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Europe Needs A New Approach To A New Project

If you put the words ‘Europe’ and ‘crisis’ into the internet search engine Google, over four million entries come up. It is a small wonder, and hardly a novelty. Over the last half-century, ‘Europe’, meant as ‘the European construction’, has kept undergoing great trials and has been proceeding through crises. But these were crises of growth. To day Europe is facing a crisis of identity, and runs the risk of gradually unraveling.

My point is that Europe will overcome this predicament, but unfortunately it will still take more time than we used to expect, it will require a new approach, and the ultimate outcome is bound to be different from what we were contemplating, within the European Convention, in drafting a first Constitution for Europe.

I. The Situation In Fall 2005

1. As a start, let me recall the originality of the European project. A lot of comments made on both sides of the Atlantic miss the point, whenever they compare the European Union with a federal state, like the US, or even a federal state to be. True, the slogan of ‘the United States of Europe’, mimicking the USA, was used by some of our founding fathers, from Winston Churchill to Jean Monnet, and is still favoured by some European federalists. But the latter are now looked upon as old-fashioned fun-

damentalists. Our aim does not belong to 'state building' but to 'continent building', which makes a huge difference.

In 1787 the 13 territories represented in Philadelphia already formed one nation, the unity of which had just been completed in the Independence war. One nation with one language and one common cultural reference: the added blessings of Christianity and the Enlightenment. All this shared by a people ('We, the people of the USA') not more numerous than to-day's Lithuania or Denmark.

The EU of 2005 comprises 25, and soon 27, sovereign States. Sovereign, independent, each of them deeply attached to its identity, language, culture, history. The ones, because they are ancient nations, unable to envisage abandonment of their historical existence, the others because they are new-born or reborn States, adamant on their brand new liberty. The whole totaling almost 500 M of citizens. And still, these 27 States have spared no sacrifices to build a new political entity, which, while respecting their sovereignties, would secure peace among themselves, and common rules for a common single market, and which would enable them to act together on the global stage on those issues of common interest.

If compared, not to the action of an ordinary super power, but to the original goals, the achievements are remarkable. In just fifty years, war between European powers has become unthinkable. The CEO of French carmaker Renault reckons that, for the automobile industry, the European market is far more integrated than the US, from technical standards or environmental regulations to relations between industry and sales networks. Europe has brought successive waves of countries out of dictatorship and into democracy.

Last, but not least, even if Henry Kissinger's successor still does not have a phone number to join a 'Mr. Europe', the EU has become influential and instrumental far beyond the continent. A country as important as Russia was urged to sign the Kyoto Protocol on green-house gas-emissions in order to smooth relations with its first trade partner. In Turkey, an Islamist government abandoned its own party's proposals for a penal code that makes adultery a crime punishable by law so as not to attract the ire of Brussels. The very existence of the WTO was due to the EU, despite old reservations from the US Senate. As the British academic Mark Leonard puts it: 'A new kind of power has evolved that cannot be measured in terms of military budgets or smart mis-

sile technology. It works in the long term, and is about reshaping the world rather than winning short-term tussles. Europe's power is a *transformative power*.' And the American administration now takes this power into account: the first visit abroad made by President Bush after being reelected was in Brussels, to meet the collective leadership of the EU. And last week, the President of the Commission was received in the Oval Office by the President of the US, which is a 'first', *une première* !

2. Having said that, the current European crisis is undeniably unprecedented.

The so-called constitutional treaty was, and still is, necessary to give Europe the status it needs to operate efficiently with 12 more member States. For instance, a lot of decisions still require unanimity: this was difficult to achieve with 12 Ministers around the table; it became an ordeal with 15, it is now quite impossible. Now, on June 29th; the French and, 2 days later, the Dutch people, rejected the draft treaty by referendum. We are back to square one.

A fortnight later, the European Council examined the 'financial perspective', that is the priorities of the European budget for the next 7 years. They failed to reach a final agreement on the whole issue, but they did agree not to go beyond the current level of the EU budget, 1% of GDP. Given that, in this budget, the expenditure for agriculture is untouchable and accounts for 40%, and that aid to the Eastern European new members will triple, there will be nothing left for the new, innovative policies badly needed by the continent.

Lastly, earlier this month, on October 3d, the European Council decided to open with Turkey negotiations for full membership. Whatever the opinions about the timeliness of the decision, it leads to an implicit conclusion: if such a country, whose 95% of the territory lies in Asia, is deemed 'European', it will be politically impossible to object to further applications from Armenia and other Caucasus countries, from Lebanon, from Israel and its prospective Palestinian sister-State, and from any North African country – not mentioning Russia. The European Union will have no borders.

After this chain of events, Europe finds itself without a suitable Constitution, without a proper budget, without definite borders, and, on top of it all, without the support of a good many of its citizens.

II. What Is To Be Done?

Since the constitutional path is currently blocked, we must try and find out another one.

1. The first thing is to put an end to the undoing of the Union, through a kind of Penelope's work. Even unwillingly, taking note that they won't get something like a Constitution in the shorter term, our national leaders tend to fall back on national action and domestic stakes. A vicious circle is ensuing. Less visible, less efficient, less resorted to, the EU slowly becomes less and less popular. And national leaders are more and more prone to make the EU or its institutions, especially the Commission, the scapegoat for all misfortunes under the sun.

Still, this position is untenable. The European adventure has long since overtaken the point of no-return. About 60% of law applicable to the French or German companies or citizens is nowadays decided upon in Brussels, by the European institutions, and no longer in Paris or Berlin. Half of our Cabinet Ministers spend more time with their European counterparts than working with their national colleagues. When the omelet is made, you may not digest it, but you cannot get the eggs back.

Therefore, the priority must be to reconcile Europe and its citizens. This requires a new agenda, limited to a few specific issues. The opposite to the so-called 'Lisbon Agenda', which claim to encompass and drive along all national policies with a view to achieving a common knowledge-based European economy, but which is ignored surprisingly by the governments and remains utterly unknown to the citizens. We should pick up very few, two or three, issues, which are both relevant to the European level and sensitive to the man in-the-street. Let me put forward a few examples.

The *energy challenge*. There is no doubt we are experiencing an oil shock, due to last more than the previous ones. Every household undergoes its effects every day. If the European countries respond, the ones by raising taxes on oil, the others by slashing them, the ones by restarting nuclear energy, the others by banning and damning it, some by encouraging energy savings and others cherishing profligacy, the outcome is bound to be disappointing for all. We need not a common energy policy, but, at least, coordinated and consistent responses to this common challenge.

Immigration. We are all facing the same pressures from illegal migrants thought unwelcome and the same labour shortages in a lot of jobs. Divided, we fail. The excellent Prime Minister of tiny Luxembourg has just sent his Foreign Minister to Lagos, Nigeria, to negotiate the cooperation of the Nigerian administration in nipping migrations in the bud. Since we have long since abolished all internal borders within the EU, the only wise response will be to define and implement together a common migration policy. A joint Franco-Spanish proposal is being made to-day at Hampton Court, before the European Summit.

Foreign policy towards the Balkans and Africa. Foreign relations issues are more sensitive than others. But the Europeans can do better to deal with those issues that are not divisive. And there are a lot of them! The Balkans area is our backyard, not yours. The Dayton process has put the affair on ice, but nothing is settled yet. Let us tackle the political future of the Balkans, all the more so since these countries are eligible to EU membership. Africa is another story. All the colonial powers of Africa were European, we share responsibility for part of the plight Africa is in, we are the main donors and trade partners to Africa: the future of that continent is partly in our hands.

2. A second direction should be to bring to fruition those of the draft Constitution provisions that can take effect without a constitutional treaty. I have in mind:

Coordination of fiscal and tax policies by the 'Eurogroup', informal gathering of the Euro area finance Ministers. Oddly enough, this coordination was better carried out before the monetary union was achieved, whereas it has been more necessary and rather easier since then.

Opening of the proceedings of the Council of Ministers to the media. This Council plays the part of the higher chamber in a federal system. It is unacceptable that deliberations and votes take place behind closed doors. To day, the French citizens cannot know for sure what their own government's stance is on the bills considered in Brussels!

The collective right to petition. The European Convention contemplated introducing referendum in European procedures. The suggestion was finally turned down. But article 46 lays down a collective right to petition, aiming at urging the Commission to take up any issue deemed important by 1 million citizens at least. Such a procedure could be of great interest to help a sort of European public opinion emerge.

One of the most regrettable consequences of the setback in the constitutional process lies in the fight against terrorism. We keep being stuck by the iron rule of unanimity. Several former member States haven't even introduced terrorism as a felony into their penal codes! Urgency demands a proper treaty, focusing on this single object, to enable us to tackle it through qualified majority voting.

3. For reasons already mentioned, we cannot evade the restarting of a constitutional treaty, whatever we call it. The European Council has decided very wisely to postpone this debate to next Spring. The process should entail three stages.

Evaluation and taking stock of the ratification debates in all members States. The best plan would be to send a mission of 'wise men' to hear governments, national parliaments and also various opinion leaders and report on the feasibility and possible contents of a new treaty.

Elaboration of a new draft, based on the original draft Constitution, but probably shorter and simpler.

Ratification of the text. But, given we won't have one more chance afterwards, we must ensure that we don't fail again. Which is possible, if we agree on not being full members of the same European Union, some countries favouring an integrated political union, while others would prefer a great single market, without political dimension and without well-defined borders.

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Polityk. Członek Komisji budżetowej Parlamentu Europejskiego i wieloletni pracownik Trybunału Obrachunkowego. Był francuski minister odpowiedzialny za sprawy europejskie, później budżet. W latach 70. doradzał Prezydentowi Republiki Francuskiej oraz w resortach ds. kultury, finansów i infrastruktury.