committee expressed its “regret that the period of economic growth has not been utilised sufficiently to put in place the necessary measures for reconversion and re-adaptation” and demanded an action programme that would lay out community objectives “to achieve social improvements for the next 15 years.” Further, it stated that it could not “formulate a judgement concerning whether integration has granted particular advantages to workers of the coal and steel industries” because the High Authority had not provided it with adequate information.<sup>40</sup> In the meantime, a mining disaster in Belgium re-focused the committee’s attention on a policy field that had been the heart of nineteenth-century social reforms in European industry: occupational safety. In 1956, over two hundred miners died when a fire broke out in an underground mine in Marcinelle, near Charleroi. The

catastrophe sparked an ECSC crisis when the Italian government responded by forbidding further recruitment of Italian workers, who made up approximately half of the casualties in Marcinelle, until the Belgian government addressed safety concerns. The Common Assembly established a new committee on mine safety to monitor and advise an ad hoc intergovernmental conference on safety held in 1957. Working closely with the Social Affairs Committee, whose members took most of the seats on the new committee, the deputies lobbied for a powerful mine-safety body that would be independent of national governments and invested with powers to fine businesses that failed to meet safety standards.<sup>41</sup> The committee called for inserting supranational powers in matters of occupational safety into the ECSC treaty and demanded that governments follow up with a second conference on safety issues in the iron and steel industries.<sup>42</sup> There was a clear public relations component to the discussions: ECSC commissioners noted that the Soviet Union would emphasize mine safety at the 1957 Universal Exposition, with the implicit intention of embarrassing the community.<sup>43</sup> Committee members urged the High Authority to counter the Soviet tactic by dedicating a significant portion of the ECSC's display at the exposition to the mine-safety programme. Under pressure from multiple directions, ECSC member states agreed to establish a permanent intergovernmental body to monitor and assess mine-safety issues, which began operation in autumn 1957.

In this as in other policy fields, the standard by which the committee measured the success of the community's social policy remained their perception of the well-being of coal and steel workers. The coal industry was generally performing well at this time, but storm clouds were gathering. High welfare expenditures, lower transatlantic freight rates and a growing abundance of increasingly cheap petroleum foretold the severe displacement that the coal industry would experience in just a few years' time. At the dawn of this wrenching transformation, committee members remained committed to preserving coal miners' privileged status. Birkelbach, for instance, said that "the disaffection of workers towards work in the mines confers responsibilities to the Community" that "requires common measures to avoid irreparable harm to the Community."<sup>44</sup> The committee faced a conundrum because the modernization programmes underway were unable to sustain coal's long-term competitiveness. In October 1957, Bertrand expressed his "fear that soon miners' salaries will be lower than those in other branches of industry" while "the High Authority should remind governments that miners' salaries should at whatever price be at the summit of the salary pyramid."<sup>45</sup> Despite isolated comments against creating "economic oases," the committee began a long struggle in association with a number of trade unions for a "Miners' Statute" to protect coal workers from the whims of market forces.<sup>46</sup> Social Affairs Commissioner Paul Finet acknowledged the "open question of justification of the state, of society, [favouring] an industry compared to other industries with lower burdens of social costs."<sup>47</sup> However, this concern was brushed aside. Finet spoke of his desire to "restore the honour of the mining profession" and "ask[ed] himself whether the miners' profession ought to be considered a service for the collectivity and escape the laws of the market." It would be "difficult to accomplish" but

“worth the effort to try ... so that miners eventually enjoy a privileged position thanks to the creation of a European Miners’ Statute.”<sup>48</sup>

We pick up the story of the Miners’ Statute in the next section, but the point here is that the context of disappointment and the perceived failure of community social policy directly informed committee attempts to influence the common market negotiations in 1956–1957. Birkelbach criticized ECSC policy in a November 1956 committee report that laid out recommendations for the ongoing negotiations. It stated that “your committee ... has repeatedly concluded that [the ECSC Treaty] has provided far fewer powers in the social field than in the economic field.” This, in turn, “often led in practice to unsatisfactory, unamenable and even ineffective solutions to the provisions and mechanisms provided in the Treaty.” The report then demanded protection and re-training of unemployed workers regardless of whether their termination was caused by the opening of the common market, “a programme for the elimination of structural unemployment,” and an “initiative right for the European Commission in questions of the raising of living and working conditions.” Further, it included a moderate call for social harmonization, a promotion of community-wide collective bargaining, permission for state aid in cases of emergency, a Keynesian-style community macroeconomic expansionary programme, complete and equal social security protection for migrant workers, and an expansion of the powers of the Social Affairs Committee to propose social legislation.<sup>49</sup> The Common Assembly approved Birkelbach’s resolution on 30 November.

As national governments hammered out remaining areas of disagreement over the winter of 1956–1957, the Social Affairs Committee designated members to lobby for its design. Nederhorst summarized the committee’s perspective in a letter to Hans von der Groeben, chair of the common market committee of the intergovernmental conference negotiating the Treaties of Rome. The letter repeated the key points of Birkelbach’s report, adding the goal of “full employment,” and called attention to the necessity “of finding a means to guarantee a better situation for workers.”<sup>50</sup> The intergovernmental committee received the committee’s delegation in December 1956, politely listened to its concerns and then in large part ignored its conclusions. The Treaties of Rome that emerged in spring 1957 reinforced the philosophy underpinning the Treaty of Paris that welfare gains would follow economic growth engendered by the common market. They did not include the more extensive supranational social policies demanded by the Social Affairs Committee. In October, Nederhorst told the committee that, “The ECSC Treaty seems to be better than the [EEC Treaty]” because the economic powers of the European Commission were weaker than those of the High Authority and, therefore, “the ECSC Treaty should be retained in all areas in which it gives more power than the EEC Treaty.”<sup>51</sup> Though there were divisions within the committee, liberals like French deputy André Mutter shared this view, which accorded with French governmental policy, stating that “it seems that the High Authority is practicing a general policy in which social policy is subordinated to economic policy whereas it should normally precede it.”<sup>52</sup> He put his view in stark terms: “man should constitute an end in himself and not a means to reach an end,” a comment that elicited general approval.

## **The expansion and limitations of the Social Affairs Committee's welfare vision, 1958–1962**

After the European Parliamentary Assembly opened in 1958, the reconstituted Social Committee struggled to adapt to its increased mandate of overseeing the social conditions of all community workers under the EEC Treaty, in addition to those of coal and steel workers under the ECSC Treaty. The continuity in the committee's leadership and membership encouraged it to approach the common market in light of the work that it had accomplished in 1953–1957. The EEC Treaty created a special status for agriculture, which developed into the Common Agricultural Policy (CAP), a controversial and expensive supranational protectionist policy set up in the 1960s. Historian Ann-Christina L. Knudsen titled her history of the CAP's early years "Farmers on Welfare," adding her piece of the puzzle to Alan Milward's framework of the "European rescue" of post-war welfare states.<sup>53</sup> The challenge for the Social Committee was that agriculture had a history and culture different from those of heavy industry. Many committee members were trade unionists from the coal and steel industries and, regardless of their political background, generally had little experience in agricultural matters. A comparative framework was therefore implicit from the start, as committee members sought to conceptualize welfare in farming by considering the sector's similarities and differences to coal and steel. This work is the subject of this section, which also touches upon how the committee approached the welfare of other disadvantaged groups, in particular women and people with disabilities.

First, we pick up here where we left off with the welfare of coal and steel workers, which remained a primordial concern of the committee, especially during the "coal crisis" of 1958 that hit Belgium hard and other countries to differing degrees. In 1958–1959, Bertrand and Nederhorst, the committee's Christian Democratic and Socialist leaders, respectively, repeatedly raised the alarm over the social consequences of the crisis, while trade union deputy Arthur Gailly stated that, if left unaddressed, "the workers ... may turn their back on the Community."<sup>54</sup> The committee also expressed concern about the impact of the crisis on migrant workers, demanding statistics from the High Authority to determine whether they were being laid off at greater rates than native workers, insisting on proactive measures to prevent discrimination on the basis of nationality, and calling on governments to accord equal benefits for re-training and unemployment to laid-off migrants.<sup>55</sup>

As the European communities began implementing the first transitional stage of the common market, the committee persisted in demanding a privileged status for coal and steel workers, which took the form of a European Miners' Statute to secure minimal benefits for all community miners. Gailly, who was charged with formulating a parliamentary proposal, promoted "a social policy that guarantees a privileged situation to the miner in relation to his dangerous profession."<sup>56</sup> Other committee members expressed similar views. A differentiation was made, as Gailly, Nederhorst and others called for targeting benefits towards underground miners rather than to surface workers.<sup>57</sup> This was in part for financial reasons, as the High Authority worried that "extending the statute to other categories risks

aggravating the financial situation of the mining industry.”<sup>58</sup> Yet the problem remained, as a liberal member pointed out, that “[i]t will not be easy to grant further financial benefits to miners without finding a way to permanently lower the price of coal.”<sup>59</sup>

Nicolas Verschueren argues in his history of the European Miners’ Statute that the Social Committee and the High Authority were allies in the ultimately unsuccessful effort to persuade member-state governments to agree to a special statute for community miners.<sup>60</sup> This is surely true, yet it is worth emphasizing that the committee was also quite critical of the High Authority. Nederhorst deplored its “overly passive” attitude in October 1958 and later questioned whether it “was aware of the gravity of the problem.”<sup>61</sup> In 1962, Gailly’s replacement, Antoine Krier, said that he “could not hide [his] profound disappointment” at the stagnation of “the miners’ statute that [should] constitute the first example of a social achievement at the European level.” Another committee member commented that “it unfortunately seems that public officials only remember miners during the dark days of catastrophes.”<sup>62</sup> To the committee’s chagrin, the Miners’ Statute failed, despite the first mass protest of community workers in 1964, when miners gathered in Dortmund with the president of the High Authority to demand a “Social Europe.” Though the Miners’ Statute was not successful, it did point the way towards regional structural funds, which became the most direct means of alleviating inequalities within the European communities (in addition to the CAP) after they were established in 1975. The idea for regional funds was already present in the committee’s prolonged discussions of how to deal with declining industrial regions in the 1950s. In 1959 Anton Storch, formerly German Labour Minister (1949–1957), demanded the implementation of regional funds “as proof of European solidarity that demands that richer countries (*pays*) aid poor countries (*pays*).”<sup>63</sup> The ambiguous French word *pays* refers here not only to countries in the national sense but also to regions. In September, another member said that “... if we cannot always eliminate all the inconveniences of unfavourable economic positioning, we should correct as much as possible the differentiation in social conditions resulting from this situation ... [by] develop[ing] a plan to develop the less developed regions...”<sup>64</sup> The next month Nederhorst said, “In almost all countries there exist disadvantaged regions in which factories close their doors, leading to structural unemployment ... the EEC Commission would be a pioneer if it adopted [...] at the European level, practical measures in favour of these areas.”<sup>65</sup> A December 1958 resolution made this official committee policy: “The Treaty instituting the EEC allows us to more harmoniously develop certain disadvantaged regions” by classifying at the supranational level their needs and preparing applications for funding from the newly created European Social Fund, charged with retraining and reinstallation of workers on the ECSC model, and the European Investment Bank, responsible for directing capital investment to disadvantaged areas and to projects of common interest.<sup>66</sup>

Agriculture presented a new set of challenges to the formulation of the committee’s social policy when committee members began to lay the groundwork for their discussions on welfare in rural communities in 1958. The committee charged

Nederhorst with contacting the president of the new Agricultural Committee. Nederhorst suggested that the two committees exchange transcripts of their sessions, organize joint meetings on issues of mutual concern and invite each other's presidents to participate in their meetings. His intention was "to coordinat[e] rather than delimit somehow the mandates of the two committees."<sup>67</sup> The Agricultural Committee designated a Dutch Labour deputy, Henk Vredeling, to collaborate with Nederhorst. Vredeling was a regular presence at the Social Committee and authored reports on agricultural social policy. On this basis, a lasting collaboration was constructed that benefited the committee because its members were mostly novices when it came to agriculture. Though some members contested the need for the committee to deal with agriculture and suggested leaving the field entirely to the Agricultural Committee, the prevalent view was expressed by Maria Probst when she said that "this category of workers also has the right to demand security in social affairs."<sup>68</sup>

The philosophy behind EEC agricultural policy was "farm-income parity" in which farmers' incomes were supposed to rise as fast as those in industry. In his first appearance before the committee, EEC Agricultural Commissioner Sicco Mansholt said that the goal as laid out at the recent Stresa Conference was "that the position of agricultural workers should be totally equivalent to that of workers in other industrial sectors."<sup>69</sup> One committee member pointed out that this was a "delicate" problem because "it is not possible to apply to agricultural workers the social provisions planned for miners," a point shared by representatives of the EEC Commission.<sup>70</sup> In these first years, the committee immersed itself in designing a survey questionnaire to identify the social problems facing agriculture. The impetus came early in April 1958, when Probst suggested that the committee "establish a catalogue of the different problems that are unique to agriculture" because "she thinks that social problems in industry areas are not comparable to those that arise in agricultural areas."<sup>71</sup> In January 1959, she mentioned in this regard the need to "examine all the social problems of farmers: accidents, insurance, retirement, family benefits."<sup>72</sup> There followed extensive discussions about social conditions in the countryside that culminated in a joint questionnaire agreed by the Agricultural and Social Committees in May 1959.<sup>73</sup> Discussions on how agriculture differed from heavy industry encouraged committee members to conceptualize welfare in a more expansive manner. There had been only passing references to women, children and families in discussions on coal and steel, but these social categories gained new prominence when members' gaze turned to agriculture. In November 1958, Birkelbach said that investigating employment in family farms "is extremely important if we are to establish a fertile social policy for rural populations."<sup>74</sup> Several months later, Nederhorst agreed with Bertrand and others that families should be included in committee investigations.<sup>75</sup> The questionnaire explicitly enquired into the social conditions of rural women and children with regard to pensions, employment, sickness and accidents. Also, it posed questions that took each family as a unit. This was in line with the romantic ideal of the "family farm" that EEC agricultural policy purported to protect, though the reality in agriculture was, of course, often rather different.<sup>76</sup>

There was another manner in which committee discussions on agriculture expanded its vision of social policy: a new concern arose for the welfare of the self-employed. This corresponded to a general context in the late 1950–1960s in which self-employed workers were demanding access to national welfare systems in Europe, often for the first time. In discussions on social policy in the coal and steel industries there was no concern expressed about the social conditions of employers, who were presumed to be able to care for themselves. Committee members realized that agriculture was a completely different story, yet some resisted extending social policy beyond salaried agricultural labourers to include self-employed farmers. Nederhorst noted, however, that he “thinks that it is very difficult to distinguish clearly between employers and workers in agriculture.”<sup>77</sup> The self-employed category became particularly relevant in debates about who would be eligible for assistance from the European Social Fund as unemployment assistance at national and European levels was generally set up in such a way that it was difficult for non-salaried workers to access such funds. A number of members demanded that the fund reach into the countryside and that potential beneficiaries not have to register at unemployment offices, which were generally located in cities and recourse to which was often alien to the culture of rural areas as well as inconvenient.<sup>78</sup> By summer 1959, committee members “recommend[ed] that we speak about independent workers and that in the future we deal equally in social affairs reports with the social security of self-employed workers, for example, old-age insurance of artisans and in agriculture.”<sup>79</sup> The November 1959 committee resolution explicitly included “family” and “independent workers” as targets of community social policy.<sup>80</sup> By the time that committee members debated a resolution on the formation of the European Social Fund, it is clear that a learning process had taken place: the committee considered what it had learned to be relevant beyond the sphere of agriculture. The resolution stated: “Your committee emphasises once again the specific character of agriculture; it has nonetheless asked itself whether other categories of independent workers find themselves in an analogous situation.” It concluded, “Your committee is of the opinion that it is necessary to examine the possibility of a generalisation of the system of family benefits in favour of all independent workers and of independent workers in agriculture in particular.”<sup>81</sup>

Finally, the committee discussed improving the conditions of disadvantaged social groups, in particular of women and people with disabilities, but it must be emphasized that these discussions were brief, largely preliminary in nature, and focused on employment and labour-market issues. At the demand of the French government, a clause requiring equal pay for men and women was inserted into the EEC Treaty, but it had little impact until landmark decisions of the European Court of Justice in the 1970s breathed life into this dormant piece of European social law. Women had a largely marginal presence in the coal and steel industries, particularly in the former, as revealed by enquiries that the committee requested from the High Authority.<sup>82</sup> The aforementioned emphasis about privileging underground mine workers, where women were totally or almost totally absent, over “surface workers” had an implicit discriminatory gender dimension as women

were largely employed as office workers and support staff in these industrial sectors. Gailly, a driving force behind the Miners' Statute, said, for instance, "the coal and steel industries do not employ female laborers in the proper sense of the term."<sup>83</sup> Nederhorst repeatedly called for an active community policy to implement the equal-wages clause, but a number of the (male) committee members sought to limit its reach. The general reluctance of the committee to promote and protect female employment is evident in its discussions on vocational training. Vredeling's social policy proposal of December 1961 reads, "young female workers [should] be equally prepared for their tasks, not less important from an economic and social point of view, that awaits them in a majority of their cases as manager and mother of the family."<sup>84</sup> Storch, for his part, wanted to tie equal pay to equal productivity, arguing perhaps facetiously that otherwise women would be the first laid off during crises.<sup>85</sup> At a later session he said, "It is desirable to aim for an economic order in which a married women is not obligated to work," continuing that "there are essentially feminine professions like stenographer and secretary" and it would "be a mistake to insist too much on professional training for women in all fields."<sup>86</sup> Another member stated that "we must avoid demanding of female labour tasks above their [sic] abilities."<sup>87</sup> No one (according to the minutes) contradicted such statements, but Probst, for instance, called attention to the damaging impact of employment law and practice in Germany where part-time workers, disproportionately female, did not receive benefits.<sup>88</sup> She also encouraged the committee to focus on the professional training of disabled workers. A European Commission official promised that it would examine the employment conditions of "handicapped persons, women, youth, and old workers."<sup>89</sup> The welfare focus for these disadvantaged groups, which are mentioned a number of times, was overwhelmingly focused on promoting labour-market integration. When Probst, for instance, asked for a discussion of International Labour Organization (ILO) negotiations calling for social assistance for mothers without an explicit link to employment, Nederhorst responded that he agreed with her but that this lay outside of the committee's mandate.<sup>90</sup>

## **Conclusion**

The erosive impact that European integration is alleged to have had on some welfare states from the 1980s to the present has raised the stakes in debates about the place of welfare in the early European communities. The topic's contemporary relevance has inspired scholars to return to the 1950–1960s to investigate what legal scholar Stefano Giubonni has called Europe's "original constitutional compromise."<sup>91</sup> This compromise defined a national and international division of labour that shielded most national social policies from the reach of supranational authority, an argument that intersects well with Milward's contention that the European communities originated as a "rescue of the nation-state" and, in particular, a rescue of national welfare states during their glory days of growth and expansion.<sup>92</sup> From this perspective, the marginalization of social rights in the ECHR had little direct impact, as national governments reserved for themselves authority over most



aspects of their welfare states. However, starting in the 1970s, this division broke down, in Giubonni's view, due to a supranational "infiltration" of economics into the sphere of social affairs. A particularly influential account of this transformation is that of Fritz Scharpf, who argues that "the EU cannot be a 'social market economy'" because its institutional "asymmetry" undermines national welfare states while preventing their reconstitution at a supranational level.<sup>93</sup>

This chapter has sought to restore the contested nature of social policy in the early European communities by rescuing ideas of a European-level welfare state from contemporary oblivion. The debates, communications and resolutions of the Social Affairs Committee/Social Committee of the European assembly demonstrate that the "politics of productivity" were far from having unanimous support among politicians tasked with overseeing community social policy. For at least a decade, committee members criticized the capacity of such politics to ensure social welfare, insisting instead that regional organization harness economic integration in the service of social objectives. Though the committee criticized High Authority and commission officials, it also found support among Social Affairs commissioners, for instance when Commissioner Giuseppe Petrilli issued a report in 1959 asserting that economic integration was not an end in itself but should rather be subordinated to social needs.<sup>94</sup> This vision of a post-war European social order lived on, first, in the tireless efforts of Petrilli's replacement, Lionello Levi Sandri, to place social welfare at the centre of European integration in the 1960s; second, in fleeting efforts to build "Social Europe" in the 1970s, followed by Commission President Jacques Delors's initiatives for a supranational social policy that would keep pace with the European economic "relaunch" of the 1980s; third, in efforts to strengthen the EU's social components in the Amsterdam, Nice and Lisbon Treaties in the 1990s–2000s; and, finally, in contemporary critiques of the EU's response to the financial and sovereign debt crises and the straightjacket imposed by Eurozone debt and deficit rules on social policies. That these efforts have been at most partial successes comes out clearly in the EU's decision in 2017 to declare a new European Pillar of Social Rights, the core achievement of a European Social Summit recently held in Gothenburg, Sweden, the results of which remain to be seen.<sup>95</sup>

In addition to restoring the extended critique the Social Affairs Committee offered to the post-war paradigm of national welfare and European integration, the chapter demonstrates how European parliamentary records can be used to trace growing ambitions to expand the target beneficiaries of welfare policies, and to identify the gender norms and employment-based framing that constrained such visions in the 1950s–early 1960s. The committee supported extensive community measures to guarantee the welfare of those working in sectors in decline, first in coal, then in agriculture and later in steel, in line with Milward's argument. Coupled with proposals to aid disadvantaged regions, which reached fruition in the regional funds set up in 1975, these measures have together consumed a large majority of the European community budget from the 1960s to the present day. European initiatives and programmes in the social sphere remain focused on employment and labour-market issues. EU migrant workers and, to a lesser extent Third Country Nationals, are protected by European law from discrimination in

welfare and employment, the grounds for which were prepared during the 1950–1960s. Shifts have also occurred within this social framework. From the mid-1970s the European Social Fund began prioritizing the labour-market integration of people with disabilities, and new community vocational programmes were created to focus on youth employment. Gender inequality remained by and large tolerated and sometimes even embraced in the early 1960s, but in the 1970s the European Court of Justice took the lead in enforcing the equal rights protections of the Treaties of Rome. In this period, the European Community’s first Social Action Programme promoted employee protection during the economic downturn of the 1970s. Besides isolated measures like the Working Time Directive, by the 1990s EU employment policy focused on making labour markets more flexible, which in contrast to earlier policies usually meant removing employment protections within an economic frame of increasing competitiveness and a welfare frame of making labour markets more accessible to marginalized social groups under the banner of “social inclusion.”

After a lost decade of widespread unemployment in Southern Europe and austerity in the EU, an ILO-sponsored report on the European social model in times of crisis bore the subtitle “Is Europe Losing Its Soul?”<sup>96</sup> The past ten years have been marked by narratives of welfare state retrenchment as well as popular anger at free movement, the “posting” of workers and ECJ decisions opening national welfare services to citizens of other member states. Accompanying this has been a rise in “welfare chauvinism” and Euroscepticism. In this context, the warnings of the Social Affairs Committee in the 1950s–1960s that the legitimacy of European integration rests on proving its success in expanding social welfare in Europe appear more pertinent than ever.

## Notes

- 1 The author acknowledges the support of the Economic History Unit and the Centre for European Research at the University of Gothenburg (CERGU) and the Riksbankens Jubileumsfond’—The economic history unit is not part of the Centre for European Research (so not ‘of’)—it was a dual post for the postdoc, also the funder Riksbankens Jubileumsfond is misspelled—so NOT ‘The author acknowledges the support of the Economic History Unit of the Centre for European Research at the University of Gothenburg (CERGU) and the Rijkbanken Jubileumsfonds.
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