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AUTHOR'S NOTE

This work is part of research conducted in developing the research project *Dimensión internacional de la transición española (1973-1982). Protagonistas y memoria histórica*, Ref. HAR2009-13630. I.

The relationship between democracy and European integration

- 1 European integration was not a chance development. It did not occur in parallel with the greatest democratic surge in European history, which followed in the wake of the Second World War. It was instead a consequence of the close link which had been established between the search for a wide social consensus on democratic values, and the emergence of certain projects which required the surrender of national sovereignty to new supranational entities.¹ This interaction developed in two phases, each with its respective consequences: the first was linked to the initial steps of the integration process, and the second had its origin in the European Community's two-phase expansion, first towards the south and then towards the east of the continent.² It is clear that, as regards this second phase, the European Community went further than the Treaties signed at its foundation, transforming itself progressively into a model for the establishment of democratic regimes in Europe.³
- 2 First of all, official approval of policies and institutions was a pre-requisite for European Economic Community (EEC) membership: countries which had a recent

history of dictatorship and had then undergone a complex process of transition to democracy⁴ came in for particular scrutiny. Secondly, this strategy was developed in parallel with the efforts of EEC institutions to define a European identity in the international arena,⁵ as a consequence of which –and here we come to the third point–, they obtained powers and responsibilities neither contemplated nor regulated by the founding Treaties. These were implemented by the Community in more or less interested support of the democratising process.⁶ The resulting policies proved to be more procedural than institutional: conflicting, and on occasion incompatible, national interests, led to policies that were often contradictory in their objectives and whose execution was anything but smooth.

- 3 Three key ideas emerge when we examine the conduct of the EEC institutions following the process of political transition⁷: 1) their influence as promoters of democracy appears to be concentrated at the moment of collapse of the authoritarian regime; 2) their democratisation policies reinforce the need for the key players in the integration process to formulate strategies in the face of imminent political change, at the same time forcing them to weigh up the consequences of this democratisation from the point of view of the European Community; 3) the coherence and efficiency of this action depends as much on the degree of consensus reached by the member states as on the extent of influence achieved by the Community in previous negotiations with the country undergoing the transition process, taking into account the low levels of development of that country's operational capabilities, and the inexistence of a previous EEC doctrine regarding its membership.
- 4 From this multi-faceted and complex perspective a series of issues emerge which, we believe, form part of a wider research agenda, influencing both the progression towards Spanish democracy and the Community's approach to the process of political change in southern Europe as a whole during the seventies.⁸ Undoubtedly one of the most significant issues was the crisis arising between the European Community and the Franco regime which, following an international protest campaign, the like of which had not been witnessed since Spain's international isolation in the immediate post-war era, culminated in the suspension of negotiations with the EEC between October 1975 and January 1976.⁹
- 5 This decision to suspend negotiations prompts a series of questions as to its aims and achievements and, given the implication it was to have for the transition process and consolidation of democracy, it should be considered within a wider framework than that of promotion of democracy.
- 6 We feel that this decision was made ultimately because it was impossible in practice to separate the formulation of potential EEC strategies, in the face of uncertainty about the aftermath of Franco's death, from the positions adopted by member states on the type of relationship to be established between the Community and the new regime which would emerge from this political change. All this was happening within a framework defined by the debate about how a new Europe was to be constructed, against a background of unremitting pressure from a complex Community agenda.¹⁰

EEC Policies on the democratisation process

- 7 While no Community doctrine on the democratisation process existed as such prior to the 1993 Copenhagen summit,¹¹ what can be observed is a long period of gestation,

commencing with the Birkelback Report to the European Parliament (1962) and continuing in the conclusions drawn by the Dehousse, Davignon and Tindemans reports (1967, 1973 and 1975 respectively). These positions were reaffirmed in the Common Declaration of the European Parliament, Council and Commission on fundamental rights on 5 April 1977, and in particular after the 1979 Election to the European Parliament by universal suffrage, with the presentation of the 1984 Spinelli Project for the European Union, partially contained in the Single Europe Act and far more concisely in the Preamble to the European Treaty.

- 8 The Declaration on European Identity (15 December 1973), which synthesised the core values that form the basis of European integration, is usually regarded as the first milestone in the setting out of the European institutions' aims. This Declaration affirmed that the constituent elements of the European Union are "determined to defend the principles of representative democracy, of the rule of law, of social justice [...] and of respect for human rights", to coincide with the universalization of the treatise on democracy and human rights given momentum by the Helsinki Declaration.¹²
- 9 However, the December 1973 Declaration, designed to reconcile the Old Continent's search for peace and stability (particularly of the economic kind) with the development of a democratic bond between European countries, was also a response to the strategic challenge of broadening the EEC's sphere of political and economic influence, and the integration of other European countries into its institutions.¹³ The Community's support for democracy in Greece, Spain and Portugal, and these countries' full incorporation into Europe,¹⁴ should therefore not be seen as a clearly defined doctrine, but rather be considered within the context of the set of measures adopted in the face of potential risks to the continuity of this same integration process. A disruption of this process would have resulted in the internal destabilisation of these countries, with consequences for the balance of power in the Mediterranean region and the fragile East-West détente line presided over by Europe.¹⁵ It is therefore inaccurate to assume the existence of a structured doctrine, and even less of well-defined strategies, for the period we are examining.¹⁶
- 10 Secondly, when considering the implementation of strategies for the promotion and defence of democracy in southern Europe, we should also bear in mind the double crisis –economic and institutional– which only added to the Community's already overburdened agenda during the mid-seventies. This situation required a more prominent role on the international stage for the European structure, and Europe began to emerge from this crisis when the integration process was once again set in motion.¹⁷
- 11 One of the main factors behind these transformations was the change of government in the main EEC countries, and the subsequent emergence of new leaders who were to become key players in Community reforms during those years.¹⁸ And yet, when we assess the internal situation of member states with regard to the southern European countries, we are left with the impression that the direction of progress was from political towards economic conditionality. However it was, of course, not a case of an organised corpus, nor would it be correct to speak of a protocol for a specific course of action.
- 12 The way in which the European project gradually defined itself does not appear to have been so much the result of "moral imperatives" linked to the defence of democracy or

respect for human rights, but rather the consequence of the precarious balance established between the national interests of member states, and the need to prevent the failure of the economic integration process, which was the main focus of European concern at that time. As we shall see in the case of Spain, the European institutions' attitude towards the final crisis of the Franco regime, and later towards the Spanish democratisation process in relation to Europe, clearly demonstrates that the inherent logic in these changes led to a series of conflicts arising between an undefined "moral imperative", linked to the development of a European identity within the international sphere, and economic considerations set within the narrower confines of national interest.¹⁹

- 13 Thirdly, by the 1970s the European institutions could already boast significant diplomatic, political and economic resources in their relations with third countries, built up over the previous decade.²⁰ These resources –although dependent on formal and informal procedures for the reconciliation of national positions– made possible the advancement of democracy from 1973 onwards; but there was little coherence between member states on many occasions when it came to dealing with concrete problems.²¹
- 14 We should not be surprised, therefore, that the policies of promotion of democracy, particularly those developed within the framework of the European Political Cooperation (EPC)²² –and at least until the Single Europe Act came into force in 1986– were in response to agreements adopted internally between member states, as these policies were outside the competence of both the European Commission and Parliament. As Richard Young recalls, when it came down to it, they were instruments of member states' foreign policies.²³
- 15 In fact, the member states' efforts to coordinate their foreign policies were confined to areas and problems where their national interests converged, and to address these they developed ad hoc strategies which they swiftly perfected, drawing on the experience of intergovernmental cooperation and Community resources, regardless of any legal framework.²⁴ In other words, beneath the European institutions' "official discourse" in support of democracy in Southern Europe, a set of economic and political conditionality criteria were being defined. These would be applied to third countries in their relations with the European Community, regardless of whether they were seeking full or associate membership.²⁵ These criteria were formulated to serve national interests, and at times they conflicted with European interests which were themselves making slow headway. Policies were adapted over time and, in the pre-transition period, ranged from political veto to the suspension of ongoing agreements or negotiations, depending on objectives as diverse as moral condemnation, or the consolidation of moderate political alternatives. In the last analysis they responded to the need to establish greater freedom in order to put limits on potential bouts of destabilising activity.
- 16 Later on, during the transition phase, the Community established what it considered to be acceptable conditions for democratisation (under the umbrella of a diffuse "European interest" or in the name of the fledgling political Europe). Economic measures were the main tool for monitoring and, to a certain degree, controlling these conditions. Member states and the European institutions were also involved in a more or less subtle game of diplomatic pressure. According to Pridham,²⁶ criteria of economic and political conditionality were applied. Economic conditionality was based on making the awarding of certain benefits

-aid, advantages, agreements, membership- subject to the fulfilment of a series of conditions. Political conditionality was characterised by applicant States agreeing to principles of freedom, democracy, respect for human rights and the Constitutional State. The turning point for these political and economic policies came with the opening of membership negotiations -one of the symbolic milestones in acceptance of policies and institutions- at which point the Community began to develop better structured strategies, directed as much towards the defence and subsequent consolidation of new democratic systems as towards the safeguarding of member states' national interests.

- 17 Broadly speaking, these policies can be explained as follows. On the one hand, the EEC gradually applied pressure by means of diplomatic mechanisms and negotiations; it promoted basic, although not unique, interaction with European countries under its influence and therefore susceptible to integration, once the process of westernisation and Europeanisation had been set in motion.²⁷ It initiated processes which developed from negotiating procedures where the influence on a third country was the result of a combination of at least three variables: it adapted existing negotiations to suit EEC interests; it influenced the degree of agreement reached between the position of different nation states with regard to the ongoing negotiation process; and it had an effect on the extent of political implementation of the partial results of negotiation, both in the Community and the third country.²⁸
- 18 On the other hand, we should consider the EEC's individual relationship with the third country in question. The implementation of democracy, which opened the doors to membership negotiations with the European Community, and which signalled the end of the Transition period, did not automatically mean a swift completion of negotiations. The pace of talks varied from one country to another, depending on each one's internal situation,²⁹ its economic muscle or how far the formation of the EEC had progressed, not only at the time when the process of political change commenced, but, more importantly, when membership negotiations were set in motion.
- 19 In fact, once it had decisively influenced the creation of greater freedom, the European Community took its time verifying that democracy had been properly established in a country. It would ask questions about the compatibility of the degree of economic development, about attitudes towards progress, and about the lack of experience with regard to Community practices of a bureaucracy and political leadership whose attributes were -for various reasons- considered dubious.³⁰ Here we should once again emphasise the importance of the effect these negotiations had on the transition process, in particular when we consider that EEC membership symbolised the completion of the transition to democracy in southern European countries.
- 20 Few advantages, and even fewer special exceptions, were offered to the candidate countries at that time. The EEC demanded that they unreservedly accept Community uses, allowing a degree of flexibility only during the transition period for legislative transposition and effective completion. In the wake of political change, the EEC implemented its policies with a view to commencing membership negotiations, coinciding with the period of democratic consolidation. Evidently, if a country embraced democracy then membership negotiations could be initiated, but this did not necessarily mean a swift completion of these negotiations. Spain, for example, was treated like any other European State: the same demands were made of it as of other European countries which had not undergone the traumatic experience of years living

under an undemocratic regime.³¹ Finally, it should be pointed out that all three Community institutions – Council, Commission and Parliament – were involved in these negotiations. Their functions were divided up asymmetrically in a process not without its controversies, contradictions, interests and prejudices. In fact, the behaviour of the Community members with regard to the transitions in southern Europe demonstrates the complex development of their procedures and capabilities, reflecting the EEC's transformation from a Community with little international influence (beyond the original remit of trade) into one which aspired to play a greater role in international relations, above all within its immediate geographical and cultural setting. It was a role whose development, it should be stressed, would not be without contradictions, as a consequence of the constant interaction of economic and political, but also institutional and procedural issues, in an area where intergovernmental responsibilities (decision making) and those of the Community (execution of these decisions) were brought together.

Spain-Europe relations and the final crisis of the Franco regime

- 21 Relations between Spain and the European Community³² during the final years of the Franco regime were defined by a complex and inconclusive negotiating process, set in motion after the signing of the Preferential Trade Agreement on 29 June 1970.³³ These relations were to all intents and purposes in a deadlock from the end of 1972, when negotiations over the addition of an Additional Protocol³⁴ were concluded, until the end of the Franco dictatorship.³⁵
- 22 Even though the aspirations of the Franco regime to improve its ties with Brussels provoked an ever more demanding EEC assessment of the evolution of Spanish policy, which in turn resulted in a progressive hardening of the Community's negotiating position, the lack of unanimity among member states and within the different Community institutions over the issues raised by Spain conditioned the attitude of the European Community.³⁶ The Commission, for example, tried throughout this time to strike a balance between positions that were virtually irreconcilable. The European Parliament, on the other hand, supported the Spanish opposition and allowed a boycott of Franco's Spain to go ahead in the autumn of 1975 as part of a campaign to delegitimise the dictatorship.³⁷
- 23 If, during the 1960s, Spain had not figured prominently on the Community's agenda, in the 1970's it came to the fore as a result of the political dimension which the relationship acquired due to the repression of the Spanish opposition. Following the first enlargement, Spain's position was economic and institutional; at the time of the formulation of the EEC's Mediterranean policy, it had become more geostrategic.³⁸
- 24 Evidently, the philosophy behind the integration process and the Community patrimony itself were significant obstacles in relations with Europe, but the attitude of the Spanish regime did little to smooth the process. On the one hand, the regime continued to a great extent to play the victim role, denouncing as intrusion in sovereign affairs any criticism the Community might make of its internal situation, and in 1962 a political veto was imposed. This situation served only to demonstrate how complex it was for the dictatorship to shift its level of engagement (or disengagement)

from a bilateral to a multilateral framework like the EEC, presenting as it did a whole range of different interests and attitudes.³⁹

- 25 On the other hand, the maximalist demands laid out on the negotiating table went beyond the possibilities set out in the mandates for negotiation which the Commission was working with.⁴⁰ Relations deteriorated progressively, in particular in the aftermath of the Council meeting held on 4 February 1974, when new member states were given authority to resolve the question of the application of the Spain-EEC agreement autonomously. The attempts at opening negotiation, held on 18 October 1973 and 20 and 21 November 1974, all failed.⁴¹
- 26 Following the Paris European Council meeting in December 1974, the Community's own inherent development needs came to monopolise the Commission's work agenda, to the detriment of relations with Spain. This period was characterised by delays in the formulation of negotiating mandates on the part of the Council to the Commission,⁴² omissions and silence with respect to matters of interest for Spain, or by declarations with a clear political intention and one-sided actions by the Commission or other member states, with subsequent diplomatic repercussions.⁴³ There was an apparent lack of political will when it came to establishing of a negotiation calendar acceptable for both sides, especially after the end of 1974.
- 27 Since 1970 the Franco regime had stated that its aim was to progressively establish a customs union with the Common Market, but the European Community had taken the precaution of agreeing to the conclusion of this process only when political circumstances would allow it: in other words, after the death of Franco and the end of his regime.⁴⁴ It was for this reason that by 1975 relations with the EEC had not progressed beyond the point they had reached at the end of 1972, and that the negotiation of a new treaty remained blocked because of internal EEC issues.⁴⁵
- 28 The signing of the agreement which the Spanish ambassador to the EEC, Alberto Ullastres, and the Commission's director general, Roland de Kergorlav, had been discreetly negotiating since early 1975 was nipped in the bud by this suspension of negotiations. Along with a whole set of other political and economic circumstances, the suspension meant that the 1970 Agreement –in its first phase and without significant modifications– remained in force until Spain joined the EEC on 1 January 1986. However, the 1970 Agreement was within the Common Trade Policy and contained nothing which went beyond the area of trade. For this reason, certain measures, such as those used against Greece in 1967, or those applied to Portugal, could not be adopted against Spain, given that the Agreement made no mention of financial or economic cooperation.⁴⁶
- 29 This situation was to have a significant influence on the resolution of the crisis arising between Spain and the EEC in the autumn of 1975, given the ambiguities and contradictions of the position adopted by the EEC in the wake of the September 1975 executions. In particular, the question in need of clarification is why the Community failed to seize this opportunity to revoke an agreement which left it at an economic disadvantage and which, from a political point of view, might have aggravated the final crisis of the Franco regime.

The September 1975 executions

- 30 Throughout the summer of 1975, the general feeling in Spain and in the foreign ministries of the EEC member states was that the Franco regime was on the brink of collapse.⁴⁷ Beset by countless internal and external problems, including its own international vulnerability, the mounting influence of the opposition to the regime, the phenomenon of terrorist violence, internal dissension and Franco's failing health, the regime's reactions were increasingly reminiscent of Spain's belligerence during the 1940s.⁴⁸ Against this background, and with all kinds of rumours circulating as to whether Arias Navarro was to continue as Prime Minister,⁴⁹ on 22 August, while Franco was on holiday in Galicia, the government approved an anti-terrorist decree at an emergency cabinet meeting held at the Pazo de Meiras (Galicia). This decree covered all actions of the opposition to the regime, re-establishing summary Councils of War and the death penalty for anyone committing acts of terror against the State.⁵⁰ Over the following weeks, the decree was applied to 11 members of the terrorist organisations *Euskadi Ta Askatasuna* (ETA) and *Frente Revolucionario Antifascista Patriótico* (Patriotic Antifascist Revolutionary Front) (FRAP) accused of being involved in the murders of three policemen, the last of which had been committed on 14 July.⁵¹ The way in which the trials were conducted caused general alarm in Europe: retrospective application of the new anti-terrorism law was an unwonted measure, and one unknown in the western world, where criminal law is only retroactive if it benefits the accused, never if it works against him or her.
- 31 Likewise, there was an outcry against the absolute lack of procedural guarantees in the courtroom, where the procedure followed was so summary in nature that the lawyers for the defence were not even given the chance to read the accusations against the defendants. When they protested, they were expelled from the courtroom –the trial was held at the El Goloso Barracks in Madrid on 11 September– and were replaced by military personnel. All this only served to increase international disapproval and condemnation.⁵² On 26 September, at a meeting which lasted for three and a half hours, presided over by an extremely weak Franco, the Council of Ministers agreed that five of the accused should receive the death penalty. At dawn on Saturday 27 September, the executions took place in the city of Burgos and at Hoyo de Manzanares (Madrid). Two ETA and three FRAP members were shot by firing squad.⁵³ Some aspects of the executions were truly barbaric, for example the shooting of one of the ETA members, who had been left paralysed by shots at the time of his arrest.

European reactions

- 32 News of the Council of Ministers' decision triggered a wave of protests against Franco's Spain, accompanied by pleas for clemency on the afternoon of the 26 and strong political and diplomatic reactions following the executions on September 27. The magnitude of the European reaction was no doubt influenced by the widespread conviction that the Franco regime was coming to an end.⁵⁴ The combination of Prime Minister Arias' disappointing reforms, revolutionary events in Portugal and the Spanish dictator's increasingly fragile health gave Europe a more powerful reason than ever to denounce the Franco regime, in defence of the democratic principles upheld by the European Community.⁵⁵ An editorial in the *Economist*⁵⁶ entitled "Spain, the last corrida" gives an accurate description of the atmosphere at the time: "Franco's regime

may go on agonizing for months, but its current behaviour is more like that of a bull condemned to die”.

- 33 European reactions to the executions were no more clearly expressed than in the demonstrations held all over Europe in front of Spanish embassies and consulates. On several occasions these degenerated into acts of violence: the Spanish embassy in Lisbon was looted and set on fire, while police and firemen stood by and did not intervene. There was also an attack on the Spanish embassy in Vienna, and an impressive concentration of more than 50,000 people attended a rally in the Champs Elysées in Paris.⁵⁷
- 34 These demonstrations were organised by the European Confederation of Free Trades Unions, or by left-wing groups and political parties, irrespective of their relationship with the government of their country. It is significant that the Swedish Prime Minister, Olof Palme, led the demonstrations in his country and called for financial aid for families of victims of the dictatorship, and for the anti-Franco opposition. In Utrecht, the Dutch prime minister also headed protests against the Franco regime. Demonstrations took place in many European cities, among the biggest being those held in Milan, Rome, London, Frankfurt and Berlin. Acts of condemnation took place in parliaments, city halls and other public and private institutions in various countries. Nor could there be any doubt about the gravity of the situation at diplomatic level: 17 ambassadors were recalled from Madrid, 13 of these representing Western European countries, eight of which were EEC members.
- 35 As far back as March 1974, in the wake of the execution of Puig Antich and the attempt to expel Archbishop Añoveros, the European Parliament had formally warned the Spanish government that its repeated human rights violations and lack of respect for minorities constituted a serious obstacle to EEC membership.⁵⁸ A few days before the 27 September executions, the Parliament demanded that the Commission and Council of Ministers suspend all relations with Spain if the shootings went ahead.
- 36 Given the circumstances, Franco's Spain lacked any leverage over these EEC countries, who also voiced their condemnation in letters written both before and after the 27 September events.⁵⁹ The prime ministers and presidents of the three most important EEC countries –Great Britain, Germany and France– sent strongly worded letters to the then Spanish prime minister Arias Navarro, the content of which was not of course made known to the Spanish press at that time.⁶⁰ Arias, who made the most of his prerogative to rant against the EEC governments on TVE (the Spanish national broadcasting channel), must however have paid some heed to the opinions of the EEC governments: after the letters were received, several symbolic concessions were granted to the opposition, for example the issuing of a passport to Felipe González, general secretary of the Spanish Socialist Party (PSOE), enabling him to travel to an SPD (German Social Democratic Party) meeting in Germany.⁶¹

European Political Cooperation in the face of the September 1975 crisis

- 37 The European Political Cooperation (EPC) was one of the key players in EEC relations with Spain, but it was of less prominence than other participants because at that time it was at a very early stage of its development. It was therefore not particularly effective

when it came to coordinating a common policy for the Nine against the dictatorship. It did however play a fundamental role in gauging the degree of agreement and the orientation of Community strategy during the crisis. The EPC was conceived as a mechanism, outside the EEC structure, for discussing and coordinating positions on foreign policy within an essentially but not exclusively declarative framework, given that it was from this forum that the Commission's negotiating mandates with third countries emerged, in the shape of the Council of Ministers. Its procedures were derived from the ongoing close relationship between Council Ministers and the various EEC foreign ministries, a relationship which made possible the creation of working groups that were to play a key role in the exchange of information and the clarification of collective positions. These proceedings, in the case of third countries like Spain or Portugal, were conducted by diplomatic representations, with regular meetings which took the form of exchanges of information, contact as well as with government and opposition groups.⁶²

- 38 As far as the object of our study is concerned, it should be pointed out that, at the first EPC meeting in Munich (November 1970), the Conference on Security and Cooperation in Europe was included in the agenda, making it possible to adopt a common position on the defence of a European identity based on democratic principles. This common position would influence the definition of a generic position (one which would not always be maintained during the first few years) on the need to promote and defend democracy, coinciding with a renewed interest in the Mediterranean area which would in due course affect relations with Spain. Even though Spain had regularly attended EPC meetings throughout 1974 and 1975 within the context of the Global Mediterranean Policy revision, it was not until September 1975 that Spain's internal situation began to be looked at more closely. The tough session held on 6 and 7 October 1975, following hard on the heels of the other Community institutions' condemnation of the previous week's executions,⁶³ was to a certain extent a continuation of the September 12th session, at which the Netherlands had requested the adoption of a common position with respect to Spain's internal situation.⁶⁴
- 39 On 6 October 1975 two texts were adopted. The first was brief and to the point, stating simply that "the Council confirms that under the current circumstances negotiations between Spain and the EEC cannot be resumed".⁶⁵ The second was a declaration issued in the name of the EPC which, after reflecting at length on the European values set out in the Copenhagen Declaration, alluded to the concern over the risk of internal destabilisation, concluding that "only a democratic Spain which accepts European values will find a place within the Community". At first glance, the aim of this declaration appears obvious, and conventionally this is how it has been interpreted⁶⁶: to make clear to the Spanish authorities that, if they did not fully embrace democracy, the doors of the EEC would remain firmly shut, as far as politics was concerned. At the same time it conveyed its deep unease at the current situation. It did not go so far as to adopt a position which could be interpreted as interference in Spanish internal affairs, fearing a nationalistic reaction by the regime. However, a more detailed analysis makes the need for additional comment clear.
- 40 Although the EPC, existing as it did outside the Community framework, was able to go further than the Council of Ministers in its gestures and declarations, it was not subject to the discipline which ruled Community conduct. It was more an attempt at pragmatism, aiming to bridge the gap between different countries' sense of identity,

national bureaucratic cultures and the divergent foreign policy priorities of the Nine.⁶⁷ At the 6 October meeting, two conflicts became evident: the clash between national and European interests, and the contradiction that existed between the EPC's intergovernmental strategy and the work of the Commission, which was embraced by the Community's institutional base.

- 41 This conflict became clear in the exchange of accusations between the French foreign minister, Jean Sauvagnarges, and the president of the European Commission, François-Xavier Ortoli, also a Frenchman, over the decision to suspend negotiations, and the Commission's invitation to the Council to declare itself on the subject. Although everyone involved was aware that this could lead to a diplomatic crisis in the relations with Madrid on several fronts,⁶⁸ what also became evident were the difficulties member states were having in exercising together certain aspects of their sovereignty with regard to their foreign policy. There was also the question of the conflict of interests which might arise if what was already known as "European policy" was given a higher profile, should the Tindemans Report be accepted.
- 42 The debate over whether the Commission was exceeding its remit was concluded on 15 October when the European Parliament expressed its support for the Commission. At this meeting, the Council President, Mariano Rumor, avoided any public controversy on the subject by stating that the Council had joined the Commission's initiative for the reasons expressed⁶⁸ by the Commission itself.⁶⁹ In practice the Commission's position simply meant that it continued to pursue the previously established strategy in relations with undemocratic regimes, leaving it to the Council and the EPC to handle diplomatic relations. This was in accordance with the "Second Report by Foreign Ministers to Heads of State and Governments on Cooperation in matters of Foreign Policy", and in the spirit of the Tindemans Report.
- 43 The institutional conflict alluded to in the EPC declaration of 6 October was, partly at least, also a consequence of the difficulties facing the Nine when it came to articulating a common position, owing to different national interests.⁷⁰ Although all the countries were in agreement on the need to break off negotiations with Spain, the formula that was finally adopted was not initially universally accepted. After agreeing in the first instance that their objective should be the restoration of democracy in Spain, the ministers' opinions diverged on just about everything else. France and Ireland felt that certain historical factors should be taken into account. They also feared that direct criticism of the regime might provoke an escalation of violence, leading to a complete breakdown of law and order. They felt it would be preferable to maintain some kind of relationship with Spain, given that Franco would not live forever, and that it would be necessary to preserve some kind of influence in the country following his death. The UK, Denmark, Holland and, to a certain extent, Italy on the contrary called for much more explicit condemnation, and Denmark and Holland even went so far as to demand that the 1970 Agreement be revoked. Germany and Belgium occupied the middle ground, backing a clear rejection of the executions, but requesting that other options should not be ruled out. In the end, France's position was adopted, in order to prevent further confrontation with the Spanish regime.⁷¹
- 44 It is significant that in the final text of the EPC declaration there is no suggestion that the Nine's ambassadors be recalled from Madrid, although this proposal appeared in the first draft drawn up by the EPC's Political Committee at the instigation of the Italian presidency.⁷² The points under debate were: how to convey to the Madrid government

that the ambassadors were to be recalled, the formula to be used and, most importantly, at what point they would return to Madrid. The Council president and Italian Foreign Minister, Mariano Rumor, speaking at the press conference after the meeting, would say no more than “this issue is of individual concern to each Member State”. And so in the end there was no unified call to consult the ambassadors.⁷³ Nothing more than moral and political disapproval was expressed. It was clear that no structures were in place with the operative capacity required in this kind of crisis.

- 45 The 27 September executions brought into sharp relief the many contradictions present in the Community: paralysis in the decision-making process, lack of agreement about budgets, and uncertainty born of a persistent economic crisis all laid bare the limitations of the European project and the meagre progress achieved since the late sixties.
- 46 From a moral point of view the EEC could not continue negotiating with a regime which openly violated human rights, much less so since it had frozen the Association Agreement with Greece in the wake of the Colonels’ coup. From an economic point of view the Community wanted to renegotiate the 1970 Agreement the industrial component of which seemed too favourable to Spain. The compromise solution was to block the negotiations with Madrid. Yet on the same day, the Council of Ministers approved a substantial package of economic aid to Portugal.⁷⁴
- 47 This lack of unanimity in the Community’s position on Spain was in marked contrast with its attitude towards Portugal, whose internal evolution following the Carnation Revolution was a subject discussed time and again at EPC meetings. The contrast is even starker when we consider that what was being discussed was how the Nine were to deal with Portugal, and that whatever conclusion was reached, this would serve as a precedent for the treatment of Spain. The Spanish situation posed a much greater risk for the EEC. The Council’s work dynamic and the *acquis communautaire* did the rest, setting a limit on the debate and the chosen formula for communicating the suspension of negotiations with Spain.
- 48 The EEC pursued two different policies: on the one hand it applied measures which tended towards political normalisation, using customs and trade strategies, and implementing economic cooperation as part of a policy of protection of democracy in Europe. On the other hand it made political declarations that had little economic impact, and in the case of Spain it aimed above all at projecting an international image of the EEC.
- 49 The EEC intended to use its adopted position to apply pressure, and dissuade the Spanish authorities from any action which might lead to a potentially violent deterioration in their internal situation. But above all it wished to respond to economic factors relating to the preferential customs arrangements and trade results which Madrid had obtained under the 1970 Agreement.⁷⁵ This Agreement was proving detrimental to other Mediterranean countries, i.e. France and Italy, and to countries which had joined the EEC at its first enlargement in 1973, in particular Great Britain and Denmark. From October 1975 onwards, negotiations between the EEC and the new Spanish regime took undoubtedly a back seat when decisions were taken about Spain, and a greater attention was paid to the political and economic interests of the respective countries.⁷⁶
- 50 When evaluating the Community’s response to the final executions carried out under Franco’s dictatorship, it should be emphasised that, at the same time as a European

formula for support of the Spanish democratisation process was being drawn up, the rather more thorny issue of the type of relationship to be established with a democratic Spain was being debated, with two options under consideration: fast-track membership, which would mean opening negotiations with the new Spanish authorities in as short a time as possible; or a slower integration process which would require the development of new strategies to safeguard the national positions of the member states, thus prolonging the 1970 Agreement indefinitely.

- 51 This general situation helps explain the reactions of certain countries, in both the negotiations between Spain and the EEC, and those held, bilaterally, with various EEC countries. Singularly this was the case with France and Spain, as witnessed a year later, again within the EPC framework, at a meeting held on 27 September 1976,⁷⁷ when an attempt was made to define a common position on a possible membership application by Spain, and again at the Council of Europe in June 1977.⁷⁸
- 52 The upshot of this lack of consensus was that each Member State defined its own position depending on its economic, political or strategic interests. Germany, Spain's main supporter, and Great Britain, its chief customer, called for Spain's speedy integration into both the EEC and NATO. Fundamentally for reasons of Community policy, Italy and the Benelux countries felt that any enlargement would slow down the EEC's process of political and economic integration. France was politically in favour of Spain's membership as it felt this would help to rebalance an EEC that was biased towards the north of Europe.⁷⁹ Its industrial interests tended to favour a renegotiation of the 1970 Agreement, and if Spain were granted membership France felt it would become much harder to defend its own agricultural interests within the Community. This concern was echoed by France's affected interest groups and to a certain degree by its political powers. No especial interest towards Spain was shown by any of the remaining member states.

Conclusions

- 53 The EPC's attitude towards the transition processes in southern Europe, particularly in the case of Spain, shows the complex development of its strategies and capabilities, reflecting its evolution from a Community with little international influence (beyond its main remit of trade) to one which aspired to a position of greater importance on the international stage, in particular within its immediate geographical and cultural setting. The fact that the Franco regime, from 1967 onwards, had indirectly and progressively brought in the EEC as a qualified observer of its internal situation as it undertook trade negotiations would, in the end, determine the capacity of the Community's moral, political and economic influence during the Spanish transition.
- 54 However, the EEC's role in the democratization of the southern European countries was not free of contradictions. This was because of the constant interaction of not only economic and political, but also institutional and procedural issues, in a setting where it was an intergovernmental task to take the decisions, and the Community's task to carry them out. Episodes like the September 1975 crisis, in the context of negotiations with Spain and Portugal, prompted a fresh assessment of the Preferential Trade Agreements, which as a result were made much more restrictive thereafter, being reserved exclusively as a preparatory phase for any country applying for membership.

- 55 An interesting opinion was put forward by Raymond Aron in a controversial article published in *Le Monde*⁸⁰ on 5 October 1975 entitled “Iberian contrasts”, in which he analysed the different treatment received by Portugal and Spain, and in which he exposed what he considered to be the root problem. In Aron’s view, the decisions made by EEC governments and the Community institutions in the aftermath of the 1975 executions were more a response to individual political and economic interests than to moral questions related to the democratic dimension of European integration. He went further, asserting that things might have been very different if the emergency that arose in Spain –above all the danger of an escalation of violence– had not become an internal matter for France.
- 56 Aron exposed the dilemmas facing the EEC when dealing with a regime already written off by EEC foreign ministries, but more importantly he brought to attention two issues which are key to our study. On the one hand, he made clear the limitations of the progress of a European debate on the political, economic and institutional implications of another EEC enlargement, not only because of the defence of all national interests, but also because of the different views held on European integration.⁸¹ On the other hand, and as a consequence of the above, he pointed to the impossibility in practice of separating the formulation of strategies used by the EEC during the Spanish transition from the position taken by the member states on the nature of the relationship to be established between the EEC and the new regime in Spain.⁸² The point of balance was found in the level of demands imposed on the candidate country: the same demands which were made to any European country, with few advantages and even less special treatment. Official negotiations on Spanish membership did not commence until 5 February 1979 in Brussels, and Spain had to wait until 12 June 1985 to finally sign the Membership Treaty in Madrid.

NOTES

1. . Wolfram Kaiser, “Transnational Western Europe since 1945. Integration as Political Society Formation”, in Wolfram Kaiser and Peter Starie (eds.), *Transnational European Union Towards a Common Formation*, London, Routledge, 2005, p. 17-35.
2. . Renée Fregosi, *Parcours transnationaux de la démocratie. Transition, consolidation, déstabilisation*, Brussels, Peter Lang, 2012, p. 5-8.
3. . Martin Conway, “Democracy in Postwar Western Europe. The Triumph of a Political Model”, *European History Quarterly*, Vol. 32, No. 1, 2002, p. 54-84.
4. . Geoffrey Pridham, “European integration and democratic consolidation in Southern Europe”, in António Costa Pinto and Nuno Severiano Teixeira (eds.), *Southern Europe and the making of the European Union*, New York, Oxford University Press, 2002, p. 189-190.
5. . See Maria Gainar, *Aux origines de la diplomatie politique européenne. Les Neuf et la Coopération politique européenne de 1973 à 1980*, Brussels, Peter Lang, 2012.
6. . On the singularity of the European institutions as an actor on the international stage and its evolution see Christopher Hill, “The Capability-Expectations Gap, or Conceptualizing Europe’s International Role”, *Journal of Common Market Studies*, Vol. 31, No. 3, 1993, p. 309. On these aspects

see also Christopher Hill and William Wallace, "Introduction: actors and action", in Christopher Hill (ed.), *The Actors in Europe's Foreign Policy*, London, Routledge, 1996, p. 1-16; Christopher Hill, *The Changing Politics of Foreign Policy*, London, Palgrave, 2003; Christopher Hill and Michael Smith (eds.), *International Relations and the European Union*, Oxford, Oxford University Press, 2005; and Esther Barbé (ed.), *La Unión Europea en las Relaciones Internacionales*, Madrid, Tecnos, 2014.

7. . Leonardo Morlino, *Democracias y democratizaciones*, Madrid, CIS, 2009, p. 96-97.

8. . Possibly, as far as the foreign dimension is concerned, it is Whitehead's transitions by convergence model which has prevailed, identifying as it does the connecting theme of the desire to join EEC institutions and, as an inescapable precondition, the implantation of genuinely democratic institutions. The argument is well known. The weight of European influence on South European countries (Portugal, Greece and Spain) has been so great because this definitive joining together within the context of Western Europe culminated in a slow and problematic process of insertion in international society which favored its modernization processes. See Encarna Lemus, *En Hamelin... La Transición Española más allá de la Frontera*, Oviedo, Septem Ediciones, 2002, p. 77-80.

9. . Juan Carlos Pereira and Antonio Moreno Juste, "Spain's position with regard to the European Union: in the center or on the Periphery of Europe?", in António Costa Pinto and Nuno Severiano Teixeira (eds.), *Southern Europe...*, *op. cit.*, p. 41-80.

10. . On the new research agenda and their formulation see Wolfram Kaiser, Brigitte Leucht and Morten Rasmussen, "Origins of a European polity. A new research agenda for European Union history", in Wolfram Kaiser, Brigitte Leucht and Morten Rasmussen (eds.), *The History of the European Union. Origins of a trans- and supranational polity, 1950-1972*, London, Routledge, 2009, p. 1-14.

11. . Philippe C. Schmitter and Imco Brouwer, "Conceptualizing, researching, and evaluating democracy promotion and protection", European University Institute, *EUI Working Papers*, SPS No. 99/9, 1999.

12. . Tony Judt, *Posguerra, Una historia de Europa desde 1945*, Madrid, Taurus, 2006, p. 726-727.

13. . See José M. Magone, *The politics of Southern Europe. Integration into the European Union*, London, Praeger, 2005.

14. . For a good study using comparative perspectives of the three cases, see Mario del Pero, Victor Gavin, Fernando Guirao and Antonio Varsori, *Democrazie. L'Europa meridionale e la fine delle dittature*, Florence, Le Monnier, 2010.

15. . Georges-Henri Soutou, *La guerre de cinquante ans. Les relations Est-Ouest, 1943-1990*, Paris, Fayard, 2001, p. 142-147; and Piers Ludlow, "European integration and the Cold War", in Melvyn P. Leffler and Arne Westad (eds.), *The Cambridge History of the Cold War*, Vol. 2, *Crises and Détente*, Cambridge, Cambridge University Press, 2010, p. 179-197.

16. . Antonio Varsori, "Crisis and stabilization in Southern Europe during the 1970's: Western Strategy, European instruments", *Journal of European Integration History*, Vol. 15, No. 1, 2009, p. 5-14; and Ennio di Nolfo, "The Cold War and the transformation of the Mediterranean, 1960-1975", in Melvyn P. Leffler and Arne Westad (eds.), *The Cambridge History...*, *op. cit.*, p. 238-257.

17. . On the 1970s crisis, Richard T. Griffiths, "A Dismal Decade. European Integration in the 1970s", in Desmond Dinan (ed.), *Origins and Evolution of the European Union*, Oxford, Oxford University Press, 2006, p. 169-190.

18. . In Spring 1974, Valéry Giscard d'Estaing succeeded to Georges Pompidou as President of the French Republic, while Helmut Schmidt replaced Willy Brandt as Chancellor of the Federal Republic of Germany. A few months earlier in Great Britain Harold Wilson had replaced Edward Heath as Prime Minister. See Bino Olivi, *L'Europa difficile. Storia politica dell'integrazione europea 1948-1998*, Bologna, Il Mulino, 1998, p. 161-164.

19. . Elena Baracani, "The EU and Democracy Promotion: A Strategy of Democratization in the framework of Neighbourhood Policy", in Fulvio Attinà and Rosa Rossi (eds.), *European*

Neighbourhood Policy: Political, Economic and Social Issues, Catania, Universidad de Catania, 2004, p. 37-57.

20. . Christopher Hill and William Wallace, "Introduction...", *op. cit.*, p. 3.

21. . Daniel Möckli, *European Foreign Policy during the Cold War: Heath, Brandt, Pompidou and the Dream of Political Unity*, London-New York, I.B. Tauris, 2009, p. 56-59.

22. . Among others, see Simon J. Nutall, *European political co-operation*, Oxford, Clarendon Press, 1992, p. 126; Philippe de Schoutteete, *La Coopération Politique Européenne*, Brussels, Labor, 1988, p. 254 and ff. On its evolution, see Elfriede Regelsberger, Philippe de Schoutteete and Wolfgang Wessels (eds.), *Foreign Policy of the European Union: From EPC to CFSP and Beyond*, Boulder-London, Lynne Rienner Publishers, 1997; and Wolfgang Wessels (ed.), *EU-Foreign Policy Interests. Mapping "important" national interests*, Colonia/Brussels, TEPSA, 1998.

23. . Richard Youngs, *International Democracy and the West. The Roles of Governments, Civil Society, and Multinational Business*, Oxford, Oxford University Press (Oxford Studies in Democratisation), 2004, p. 12-13.

24. . On the foreign policy decision making process in the context of this paper, see David Allen, "Conclusions: the European rescue of national foreign policy", in Christopher Hill (ed.), *The Actors in Europe's...*, *op. cit.*, p. 288-304; and Ural Ayberk, *Le mécanisme de la prise de décisions communautaires en matière de relations internationales*, Brussels, Bruylant, 1978, p. 34-65.

25. . The concept of conditionality in the area of EEC foreign activity is brought together in the transitology of the experience of EEC cooperation policies and their application in third countries. See Leonardo Morlino, "Conclusion: the Europeanization of Southern Europe", in António Costa Pinto and Nuno S. Teixeira (eds.), *Southern Europe...*, *op. cit.*, p. 237-256. According to Daniel Ch. Thomas Spain's request to open negotiations in 1962 prefigures the idea of political conditionality. Daniel Ch. Thomas, "Constitutionalization through Enlargement: The Contested Origins of the EU's Democratic Identity", *Journal of European Public Policy*, Vol. 13, No. 8, 2006, p. 1190-1210.

26. . Geoffrey Pridham, "European integration and democratic...", *op. cit.*, p. 206-207.

27. . On the international context for the Spanish transition see, among others, Encarna Lemus and Juan Carlos Pereira, "Transición y política exterior (1975-1986)", in Juan Carlos Pereira (ed.), *La política exterior de España*, Barcelona, Ariel, 2010, p. 659-685; Alberto Sabio, "La intervención de Estados Unidos y de Europa Occidental en la transición a la democracia en España, 1975-1977", in Damian González (ed.), *El franquismo y la Transición en España. Desmitificación y reconstrucción de una época*, Madrid, Libros de la Catarata, 2009, p. 222-243; and Damian González, "Actores y factores internacionales en el cambio político español. Una mirada a la historiografía", in Oscar Martín García and Manuel Ortiz Heras (eds.), *Claves internacionales en la transición española*, Madrid, Libros de la Catarata, 2009, p. 39-64.

28. . On this issue the work of Lorena Ruano is of interest. She analyses in a comparison of perspectives the British and Spanish entry negotiations: Lorena Ruano, "Origin and Implications of the European Union. Enlargement Negotiations Procedure", European University Institute, Robert Schuman Centre for Advanced Studies, *EUI Working Papers, RSC*, No. 2002/62.

29. . Interesting reading on this background: 'Peripheral countries and the European Integration of Europe', ed. Fernando Guirao, *Journal of European Integration History*, Vol. 7, No. 1, 2001, in particular the articles referring to Spain and Portugal: Birgit Aachmann, "The Reliable Ally: Germany Supports Spain's European Integration Efforts, 1957-67" (p. 25-36) and Nicolau Andresen-Leitão, "Portugal's European Integration Policy, 1947-72" (p. 37-52).

30. . See António Costa Pinto and Nuno S. Teixeira (eds.), *Southern Europe...*, *op. cit.*, in particular the chapters on Portugal (António Costa Pinto and Nuno S. Teixeira, "From Africa to Europe: Portugal and European Integration", p. 3-40), Spain (Juan Carlos Pereira and Antonio Moreno, "Spain: in the Centre...", *cit.*) and Greece (Susannah Verney, "The Greek Association with the European Community: a Strategy of State", p. 109-155); see also Esther Barbé, "Interacción entre

política exterior española y política exterior europea: normas europeas, intereses españoles y condicionantes internacionales”, in José Maria Beneyto and Juan Carlos Pereira (eds.), *Política Exterior Española: un balance de futuro*, Madrid, Biblioteca Nueva-Instituto de Estudios Europeos, 2011, p. 93-121; and Philippe C. Schmitter, “Portugal and Spain...”, *op. cit.*, p. 314-322.

31. . Peter Marks, *The formation of European Policy in Post Franco Spain. The Role of Ideas, Interests and Knowledge*, Aldershot, Avebury, 1997, p. 76-103.

32. . The bibliography on this subject is vast. A by no means exhaustive list includes Antonio Alonso, *España en el Mercado Común*, Madrid, Espasa Calpe, 1985; Raimundo Bassols, *España en Europa. Historia de la adhesión, 1957-1985*, Madrid, Política Exterior, 1995; Maria Elena Cavallaro, *Los orígenes de la integración de España en Europa*, Madrid, Silex, 2010; Julio Crespo, *España en Europa, 1945-2000. Del Ostracismo a la modernidad*, Madrid, Marcial Pons, 2004; Fernando Guirao, *Spain and West European Economic Cooperation, 1945-1957*, London, MacMillan, 1997; Ricardo Martín de la Guardia and Guillermo Pérez, *La Unión Europea y España*, Madrid, Actas, 2001; Antonio Moreno Juste, *Franquismo y construcción europea*, Madrid, Tecnos, 1998; Heidy Senanate, *España ante la integración europea: el primer acercamiento*, Valencia, I. Alfons el Magnànim, 2006; Matthieu Trouvé, *L'Espagne et l'Europe. De la dictature de Franco à l'Union Européenne*, Brussels, Peter Lang, 2008; and Jesús María Zaratiegui, *Europa, de entrada no*, Pamplona, Eunsa, 2014.

33. . See Antonio Alonso, *España, op. cit.*, p. 52-74; Raimundo Bassols, *España en Europa..., op. cit.*, p. 57-61; and for a more up to date view, Julio Crespo, *España en Europa..., op. cit.*, p. 112-125. Of primary sources, the Ministerial Archive on Foreign Affairs, Madrid (henceforth AMAE), is of interest: Archive Renovado (R), Leg. 10176 to 10178 for the negotiation of the 1970 Agreement 1967-1969.

34. . The Additional Protocol was signed in Brussels on 29 January 1973, *Bulletin des Communautés européennes*, No. 1 (1973), No. 10 (1973), No. 2 (1974) and No. 11 (1974). See the Boano Report on the Trade Agreement between the EEC and Spain, Parlement Européen, *Document de séance*, 16 November 1970, Doc. 164/70.

35. . Centre des Archives Diplomatiques de Nantes (CADN), sous-série IX: pays étrangers, organisations et conférences internationales, carton 1115: Europe CEE/Espagne, Marché commun, 1969.

36. . Report presented by Enrique Adroher “Gironella” to the Consejo Federal Español del Movimiento Europeo (CFEME) meeting held in Paris, on 26 May 1974. Historical Archive of the Spanish Federal Council on European Movement, Madrid (AHCHEME), Fondo Gironella (FG), Box 23, File 4 (1972-1975).

37. . AMAE, Leg. R-15570, *Memorandum Saragat* (60/08-13 E.), Letters from EEC protesting about the Burgos trial (60/08-13 E.), Director General of Security's notes on foreign reactions to the Burgos trial 1970-73 (60/08 E.).

38. . See Heidy Senante, *España ante..., op. cit.*, p. 93-112; Victor Fernández Soriano, “La CEE face à l'Espagne franquiste. De la mémoire de la guerre civile à la construction politique de l'Europe”, *Vingtième Siècle*, No. 108, 2010, p. 85-98.

39. . See AMAE, Leg. R-15437, Relations with France, 1972 (60 E. 12).

40. . CADN, sous-série IX: pays étrangers, organisations et conférences internationales. Carton 1110: Europe, CEE (1974-1977).

41. . AMAE, Leg. R-15289: EEC negotiations, Correspondence with Brussels, 1973 (60 E. 73-8), Spanish proposals, negotiating session 18 October 1973, Spanish memorandum delivered to Michael Jobert (60 E-73-9) gives information on “La situación de las exportaciones españolas a nuevos miembros de la CEE” (December 1973), verbal note from Spanish mission before the EEC Commission (60 E-73-11); AMAE, Leg. R-15434: CEE, Relations with Spain, Minutes of the joint Spanish-EEC Commission, (May 1971), Ullastres' line of argument at the 16-17 July 1973 meeting, Trade Ministry documents October 1973 (60 E-73-1).

42. . AMAE, Leg. R-15356: EEC negotiations, EEC Community Mandate (1974), instructions to the Spanish delegation (60 E 73-1), Spanish delegation's line of argument at the 20-21 November 1974 round of negotiating talks, Political reports on the subject.
43. . Javier Tusell and Genoveva G. Queipo de Llano, *Tiempo de incertidumbre*. Carlos Arias Navarro. *Entre el franquismo y la Transición*, Barcelona, Crítica, 2003, p. 165-166. For the debate on this in the European Parliament see Parlement Européen, *Document de séance*, 13-14 mars 1974. Similarly AHCHEME, Fondo Gironella (FG), Box 23, File 4 (1972-1975).
44. . Antonio Moreno Juste and Carlos López Gómez, "Les communautés européennes et la politique extérieure espagnole dans le contexte de la transition démocratique", *Revue d'histoire diplomatique*, Vol. 128, No. 2, 2014, p. 141-156.
45. . Raimundo Bassols, "España y el proceso de negociación comunitaria: de la época de Franco a los años del Gobierno Adolfo Suárez", *Revista de estudios europeos*, No. 44, 2006, p. 169-176.
46. . Parlement Européen, *Document de séance*, 16 November 1970, Doc. 164/70, p. 7-9, and Archives historiques du Conseil de l'Union européenne, Bruxelles, Fonds CEE et CEEA, CM2. CM2 1970, dossier concernant l'Accord commercial entre la CEE et l'Espagne, signed 29 June 1970. CM2/1970-886.
47. . See for example, Paul Preston, *Franco*, Barcelona, Grijalbo, 1993, p. 957-958.
48. . Charles Powell, *España en Democracia: 1975-2000*, Barcelona, Plaza y Janés, 2002, p. 138 and ff.
49. . Javier Tusell and Genoveva Queipo de Llano, *Tiempo de incertidumbre...*, *op. cit.*, p. 209.
50. . Decree/Law 10/75, 26 August 1975. See Ángel Sánchez Navarro, *La transición española en sus documentos*, Madrid, Centro de estudios Constitucionales, 1998, p. 129-135.
51. . The Councils of War were held on 28 August and 19 September in Burgos and 11 and 17 September in Madrid.
52. . AMAE, Leg. R-15570, E. 12, European reactions to the September 1975 executions.
53. . The five executed men were ETA members Angel Otaegui and Juan Paredes Manot, and FRAP members Ramón García Sanz, José Luis Sánchez Bravo and José Humberto Baena.
54. . John F. Coverdale, "Spain from Dictatorship to Democracy", *International Affairs*, Vol. 53, No. 4, 1977, p. 615-630.
55. . On the EEC interpretation of events, see Charles Powell, *España en democracia...*, *op. cit.*, p. 122-123 and Julio Crespo, *España en Europa...*, *op. cit.*, p. 148-149.
56. . "Spain, The Last Corrida", *The Economist*, 20 September 1975.
57. . AMAE, Leg. R-15570, E. 13, Foreign press Dossier, European reactions to the executions.
58. . Antonio Moreno Juste, "Por fin Europa: La transición y el camino hacia la adhesión a la CEE", in Salvador Forner (ed.), *Coyuntura Internacional y política española (1898-2004)*, Madrid, Biblioteca Nueva/Universidad de Alicante, 2010, p. 177-200.
59. . AMAE, Leg. R-15560, E. 98. EEC letters of protest, resolutions and condemnation.
60. . Antonio Moreno Juste and Carlos López, "Les communautés européennes...", *op. cit.*, p. 145-146, and Charles Powell, "La dimensión exterior de la transición", *Revista del Centro de Estudios Constitucionales*, No. 18, 1994, p. 79-118.
61. . See Pilar Ortuño, *Los Socialistas europeos y la transición española (1959-1977)*, Madrid, Marcial Pons, 2005, and Antonio Muñoz, *El amigo alemán. El SPD y el PSOE de la dictadura a la democracia*, Barcelona, RBA, 2012.
62. . Esther Barbé, "Spain: the uses of Foreign Policy Cooperation", in Christopher Hill (ed.), *The Actors...*, *op. cit.*, p. 108-129.
63. . On the day of the executions, 27 September, the Commission issued a communiqué stating that it "deplored the Spanish government's insensitivity to the EEC's calls for clemency in the name of the principles of justice and humanity characteristic of European democracies". And barely 48 hours later, socialist commissioner Claude Chaysson declared that he could not imagine that contact with the Spanish government would be maintained with the objective of improving relations, embracing the protests of Commission civil servants at the attitude of the Franco

regime, and urging the European institutions to make an official pronouncement on the question of Spain. That same day, the Commission took the decision to suspend negotiations between Spain and the EEC after a long debate during which the socialist commissioners had considered the possibility of calling for the revocation of the 1970 Agreement owing to its political and economic importance. However, this proposition was quickly ruled out given the negative impact this would have on trade with certain Community members. Suspension of negotiations was thought to have three advantages: it would not have grave repercussions for Spain; it would be consistent with the position of condemnation held by the European Parliament; and it would prompt the Council to adopt a political posture and include the matter of Spain in the EPC agenda. For a chronological account, see *Bulletin des Communautés européennes*, No. 9 and 10 (1975). It should also be pointed out that at its 27th meeting, the Council of Europe, approved a statement condemning the Spanish regime and calling for a revision of bilateral relations between the EEC member states and Spain: *Bulletin des Communautés européennes*, No. 10 (1975), pt. 2322, p. 62. The text of the resolutions adopted appears in the DO C 239 of 20 October 1975, and a complete report of the parliamentary session in the DO, appendix No. 94. The *Informe Reale* presented to the Parliamentary Assembly of the Council of Europe can be found in *Assemblée Parlementaire Conseil de l'Europe, Compte rendu de séance*, Doc. 3664, 22 September 1975.

64. . *Bulletin des Communautés européennes*, No. 9 (1975), pt. 2501, p. 108.

65. . *Bulletin des Communautés européennes*, No. 10 (1975), pt. 2330, p. 81.

66. . The National Archives (henceforth TNA), London, CAB 128/57/12, Records of the Cabinet, European Political Cooperation, 8 October and 16 October 1975.

67. . TNA, Conclusions of a Meeting of the Cabinet: CC (75) 42 Conclusion, London, 9 October 1975.

68. . At the start of the session, the Commission was represented by its chairman, Jean-François Ortoli, vice-chairman Christopher Soames and Claude Chaysson, Commission member. On 28 January 1976, Robert van Schendel, Secretary General of the International European Movement, presented a spoken report in Paris to the CFEME executive, with reference to the 6 October meeting in Luxembourg, containing the Commission's views on that meeting. Van Schendel's information produced a copy of the Council's decision to European negotiations with Spain on 20 January. AHC FEME, Fondo Gironella, Box 23, File 11 (1972-1975).

69. . *Bulletin des Communautés européennes*, No. 10 (1975), Parlement Européen, 15 October 1975, pt. 2407, p. 74.

70. . *Europe*, No. 1834, 8 October 1975. Likewise, from this perspective, diplomatic agreement between Washington and the main European NATO countries on the situation in the Mediterranean referred to by Kissinger appears to vanish when attention moves from the great West European security issues to concrete facts, such as reaction to a dictatorship which carries out death sentences. Henry A. Kissinger, *Years of Renewal*, New York, Simon & Schuster, 1999, p. 622.

71. . These differences of opinion appear in every paragraph of the text, but in particular where reference is made to the condemnation of violence. Condemnation is unconditional, while at the same time fear is expressed that the situation might lead to worsening violence: "*ils souhaitent ardemment que soit épargné à l'Espagne, au peuple de laquelle les peuples des Neuf sont unis par tant de liens, un processus d'escalade de la violence*". Moreover, in the background there are not only economic issues but also strategic evaluations with regard to the EEC's relationship with a democratic Spain.

72. . Emmanuel Gazzo, *Europe*, No. 1834, 8 October 1975.

73. . All the member states, with the exception of Ireland, recalled their ambassadors for consultation. In this respect, the significance of the Netherlands directly recalling their ambassador should not be underestimated. In doing so, it closed the path of reconciliation initiated by Italy, which had held the EEC presidency since July, forcing the other countries to recall their ambassadors, much to the annoyance of France which had hoped to use the crisis to

its advantage. Nor should it be forgotten that on 4 October 1975 the United States announced its intention to renew its bilateral agreements with Spain. For France's reaction, see the declarations of Minister Sauvagnargues, announcing the return of his ambassador to Madrid. *Europe*, No. 1836, 10 October 1975.

74. . *Bulletin des Communautés européennes*, No. 10 (1975), Annual report on the EPC to the European Parliament 15 October, p. 102. On the evolution of relations between relations Portugal and the EEC from 1972, see *Bulletin des Communautés européennes*, No. 9 (1976), p. 16-17.

75. . CADN, sous-série IX: pays étrangers, organisations et conférences internationales, carton 1117: Europe, CEE/Espagne (1972-1973), préférences régionales (1972-1973).

76. . The Community's position on political change in Spain was definitively set in the face of public opinion and the main actors on the European stage in the *Faure Report* to the European Parliament: *Rapport fait au nom de la Commission Politique sur la situation en Espagne*. Rapporteur Maurice Faure, 11 May 1976. Parlement Européen, *Document de séance 1976-1977*, Doc. 100/76, PE 44.471/def. and the resolution approved subsequently, *Resolution on the situation in Spain*. *Official Journal of the European Communities*, 8 June 1976, Vol. 19, No. C 125.

77. . *Europe*, No. 2132, 28 September 1976. Likewise see *Bulletin des Communautés européennes*, No. 9 (1976), pt. 2502, p. 72.

78. . Archives Historiques des Communautés Européennes, Fiesole, Fonds BAC: Commission CEE-Euratom, BAC 001/77, Relations extérieures DG 1-CEE/1, Note d'Information, Memoranda au Président du Conseil (27 May 1977) 05-0064307.

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ABSTRACTS

After the Franco regime's last death sentences were carried out in September 1975, a crisis arose between Spain and the European Community that entailed an international protest campaign and the suspension of economic negotiations between Spain and Europe from October 1975 to January 1976. Europe's condemnation was a significant blow to Spain's transition to democracy, while it also encouraged the European Economic Cooperation. This article analyzes European

strategies during the period of uncertainty after Franco's death and the links these strategies had with the European integration process.

La crise qui s'est ouverte en septembre 1975 entre l'Espagne et les Communautés européennes après les dernières exécutions capitales sous le régime franquiste se termine par une campagne de protestation internationale sans précédents depuis l'après-guerre. Elle débouche sur la suspension temporaire des négociations économiques d'octobre 1975 à janvier 1976 et soulève de nombreuses questions quant à l'objectif et aux implications de la décision. La condamnation européenne constitue un tournant significatif dans le processus de transition et de consolidation démocratique, et encourage par la même occasion la Coopération politique européenne. Cet article analyse les stratégies européennes pour faire face à la période d'incertitude qui suit la mort de Franco et leur lien avec l'agenda de relance du processus européen d'intégration.

INDEX

Keywords: Franco regime, Spain, European Communities, executions, human rights, European Political Cooperation (EPC), national interests, democratization

Mots-clés: franquisme, Espagne, Communautés européennes, exécutions, droits de l'homme, Coopération politique européenne, intérêts nationaux, démocratisation

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