

## XIV

PRESSURE GROUPS AND THE EUROPEAN  
ECONOMIC COMMUNITY

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THE development of the power of the European Economic Community has given rise to a reaction from those interests which are most directly affected. In order to make sure both that they are informed and that their interests are represented and defended, the various groups concerned have been led to create for themselves new structures at the level of E.E.C. A parallel relation has thus emerged between the official powers of E.E.C. and the private powers affected by it. These groups, formed on the European level, naturally have neither the solidity nor the effectiveness of professional representation on the national level. Moreover, since such groups are themselves a part of the process of evolution of the political structure, they adapt themselves readily to new political circumstances. But if these European professional organs are not comparable to the national groupings, they cannot be seen as similar to the international associations. They are more numerous – three hundred and fifty to four hundred gravitate towards the European Community. Their action is both more intense and more concrete than that of the international associations, and corresponds to questions with which the community is concerned.

On the whole, the birth of new groups, as well as the strengthening of the weak links which existed before, was, and is, caused by the emergence of a new centre of decision at the Continental level. In turn, this centre of decision needs to win over and to consolidate support.

*The four phases of formation*

Roughly speaking, the emergence of the socio-economic groups within the regional European framework has passed through four phases:

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The first wave appeared when the Marshall Plan and O.E.E.C. were launched. Ninety new organisations were set up to establish relations between the interests and O.E.E.C. (today O.E.D.C.); sixty of them were formed between 1948 and 1957. But they were mostly groupings with a very loose structure, mirroring in this sense the loose powers with which O.E.E.C. and later O.E.D.C. were invested. The main purpose of these organs was to ensure that information was transmitted in two directions – from the organisation to the members of the groups and from the groups to the organisation. These can best be described as potential pressure groups.

The second wave appeared during the setting up of E.C.S.C. itself, from 1953 onwards. It was limited, but more intense, as was E.C.S.C. itself. About ten new organs, grouping together the main interests, saw the light of day: in 1953 the federation of the iron and steel workers of the European Communities (FEDEREL), the liaison committee of the European metallurgical industries, the committee for study of the coal producers (CEPCGO), the club of the steel producers, as well as two European specialised offices of the confederation of free trade unions and of the confederation of Christian trade unions were set up. These groups were not content simply to inform and be informed, but tried to intervene in the decision-making process of E.C.S.C.

The third wave arose with the entry into action of the European Economic Community in 1958. It was vaster and had more profound effects. From then on, the creation of multiple professional organisations began in earnest. Following the example of E.E.C. itself, these organisations were concerned with the main sectors of economic and social activity. Some, such as the Union of the Industries of E.E.C. (UNICE), COPA (Committee of Professional, Agricultural Organisations of E.E.C.) and the trade unions' secretariat of the Six came into being the moment the institutions of E.E.C. were formed; others, such as the committee of consumers and inter-professional or specialised organs (COMITEXTIL) were set up at the same time as and according as the regulatory powers of E.E.C. began to take effect and to influence various interests. Sometimes the formation of these organs was spontaneous. Sometimes it was prompted by an invitation or even by some pressure from the Commission, as in the case of the consumers' organisations. Whatever their origin, their action in the field of simultaneous information and consolidation between the members and exertion of influence corresponded to real needs. The form of these groups and the intensity of their action varies from case to case, the

best-structured organs often being those whose interests are most directly affected or threatened. In short, whatever the original motivation of these professional groups, they all have, in various degrees, the object of bringing pressure to bear on the authorities of the European Community. For it is true to say that the European Community does not have all-embracing political powers. It can only use a still imperfect political procedure, taking decisions in the last resort. Moreover, these procedures, contrary to what happens in national politics, apply only to certain specific economic and technical matters.

The fourth wave, which again was a weaker one, coincided with the emergence of the European Free Trade Association (EFTA) of which fifteen professional organisations are members. However, the national groups have not felt any urgent need to be reconstituted in this intergovernmental organisation because, as in O.E.D.C., they can use the classic, intermediary channel of their own governments. This channel of influence suffices them because the decisions of the new centre of decision-making – the Council – are taken with the participation of national representatives.

Of course, the formation of the European Economic Community has created a new situation. The powers of the Community no longer belong exclusively to an intergovernmental institution. They are the result of an organic and often obligatory collaboration between the Council and the Commission. To the extent that the Commission fulfils an autonomous function, either by taking its own decisions or by working out proposals for the benefit of the Council, it becomes a centre of special interest for the groups. The tandem, Council–Commission, is the central mechanism of E.E.C. and this centre of decision naturally attracts the groups. Certainly, the groups do not completely ignore other bodies such as the Economic and Social Committee. But in so far as it carries no effective weight in the decisions of the Council and of the Commission, the groups treat it rather as a future than as a present channel of intervention. Their relation with the European Parliament is even more ambiguous since, for the time being, it is only an indirect conveyor for resolutions which produce no results.

#### *Birth of the professional structures*

The acts of the institutions of E.E.C. differ from their counterparts in the other organisations in that not only are they binding and compulsory but they also have direct results. That is to say, they bring pressure to bear directly on groups and individuals without

passing through the apparatuses of the respective states. A direct relationship is thus established between the Community organs and groups or individuals. No wonder that in these circumstances the groups should have tried to set up a defensive mechanism against the power of E.E.C. Organised action of the groups is correlated to collective action by states and by the Commission, with the result that the current is no longer all one way, but flows from E.E.C. towards the groups as well as the other way. The network has become much more complex than was foreseen by the Treaty of Rome.

The more important, immediate and autonomous the powers (as exercised by the autonomous institutions), the more probable it is that the groups will try to organise themselves at the level of these powers. There is a certain parallel to be drawn between the degree and the nature of these powers, on the one hand, and the structure and action of the groups on the other. Besides, the creation of these European groupings is a proof of the importance of these powers. The groups do not act gratuitously. When they establish a network of structures and of action, it is because they are trying to satisfy a real need. In order to be effective, their action is directed solely at the real power-centres. If the groups try to influence the Commission, it is a sign that the Commission fulfils an important function in the formation, execution and control of decisions. The action of the groups on the Commission is the tribute paid to its genuine importance.

However, it would not be correct to rely solely on this explanation. If the groups answer to a need – and their survival and development prove this – their creation or their reinforcement are often, at least in part, the work of the Commission. It is clear that the Commission has defined its policy, which consists in consulting preferably or exclusively the professional organs which act at Community level. By refusing in principle to consult the national associations, the Commission has forced them to produce common organs. Two main criteria seem to guide the policy of the Commission: the representativeness and the autonomy of the organs of the Six. Thus, a committee can form part of a larger association, grouping the Six and the Seven, but it must show a sufficient degree of independence. In addition to this indirect pressure, the Commission has been sometimes the driving force: the consumers' committee is the result of the initiative of M. Mansholt, who also played a part in the establishment and strengthening of the structures which group the activities connected with agriculture.

The motives behind this active policy of the Commission are

many, of which the most important are: (1) The Commission prefers to avoid intervention in the interests of professional bodies; problems should be discussed by the groups themselves within their common organs, which should then present the institutions of E.E.C. with agreed positions or take note of disagreement among their members. (2) The Commission also needs these organs not only to obtain technical information, but in order to use them as a network of information on the problems of the Community. (3) In this way a sphere of support for its activity is formed around the Commission. (4) Lastly, and by way of exception, the Commission can sometimes try to influence governments by using the national groups which are members of the European organs.

Up to a point, the preparation by the Commission and the adoption by the Council of the list of exceptions for the 'Kennedy round' provide a notable example of this procedure.

When speaking the activity of the pressure groups, one thinks not only of a unilateral pressure, but also of the influence which institutions exert on the groups, or through them, on the national centres of power. It would be difficult, however, to say which of these two counter-influences is stronger. On the other side, the action of the groups is conditioned by circumstances, by the relative importance of the respective group and by its position with regard to other groups.

#### *Structure of the groups*

According to various estimates, there are 350 groupings at the Community level, of which two-thirds possess statutes and formal organs. As on the national level, the groups correspond to three great categories: employers, agriculture and labour. The employers, for example, have a central organ for industry (UNICE), one for trade (COCCEE), one for banking (B.F.E.E.C.); about one hundred organs in branches, sections or sub-sections in industry and about sixty commercial organs (including agricultural activities). If, for instance, one were to look in greater detail at the organisation of the industrial groups one would find three main structures: the central organisations (UNICE), the intermediary or interprofessional organs (COMITEXFIL for textiles or ISCI for the chemical industries) and the specialised organs (plastics, detergents, pharmaceuticals or wool and cotton, etc.). The two latter types of organs do not take part directly in UNICE, with which they keep in touch. At the level of economic policy, of planning and general problems (for example, anti-trust legislation) UNICE is responsible for the

whole industry. The division of work is established, in particular along the dividing line between general, intermediary and specialised functions. In exercising its general functions, UNICE is called on to try to co-ordinate the positions and the claims of other groups. This is an arduous task in an environment in which the responsibilities and the links are still ill-defined. In practice, the various groups maintain contacts, collaborate and give each other mutual support, in spite of the lack of organic links.

Other factors also influence the behaviour and activity of the groups. The predominance of vertical interests over horizontal is one. Another is the multiplicity of specialised organs in the representation of a particular sector of economic activity. In this case, while the former take a stand on general questions, the latter restrict themselves to defending their particular interests. But the limitations on the range of their activity do not reduce its amount. Indeed, these organs tend to express their opinion on general questions quite as much as on matters which directly concern them. But one may well consider if the action of these specialised groups does not gain in effectiveness when it is confined to their area of interest.

It is not irrelevant to ask whether the organs which undertake an action belong in their own right to the Six, or if they are only a sub-group, for action at E.E.C., of a wider association. For, even if the sub-group has sufficient functional or organic autonomy, it will probably have a tendency to consider the interests of the whole association, while at the same time stressing those of the Six. To take an example, there is the case of ORGALIME (the organisation of liaison of the European metal industry) and of the European confederation of the timber industry. The timber confederation has two commissions, one for the Six and one for the Seven. But, in fact, the commission for EFTA is inactive, whereas the executive commission for the Common Market fulfils many functions and its structure develops in response to the growing demands (constitution of sub-commissions). On the other hand, ORGALIME and its two E.E.C. and EFTA committees carry on their activities in a way which is at the same time more continuous, more balanced and better oriented towards the objectives common to the thirteen countries concerned and their twenty-seven associate members. What probably happens is that each committee takes more account of the interests of the other, even when it is acting primarily in its own interests.

### *Typology of channels and of influence*

If one admits the close relation between the groups and the centres of decision, one is justified in distinguishing between the main and the secondary channels in the Community. The first are found at the level of the Commission, of the Council and of the governments; the second at the level of the Economic and Social Committee and of the European Parliament. One can also divide methods of action into informal and official – the latter taking on forms which are more or less institutionalised.

#### *Direct and indirect action*

At the European level more than at the national, the central organisations, unions or associations resort to general action and often try to intervene through declarations. On the national plane, organisations representing interest groups often take effective and decisive action. Thus, when the trade unions of the workers or of the farmers want to influence public opinion, they use a wide range of methods, from warnings to mass meetings, even strikes. But on the European plane, these methods are unknown. UNICE, COPA and the unions organise congresses, meetings (the assembly of COPA at Strasbourg and the Trade Union meeting in Dortmund, for example) and publish declarations.

Indirect influence is often intended to support the direct pressures which are brought to bear on the institutions of E.E.C. UNICE, COPA and the Trade Unions took a stand – as did many other organs – during the most recent E.E.C. crisis. They tried to bring their weight to bear directly on the governments, since the Commission was not involved. In these conditions, direct pressure could only be exercised on the governments on a national scale. As the French government was the cause of the crisis, most of these interventions were addressed to it. For the same reason the French groupings were called upon to play a more active role. Thus, the French farmers acted on two levels: as the driving-force within COPA, which only endorsed the text which they had composed – a supporting action which was intended to mobilise European public opinion. On the other hand, on the internal level, the French farmers acted as a pressure group by using direct channels, making representations to the governments, or taking part in the presidential campaign. Because of the particular form the crisis took (opposition of one government to the Commission and to the

other governments) we can observe the difference between direct and indirect action on the two levels, national and European.

#### *Channels at the level of the Commission*

In principle, the Commission has not adopted the procedures of the U.N. or of the Council of Europe whereby consultative status is granted to international or European associations. But the Commission does accept some of the groups as spokesmen and acknowledges them as correspondents. The Commission is guided in this pragmatic choice by the criterion of representativeness and autonomy of the respective professional groups. Yet there are many cases in which it maintains only informal contacts with organs which seem to fulfil both conditions.

#### *Informal channels*

We have drawn a distinction between informal and official channels. The first include every kind of contact which the professional groups establish and maintain with the Commission: meetings, private discussions, etc. However discreet and difficult to follow they may be, they are none the less effective. The content of the relations varies from simple exchanges of news, data and technical information to the tendering of advice and guidance. Although these contacts are private, they can take the form of genuine consultations. Their nature is not fundamentally different from those which develop at the national level.

Informal relations can be established between the different types of groups (groups of national interests, business groups, groups of European interests) and the branches of the Commission. Nevertheless, one fundamental difference persists, according to the groups concerned: for the professional European groupings, and in particular for those which are regarded as the spokesmen for their sector, this is an additional channel which supplements the official one. This supplementary quality does not diminish its importance which, as national experience has shown, is far from negligible. On the contrary, when a European group is not consulted officially by the Commission, the informal channel remains the only avenue available. This lends prominence to the channel, which becomes privileged, as in the case of business concerns. Informal channels can also be particularly important for those groups which do not dispose of a complete set of channels at official level.

The Commission in principle does not maintain official contacts

with the national groups. But some of them take part in the work of the Economic and Social Committee and of the various consultative agricultural committees. Official contacts for the groups of business interests are more often undertaken by intermediaries. Indeed, they must pass both through the national professional organs and through a European one to reach the Commission. Here the distance becomes greater, but sometimes it is made up for by the weight of influence of these gigantic concerns. It is clear, for instance, that this distance is reduced to a minimum for the European organisation of the motor-car industry. As, for example, Fiat has its own representative in Brussels, who follows the activities of the E.E.C. very closely. In addition, the sheer weight of these concerns allows them to develop effectively all available informal channels.

Although the European groupings often act through official channels, they do not neglect the informal ones. Regular contacts are established at every level. Thus the presidents of the central federations represented in UNICE hold regular meetings with the Commissioners. On the permanent staff level, relations are closer and almost daily; the secretary-general of UNICE and the permanent delegates are in constant touch with the high officials of the Commission; the same holds good for contacts at the level of experts and cadres. Contacts are often easier between compatriots. They are also smoothed by professional or personal affinities, and the fact of belonging to the same social circle or political party can be a positive factor.

#### *Official channels*

These may take institutionalised or non-institutionalised forms. Among the non-institutionalised channels one can count various types of 'hearings' and information meetings. During the Kennedy negotiations, genuine hearings took place, organised by the Commission. Information sessions have dealt with the problems of E.E.C., its commercial policy, the associate status of Greece, etc.

The most interesting aspect of this non-institutionalised collaboration is the contribution of the groupings (especially central ones: UNICE, COPA, Trade Unions) to the drawing up of proposals or other acts by the Commission. They intervene on several planes: in the phase of study, the Commission allows them to contribute by asking them for technical information; in turn the Commission supplies the groups with its documentation and keeps them informed of its various plans. At this stage, the action of the groups is neutral or objective; experience has shown that this is by no means

the most negligible method of influence used by professional groups. At the more advanced stage, the Commission goes on to hold consultations with the European organs and the national experts, in a personal capacity. Without dismissing the effective role of the groups, it is generally admitted that the national experts carry most weight during the process of elaboration – a point which it is necessary to remember, in order not to overestimate the influence of the groups. This influence, which is difficult to assess exactly, is exercised by their participation in various working-parties called by the Commission, by their individual attitudes, by their advice and studies as well as through direct and informal contacts. These interventions occur at the level of professional experts in the working-parties as well as at the highest levels, as for instance when the president of UNICE addresses the President of the Commission directly.

These various activities mostly arise over projects of the Commission itself. The intervention usually follows on the activities of the Commission, but sometimes it precedes them. Group initiatives have lately become more frequent. To take only one example, the federation of bankers of E.E.C. has formulated several proposals: the elimination of discrimination arising out of legislation or regulations, the suppression of all taxes on cheques and commercial drafts with E.E.C. In this way, groupings take an active part in the development of the Community, by urging and helping the Commission to undertake and to fulfil a multitude of tasks.

#### *Institutionalised channels*

These can be classified under two headings: those channels giving access to participation in the preparation of general policy decisions; and those giving access to participation in administrative functions. In the first case, the Economic and Social Committee provides a channel, if only on a consultative basis, for the various categories of interests which are represented on it. Whereas the mechanism of informal consultation is reserved essentially for the European organisation, it is the national groups who sit in the Economic and Social Committee, although this is not tantamount to formal representation. The European organisations are brought into the committee as co-ordinating bodies. UNICE, for instance, co-ordinates the representation of the employers, or COPA that of the farmers; the secretariats of the European Trade Unions fulfil the same function with regard to the trade unionists who are members of the Committee. Thus, the central organs which, as previously

mentioned, participate in the preparation of the Commission's proposals, are also present at a later stage of the process, namely at the moment when the complex negotiations between the Commissions and the members of the Council are embarked on. As for participation in the administration, the Consultative Committee for Social Welfare and the consultative committees of various agricultural sectors provide the best examples. Their practices do not differ much from those of similar committees in the administrations of various governments. Here again, whereas national groups are called to sit in the European organisations, groups such as COPA assume the function of co-ordination according to categories of members. In this way, the groups intervene both at the level of execution and of administration.

By and large, these are the main channels at the level of the Commission. Their effectiveness certainly varies, but none of them appears to be neglected by the European groups, which tend to penetrate all the mechanisms at all levels. This *will* to be present does not necessarily reflect the actual effectiveness of the organs in question. But it indicates that the strategy of the groups is aimed at placing their spokesmen in all the channels which bring them or could one day bring them nearer to the power-centres of the Communities.

#### *Other channels*

It is generally admitted that it is very difficult for the European groups to influence the Council as such. The groups often submit their studies and documents to the Council but find it somewhat inaccessible. Direct intervention is an exception, as for instance the dispatch of telegrams by COPA, during the agricultural 'marathon' (a term which describes a specific procedure during discussion of some general issues, on which a decision must be taken in order to avoid complete deadlock in the machine; hence day and night meetings are held over long periods). Indirect access can be obtained by using the institutionalised channel of the Economic and Social Committee which is consulted by the Council. As a rule, however, the national groups press in the classic manner through their own governments: direct contacts with the Council and with the permanent representatives take place rarely. One may assume that some national groups try occasionally by private contacts to influence the position, if it is not too rigid, of their permanent representative in Brussels. It seems that the German and Dutch representatives are more open to this dialogue with some groups

than are the other representatives. Sometimes the European organs, when there is complete agreement between their members (which seldom happens), can attempt to influence the Council through these members and their national governments.

Among the secondary channels, we have already noted the role of the Social and Economic Committee. The role of the European Parliament is scarcely more important. Having no real grip on the power of the Community, the European Parliament is rarely lobbied by the groups. At most its documentation on the Communities can interest them. In addition, since it has only a consultative function and its powers of political control remain on paper, it offers, in contrast to the Economic and Social Committee, merely an indirect channel.

#### *Ways of influence*

Taking as a point of departure the particular interest of a national federation, one can think of several possibilities. Thus, at the Community level, this interest may coincide with the interests of the other federations which are members of the European organ. In such a case, action will take place on the plane of E.E.C., and of the Commission in particular, with ISCI acting as spokesman through the available channels. If the action concerns a purely professional question, three possibilities are theoretically open: the action of ISCI might suit the policy of UNICE, in which case UNICE would support it; or it might be a matter of indifference to UNICE, which would then remain neutral; but ISCI could also be opposed to the policy of UNICE, thus giving rise to a conflict between two European organisations. Finally, if the action of ISCI were to involve more general interests, the same patterns would be reproduced, but with the difference, this time, that the agreement or the conflict would be upon matters which are within the jurisdiction of UNICE. The coincidence of the particular interest and of the wider point of view of UNICE leads, as happened in the struggle against anti-trust legislation, to common action. At the national level, a central federation or central organisation can face three situations. In the first, the interests of a national group coincide with the interests of other federations which are members of the European grouping. In this case, the action of a national group, through the channel of its own government, goes in the same direction as that of the European group and provides it with additional support. The second situation arises when the interests of the national group run contrary to those of the European group. In

such a case the national group may make common action impossible and bring pressure to bear on its own government. This occurred with the German farmers' opposition to a uniform price. Alternatively, the national group may align itself with others on a general question, but oppose through its own government the application of a particular measure. This occurred, for instance, when the French National Council of Employers, although supporting E.E.C., later opposed the expected application of the customs union. A third situation occurs when the interests of the national organ do not conflict with the European interests. In these circumstances, the national groups are free to act through the traditional channels. The above are only a few examples of possible contingencies. In reality, the main variations, the complex network of organs provide an infinite variety of combinations.

The influences are not all one way, running from a group towards the Commission. The Commission frequently tries to influence the groups and to win their support. For its technical and specialised work, it often requires the recommendations of professional organs, their advice and suggestions. This need explains the process of consultation. In cases of difficulty or of crisis, the supporting action of the groups is of considerable value, as their reaction to the 1965 crisis showed. On other occasions, the Commission can rouse or stimulate the action of the groups. The drawing up of the list of exceptions for the 'Kennedy round' is one example which is often quoted: during its hearings and negotiations with the groups, the Commission succeeded in drafting a list of exceptions, and the groups undertook to bring the necessary pressure to bear on their own governments. Thus a precarious compromise was in the end confirmed by the Council. In these cases, the groups did not bring pressure to bear on the Commission, but acted in favour of it. Thus, they have not always been the originators, but sometimes the objects of influence.

### Conclusion

In principle, for a group to be able to act, it must have a clear view of the desired goal and it must be able to count on the support of its members. This double will is expressed in many organisations by the requirement of unanimous agreement of their members, an agreement which reflects the configuration of forces enabling the member groupings to act. Indeed, the European organisation generally takes a confederal form, which provides the best guarantee for the protection of the particular interests of its members. And yet

this confederal form acts as a brake on the efficient functioning of a European group: COPA, for instance, was paralysed during the discussions of the question of the uniform price for lack of unanimity. This is why the groups have adopted in practice and often in their statutes, the rule allowing the expression of minority opinion, together with that of the majority. Thus the functioning of the group is assured, without a brutal suppression of differences of opinion. In exceptional cases, this unity of action can be assured by reference to the qualified minority. The statute of COCCEE, for instance, incorporates the procedure based upon Article 148 of the Treaty of Rome.

The central groupings concentrate more often on action of a general character, and leave more specialised activity to sectional or sub-sectional groupings. UNICE acts as the authorised spokesman for the industries of the Six on all problems of general interest, or on those problems which touch upon questions relating to the common policy of the central organisations which are members of it. In so doing, UNICE does not try to cover all industrial activities, but retains for itself questions of common policy or of general interest. The specialised federations are all free to organise themselves and to act in their own field.

Specialised action is within the competence of technical organisations. In COMITEXIL the general activities of the textile industry coexist with the particular interests of the sectors. Cotton, for instance, does not necessarily take up the same position as wool. Each of these sectors can make its own approach to the Brussels authorities. At the level of common textile interests, the organisation of the entire branch intervenes. It is clear that in reality, both at the level of the central organisation and of the intermediary or specialised ones, many combinations and much friction can arise. Without venturing on generalisations, one may say that the predominance of specialised organisations bears witness to the effectiveness of limited technical action. General action is difficult to define, and general agreement is often the result of compromise. To the extent that action directed to general questions is vague and fluid, it has less chance of exerting real influence. A proposal to regulate beer or jam suggested by European organisations has a better chance of being adopted by the authorities of the E.E.C. than a general trade or anti-trust policy proposed by a central organisation. In the actual state of European integration, influence is exerted more effectively in the domain of technical matters than on general questions. However, this provisional conclusion does not take into account the *pente du système* which implies a large

consensus between authorities and groupings in the Community system.

Within the Community, the structures of powers and of groups are in process of transformation. Moreover, the position is even more complex because a new scale is superimposed upon the national and local levels. But this new scale has not yet acquired the powers and the articulation of a national community. Indeed, in spite of a certain shift the principal and original power remains in the national units and groups. And the European groups attempt to maintain a minimum of co-ordination and common action between them. Compared to the national political systems, the Community system is incomplete. It has not the all-embracing political powers and complete political structure. In these conditions, the prolonged absence of the parties from the European political stage may lead to a lack of balance and political control favouring the interest groups, with serious consequences for the future of European democracy.

(Translated from the French.)