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# THE COMMON MARKET: PARADIGM OF THE INTEGRATION PROCESSES WITHIN THE EUROPEAN COMMUNITY AND THE EUROPEAN UNION

***This paper deals with the characteristics and importance of the common market, which was a central goal of the formation of the European Economic Community (EEC), and following that, an institute with no alternative in the functioning of the European Union (EU). The research approach to this international institute is in essence critical, stemming from the disagreement with the claims that it is meant to establish various kinds of business relationships, and to perform a variety of transactions between member states without restrictions and without discrimination. This study aims to identify its shortcomings and offer an evaluation of its successful results for the purpose of forming an opinion that it functioned best immediately upon being established. The common or single market requires the member states to ensure their compatibility with the aims contained in the Treaty establishing the European Economic Community (EEC). The paper looks not only for inconsistencies but for the influence of the common market on the globalization processes that during the second half of XX century expanded to unimaginable dimensions.***

***Keywords:*** *common market, the European Community/Union, the Single European Act, the "four freedoms".*

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# ЗАГАЛЬНИЙ РИНОК: ПАРАДИГМИ ІНТЕГРАЦІЙНИХ ПРОЦЕСІВ У РАМКАХ ЄВРОПЕЙСЬКОГО СПІВТОВАРИСТВА І ЄВРОПЕЙСЬКОГО СОЮЗУ

***У статті розглянуто особливості та важливість спільного ринку, який був однією з головних цілей формування Європейського економічного співтовариства (ЄЕС) і який являє собою інститут без альтернативи у функціонуванні Європейського Союзу (ЄС). Критичний підхід статті заперечує думку, що ЄЕС призначений для створення різних видів ділових відносин, а також виконання ряду операцій між державами-членами без обмежень і без дискримінації. Дослідження спрямовано на виявлення його недоліків і пропонує оцінку результатів діяльності, з якої випливає, що організація функціонувала найкращим чином відразу після її створення. Загальний або єдиний ринок вимагає, щоб держави-члени забезпечили свою сумісність із цілями, що містяться в Договорі про створення Європейського економічного співтовариства. Досліджено наявність невідповідностей і вплив спільного ринку на процеси глобалізації, масштаб яких у другій половині XX століття неймовірно збільшився.***

***Ключові слова:*** *загальний ринок, Європейське Співтовариство/Союз, Єдиний Європейський Акт, "чотири свободи".*
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# ОБЩИЙ РЫНОК: ПАРАДИГМЫ ИНТЕГРАЦИОННЫХ ПРОЦЕССОВ В РАМКАХ ЕВРОПЕЙСКОГО СООБЩЕСТВА И ЕВРОПЕЙСКОГО СОЮЗА

***В статье рассмотрены особенности и важность общего рынка, который был одной из главных целей формирования Европейского экономического сообщества (ЕЭС) и который представляет собой институт без альтернативы в функционировании***

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***Европейского Союза (ЕС). Критический подход статьи отрицает мнение, что ЕЭС предназначен для создания различных видов деловых отношений, а также выполнения ряда операций между государствами-членами без ограничений и без дискриминации. Исследование направлено на выявление его недостатков и предлагает оценку результатов деятельности, из которой следует, что организация функционировала наилучшим образом сразу после ее создания. Общий или единый рынок требует, чтобы государства-члены обеспечили свою совместимость с целями, содержащихся в Договоре о создании Европейского экономического сообщества. Исследовано наличие несоответствий и влияние общего рынка на процессы глобализации, масштаб которых во второй половине XX века невообразимо увеличился.***

***Ключевые слова:*** *общий рынок, Европейское Сообщество/Союз, Единый Европейский Акт, "четыре свободы".*

**1. Introduction.** At the beginning, it is important to point out that by simultaneously using the terms the internal or single market of the European Economic Community (EEC) and the Common Market of the European Union (EU) we would not be making any error, quite on the contrary. The use of these phrases is quite legitimate considering the contribution that the market makes through its functioning to the regulation and institutionalization of a major part of Europe. Most papers written on European integrations begin with the important events that took place after the end of the Second World War. Many authors see the beauty of the formation of the European Economic Community (EEC) in its originality, simplicity and in the selected mode that has never before been put to the test of history it is the integration of different nations on a voluntary basis (Moussis, 1994). However, we should not neglect the credit for its establishment that is due to the famous Bilderberg group, a secret, informal organization (Thompson, 1980), made up of politicians, the representatives of the military-industrial and financial sector, bankers, magnates, the representatives of media, and key businessmen, running leading companies in the world.

There is no doubt that the establishment of the single or internal market was made with the best intentions of responsible high representatives of the member states (McGee and Weatherill, 1990), to be the framework in which people, goods, services and capital would move freely, just like within the borders of every individual European country. The aforementioned "four freedoms" inspired added confidence that any kind of discrimination is expressly forbidden, for example, on the basis of nationality (people), origin (goods and services) and greater or lesser economic and political influence.

Developmental and functioning of the common market did not go smoothly. It was hindered by technical, regulatory, legal and beaurocratic obstacles in many of the member states. Foreign trade was especially limited which directly had a negative influence on the quartet of the aforementioned freedoms. For this reason the member states and the institutions of the European Economic Community (EEC) and later the European Union (EU), together and without rest from 1985 to 1992 tried to remove them and to clear room for the unhindered functioning of the common market. Their efforts were mostly met with success. Based on the data of the Committee, from the verification of the establishment of the European Union (EU) in Maastricht (The Netherlands), on February 7, 1992, the single market enabled the opening of over 2.5 mln new jobs and generated over 800 bln euros of additional material wealth in the member states.

**2. The formal characteristics of the common market.** The signing of the first treaty establishing a customs union which was first known as the European Economic Community (EEC), in Rome in 1957, by 6 European countries (Germany, France, Italy, The Netherlands, Belgium, Luxembourg) meant setting completely new, ambitious economic, and then (with minor limitations) political goals. It was later that the European Economic Community (EEC) formally became "the pillar" of the European Union (EU). The economic aims of the newly formed European Economic Community (EEC) were prescribed in the introductory provisions of Article 2 of the Treaty. It is a very wide range of objectives, the most important of which are the following: (1) the encouragement of a balanced and sustainable economic and social growth and a high employment rate, (2) the confirmation of identity on the international economic and political stage by means of a special common foreign and security policy; (3) strengthening the protection of rights and interests of the citizens of the member states by establishing the rights of citizens of the European Economic Community (EEC), (4) maintaining and strengthening of the European Economic Community (EEC) as an area of freedom, security and justice and (5) the comprehensive conservation of their acquisitions (the acquis communautaire) and their further development (Mikesell, 1958). All of the goals are directly related to the establishment of the common market, by the introduction of an economic and monetary union and the implementation of common policies and activities in the member states.

Considering that in previous theory the internal market was not known as an institutionalized degree of economic integration, it would not be correct to think of it as an inter-phase or as a part of the developmental process of the economic and political union, but as a final independent aim of the member states. Thus, we should be clear, the market is an institute, an economic category it either exists in its entirety with all its attributes or it does not, so in that sense it is compared with gestation (Kovac, 1994), since...gestation either exists or does not exist, and being in a state of semi-gestation is impossible. This practically means that in the process of establishing a single market, it was not possible to stop halfway. If the market is a market, then it must be single, and if it is not single, then it is not a market, and therefore has no effects, as if it did not exist.

In the available literature, when determining its meaning, it is possible to come across two completely distinct methodological approaches. The first approach is very broad and includes the determination and comparison of the similarities of its content with the content of the previously aforementioned concept, the common market which is marked by much disagreement due to opposing viewpoints. Advocates of the strong stance have no doubt that the concept of internal market is significantly narrower than the concept of a common market (Pescatore, 2003), because internal market is not able to cover all common policies, for example, social or agricultural policy, while common market does so easily. The common market is a broad term in part because states applying for membership waive certain market prerogatives that automatically become part of a common market. The aforementioned claim is made in the tone of reconciliation, because, according to its supporters, the terms of common and internal market are identical, so after the common market was established, there was no need for further proclamations of internal market as the new goal (de Ruyt, 1987).

According to the other methodological approach, which is also referred to as the functional approach, internal market is defined primarily in accordance with the ultimate goal whose realization is expected in a given time period. The functional approach was used by the European Court of Justice in one of the first cases (Van Gend en Loos), and it was emphasized then that the aim of the Treaty establishing the European Economic Community (EEC) was the creation of a common market whose immediate functioning is only meant for member states (Craig, 2003, Weatherill, 2007). The common market of the European Economic Community (EEC) has also been described as a space without barriers to trade within its borders, and a true internal market in which all national markets should be engaged (Barents, 1993). The second step in defining a common market originates from the level of individual economic freedoms and the conditions created for their enjoyment. According to this approach, a common market is a specially designated area where all the participants must be absolutely free to invest, borrow, operate, offer, sell or purchase goods and services, in any place in the Community. Everyone enjoys equal rights and freedoms in it, and they are individually oriented towards the most favorable conditions determined by the best supply and demand.

The special quality of the common market was designed to exist in the suspension of all forms of discrimination on the part of member states and other (their) participants, and in the prohibition of all the forms of distorted competition. Therefore, in this approach, common market operates at the same level as the unique market, which further confirms that the concept of their closeness is quite true. The market, no matter whether common or unique, includes only politically independent and separate territories where supply and demand confront each other without internal bans. That is its essence, because in it international trade between the member states is not hindered by customs, duties or quotas, and the investment is done in an atmosphere of free competition provided by the principle of "four freedoms".

Considering the fact that for the third group of countries, the principle of "four freedoms" is of no importance, many of them, when they were able to, with the aim of protecting their national markets implemented protectionist measures. In this respect, the European Commission back in 1985 analyzed the issue in terms of the interest of the member states of the European Economic Community (EEC), and requested: "that the trade identity and the identity of the member states of the European Economic Community (EEC) be determined in such a way that their trading partners can exercise wider benefits of the market, without providing similar benefits" (Majone, 1993), which is essentially an emphasis of the policy of strict reciprocity. Finally, viewed in the legal sense, the establishment and functioning of the internal market must be viewed solely through the process of the adoption and implementation of the measures specified in the White Paper, the Unique European Act and in the Treaty (Toulemon, 1996) with possible changes which would be the result of regulation and deregulation. After the end of the first decade of the the European Economic Community (EEC), the general conclusion was that the member states had not understood the true essence of its functioning. Most of them, encouraged by their previously achieved success (Pelkmans and Robson, 1987), easily rejected the intention of a new set of requirements being placed before them and more ambitious goals determined which would mean the improvement of the economic system and the reorganization of the current European political stage.

As far as political disputes are concerned, they are an indicator of poor relations between the member states, but also of their disagreement with the general policy of the European Economic Community (EEC). Political disagreements culminated with the French decision to ignore the work of the Council of Ministers for several months with an "empty chair" policy. Disagreement with the proposal of the Commission, that for the majority decision making process, new responsibilities should be assigned to the Community (Bomberg, 1999) had been demonstrated by Charles de Gaulle in July 1965, who decided to boycott the work of all the institutions of the European Economic Community (EEC). Lonely and outvoted in Parliament, Charles de Gaulle left the Council of Ministers and the resulting problem was resolved in January 1966, with the Luxembourg Compromise (Palayret, 2006).

Another significant problem was caused by the Nordic countries, who were member states, in the case of the proposal that alcoholic drinks should be taxed well above the average values of the Community, so as to reduce their excessive consumption. The proposal was in opposition to the economic interests of several member states, primarily France, which as a major producer of wine taxes its wine makers on the basis of lower fiscal tariffs (Simon, 1992). The optima forma interest of France was to maximally preserve its national sovereignty, to decide on certain issues within its own borders, but to, as an active participant in the common market, implement the agreed upon common economic and social policy of the European Economic Community (EEC).

The aforementioned problems (and those that have not been mentioned) conditioned the adoption and approval of new agreements, rules, regulations, resolutions and other legal documents, which were valid in the European Economic Community (EEC). Later, many documents either remained in force or were partially revised or rewritten, under the condition that it was shown that they were controversial in relation to the required legal quality and the requirements of the member states of the European Union (EU). Despite all the controversy, each of them in its own way and in accordance with its own legal capacity (Weiner, 2003) contributed to the idea of a firm economic and political bond between the member states reaching its maturation.

**3. The Single European Act, changes and jeopardizing the integrity of the "four freedoms".** The Single European Act (de Ruyt, 1989) is the agreement signed by the member states with the aim of using a multi-year program to eliminate the problems that devastated the concept of the "four freedoms" and slowed down the flow of free trade outside the European Economic Community (EEC). By its adoption, the boundaries of international space were finally set in the form of a future unique market, in which the same rules were supposed to apply, for example, the rules governing foreign trade of all the member states. Formally, it is a contract or agreement which represented the first significant modification of the Treaty of Rome from 1957, establishing the European Economic Community (EEC). Considering the fact that it laid the legal foundations on which the future unique market was to be postulated, it clearly stipulated new responsibilities of the Community (social policy, economic and social integration, research and technological development, environmental protection), initiated cooperation in the field of foreign policy activities, enhanced the authority of the European Parliament and simplified the decision-making process in the Council of Ministers. This means that all the institutions and documents of the

European Economic Community (EEC) are legally regulated and based only on the law. Thus, it would be quite correct, precise, to refer to it as the community based on administrative law (communaute fondee sur le droit administratif), since the European Union (EU) would be built on its foundations. Virtually, from its inception to the present day, it is nothing more than a community of administrative law (Scvarze, 1992), but we should not forget that it is also characterized by the fact that each of the procedure from its legal framework was realized accompanied by a variety of problems.

The 1980s in Europe are often referred to as being "violent", because they were marked by very significant events popularly known as a "velvet revolution" which radically altered trends in the development of the European Economic Community (EEC). This was the period marked by supplying the economic integration processes with new strength and new functional modalities. These were the years when many countries were deliberately harassed into changing their internal policies, and looking up to their neighbors. It would seem that all these changes set off a wave of poverty and that they gave birth to various significant problems which significantly disrupted the fragile harmony of the European Union (EU) in the second half of the 20th century.

However, the biggest political event that marked the twentieth century, and regarding which there is an academic consensus, is the demolition of the Berlin Wall, which since its construction in 1961, symbolized inter-state antagonism and the Cold War. On November 9, 1989, Europe literally exploded and was politically crushed by the detonation and the "Iron Curtain" had to drop (Vaneigem, 1967). In October 1990 East and West Germany were reunited, which to the malicious seemed like the heralding of the creation of a new economic empire (Shirer, 1990). Through the Brandenburg Gate in Berlin the German people marched once again, who had until recently been split into two sides, tightly controlled by an artificial boundary, but now "supported" by the billionaire-tycoons mainly from the former Union of Soviet Socialist Republics (USSR). "Hungry" for European way of life, arrogant, with full bags, they began to cruise Europe in search of a suitable opportunities to invest the capital they had acquired through crime in English and French stud farms, football clubs, coastal resorts in the Mediterranean region and luxury yachts. The only goal was to "launder" the ill-gotten gains.

Organized crime grew, and with it the European Union (EU) has had to face it, which means that it yet has to enter into a conflict with it. The question is, whether, and to which extent, is it ready to do so. Revised, adapted and strengthened by powerful instruments with pronounced elements of internationalization, which threatens the harmony of the European Union (EU), crime does not only change its external facade, but its destructive core. This supports the arguments that the line of demarcation between organized crime and the organized crime involving tycoons is becoming increasingly blurred and cannot easily be discerned (Mejb, 1962). Thus, the Community has been imposed with unexpected liabilities due to which it has had to extend its activities beyond the economic sphere, to extend its jurisdiction outside the demarcated areas, and to be prepared to accept new member states.

In the terminological approach, that is, in the use of terms – the internal or common market – there were no specific changes, which means that in that sense there were no significant differences. Therefore, the new concept of the internal market of the Treaty establishing the European Union, did not replace the previous concept of a common market. The shared view is that the goal had not been altered, so there were no obstacles to equating both of these terms and their further simultaneous existence (Official Journal, 1997). Anyhow, there were still many important documents and sources that the European Economic Community (EEC) used to use, and the European Union (EU) still uses today, in which both terms are treated equally. This means that the name of the market does not change its essence, function and role, which was the deciding argument, especially as it was until recently that the term marche unique (Weatherill, 2002) was used. Whether single or internal, it is a form of economic integration that by eliminating technical and administrative barriers leads to the creation of a common market on the territory of the countries that participate in it. It is the lifeblood of today's European Union (EU) and it is based on the propositions which had previously been established, in the European Economic Community (EEC) in the famous quartet of freedoms (Musgrave, 1967). If the circumstances were to be summarized in a single whole, through deductive reasoning we can conclude that the establishment of the internal market was supposed to provide the creation of optimal conditions for the unhindered functioning of an economic and monetary union.

**4. The internal market-paradigm integration processes.** The common market as opportunism, that is characteristic of federally organized economies which strive to maintain an economic balance between economic interests and political desires for a community, was neither unknown, nor original either as a concept, or as an institution (Lasok and Bridge, 1991). The initiatives for its establishment date back in the past, so it is anomalistic, to use the founding of the European Economic Community (EEC) as a primary reason for its creation. In fact, even before there were successful and unsuccessful attempts to establish firmer or looser associations and/or unions between states, based on the economic but also political interests, such as the customs union of German states (Zollverein) or the Benelux Customs Union agreement that was signed by 3 governments in exile in 1944, in London, and which was ratified in 1947. After all, if the formation of a common market was not the primary reason for its establishment, the European Economic Community (EEC) is the example of economic integration that has made a great impact on all other forms of general international integration. Is that not the case with the European Union (EU) today? It certainly seems so.

The common market is naturally the primary condition for the functioning of a free trade zone, which does not tolerate any obstacles in the relations between the member states. On the other hand, the member states were not prevented from conducting their own free trade policies towards third non-member countries (Alter, 2000). In order to be common in the true sense of the word, it should be at first devoid of customs, all existing trading limitations should be removed between the member states and a common tariff system should be set up (Wilkin, 2003) towards third non-member countries. This took place in two steps.

The first was on July 1, 1968, with the creation of the customs union for industrial goods, and after that on 1, January 1970 it was officially extended to include all other products. The formation of a system of common tariffs meant a double benefit for the European Economic Community (EEC). First, it got its primary source of funds, and second, it was given much broader jurisdiction in negotiating and concluding contracts relating to customs policies with third countries and international organizations. The success was evident. Namely, in less than 3 decades (from 1958 to 1985), the total export of the 10 member states of the European Economic Community (EEC) increased from 35% to 53%, while the share of exports to the effects of the gross domestic product (GDP) increased from 4.9% to 14%. The European Economic Community (EEC) in 1985, officially, but as expected, after the United States, became the largest trading block in the world (Lopez-Claros, 1987) with almost 320 mln inhabitants and a 20% share in world foreign trade. Today the European Union (EU) with its 27 member states covers an area of half a billion consumers and has every intention of expanding it.

Opposite the Customs Union, logically, stood a political union which from the legal and political aspects implied the existence of a single nation and central government. Its task was to use the authority of (supra)national government to fully implement the control of monetary measures and fiscal policy, which, politically speaking, can be equated with the role of central parliament. So, among all the member states the unification of monetary and fiscal policies was complete (Radaelli, 1997). Finally, it should be noted that these and all the aforementioned forms of international integration can be established through both positive and negative measures, by eliminating all barriers in terms of trade between member states, by changing the existing instruments and institutions and by creating new ones (Craig, 2002). This highly complex task is now before the member states of the European Union (EU).

**5. Conclusion.** The Regional Policy of the European Economic Community (EEC) represents one of the oldest common policies, through which the balanced development in some part of the world is achieved. In the signed Treaty of Rome from 1957 the need for reducing and eliminating the disparities between regions was noted as the primary action, along with the adoption of the Single European Act, which led to the establishment of a single market accompanied by economic and social integrations. The financial policy based on financial solidarity was enforced by a portion of the funds that the member states paid into budget of the Community being granted to the less developed regions as well as non-member countries (Ehlermann, 1987). The single market as the greatest achievement of the Community, by removing barriers and fostering the principles of the "four freedoms", allowed people greater prosperity across the continent and brought international recognition to many member states. In the beginning, only 6 countries in Europe were giving a strong momentum, while today the impetus is coming from 27 member countries of the European Union (EU), but this is not the end.

The internal market has seen a revolution in achieving brilliant results (financial communications, smart technology and so on) that have touched every aspect of life in Europe. However, today the European Union (EU) is faced with rapid changes, and does not have enough time to provide sufficient capacity for flexible behavior, especially in terms of legislature. Moreover, it is reluctant to accept the fact that it is impossible to manage everything from merely one or two centers. Accordingly, demands were made for greater confidence in cooperation, but also for a greater readiness to share responsibility, or simply put, for a greater degree of decentralization. The expansion of the European Economic Community (EEC) during the 1980s brought unexpected problems, which are only now through unstable economic structure showing their destructive force. Interestingly, Greece, Spain and then Portugal are 3 member states that each day, financially speaking, are sinking lower and lower. Italy is a similar example, followed by Ireland, that is, the famous group PIIGS. The population of Greece is already in serious trouble, and photographs that show monks on the streets of Athens, distributing food to hungry people, have circled the world many times. The S&P keeps removing one rating-star at a time from the Spanish, so that in the end, some of them, in military terms, will literally have been demoted. The question of whether, at the time the euro-crisis and threats of the dissolution of the Eurozone, it is possible to adhere to the convergence criteria set up in 1999 is still awaiting its answer.

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