

# **The European Constitution: Old Continent, New Perspectives?**

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Dear professor Kaufmann, ladies and gentlemen, I am pleased to be here tonight. Lecturing at the Graduate Center of the CUNY is a special honor for me. Not only because I like this city – it is great to be here again. Apart from this very personal reason I am impressed to see so many people tonight, who are interested in the EU – on this side of the Atlantic. The EU is currently facing one of the most challenging steps in its history. After the EU-enlargement, the European Constitution is definitely a landmark for the integration process and a necessary step. But like always, Europeans have to make it a little more exciting than it really is. “Europeans need the thrill” a colleague recently told me. “But in the end they are all nice kids and do what has to be done”, he added. Well, I hope that the French have heard about this. I have decided myself to be an optimist for now.

## **The EU from its citizens’ perspective: perceptions and expectations**

So, as it is the EU-citizens, who have to decide on the destiny of the European Constitution these days, let’s have a look on how we – i.e. me and all other EU-Europeans – experience the EU, before we go into details of the Constitution.

In February, the New Yorker came up with a confession. We were told that:

“Most Americans know nothing of the location, composition, or purpose of the European Union. There is no shame in such ignorance, for most Europeans are in the same position...”

Indeed, there's some truth to this. In 1999, most of the 390 million citizens of the EU-15 knew little or nothing about the EU. People in Ireland, Spain, Portugal and UK felt the least informed, while only Austrians, Germans and Danish felt well informed. Of course, feeling informed doesn't have to mean being informed. Anyway, most EU-citizens are familiar with the EU's core institutions. 90% have heard about the European Parliament – which should be the case as we have European elections every five years. 78% know the EU-Commission and 69% have heard of the European Central Bank and the European Court of Justice. Rather unknown is the Council of ministers: less than 2/3 have ever heard about this core institution for the EU-member states.

The lack of information does not affect the EU's attractiveness: despite knowing little or nothing about the EU, 82% of Irish and 68% of Portuguese support the EU strongly. In Spain we find 64% of supporters. Only people in UK are yet not sure, if they like or dislike what they don't know: 29% feel that the EU is a good thing, 24% feel that it's not, the others haven't made up their minds yet. Knowing or not: EU-citizens tend to trust the institutions. On top of the scale we'll find the European Parliament with 53%. A remarkable 45% think that the European Court of Justice and the EU-Commission do right. The council of ministers on the other hand looks a little fishy: only 38% tend to trust the business of this institution.

All in all – European integration is an emotional thing. 56% of citizens of the EU-15 feel attached to the EU, on top of the list people from Luxemburg with 78%, followed by the Swedish and – nota bene – the skeptical Danish with 71%. Germans – not very emotional in general – like the EU anyway: 58% feel attached, while French are with 53% below the average. Only British and Greek attachment to the EU is rather limited, but anyway: 37% of British and 41% of Greek feel attached to the EU.

## **From Laeken to the Constitution: ups and downs of a success story**

Enhancing transparency of the EU, knowledge about its system and empathy for the integration project belongs to the main objectives of the European Constitution. The Laeken-summit of 2001 – the birthplace of the Constitution – defined these aspects as vital for future Europe.

The Laeken-declaration on the future of Europe – roadmap to the European Constitution – listed further well-known issues to be solved before the completion of EU-enlargement: a reform of the institutions to enable efficient decision making in a Union of 25 and more member states, a strategy to eliminate the democratic deficit and lack of transparency of the EU, better relations between the EU and its citizens, a concept to separate EU-competencies effectively from the competencies of the member-states and a more precise definition of the EU's future global role.

The Laeken-declaration also finalized the set-up of the European Constitutional Convention – the biggest procedural progress the EU has made so far. Until Laeken, European Treaties were negotiated by Intergovernmental Conferences (“IGCs”) – that allow representatives of national governments only, while members of parliament or the EU-commission have no access. The working modus of IGCs is the tough negotiation behind closed doors, driven by national interest. Very often, IGCs generate only modest innovation – as they are forced to accept the compromise that's feasible.

The Convention-method is a clear innovation, also as it has replaced the mode of negotiation with the mode of deliberation. This was caused mainly by the integration of members of parliament and the EU-Commission in the Convention. Deliberation has been the working mode in the European Parliament and the EU-Commission ever since. A second important aspect is that both institutions are

genuine European and supranational, which means that national interest is of minor relevance.

One may be tempted to compare the EU's Constitutional Convention with historic conventions like the Philadelphia Convention. Indeed, the difference is enormous. First, the work of the Constitutional Convention was a public event. From the beginning all documents were available on the website of the Convention. Second and most important: the Constitutional Convention did not work out a Constitution for a "United States of Europe". It did not even work out the first constitution of the EU: in legal terms, the European Treaties are the de facto constitution of Europe.

The clear winners of the European Constitution are the EU-citizens, for several reasons. After a hot debate, the European Charter of Fundamental Rights was integrated into the Constitution to be binding primary EU-law. Also, the power of the European Parliament – representative of EU-citizens – was strengthened again and this time even more significantly. The co-decision procedure – council and parliament decide together on equal basis – will be the "regular" procedure to enact EU-law in the future. And: the qualified majority voting (QMV) in the council of ministers was expanded to speed up the EU's decision making.

### **Running into final disaster? The ratification process**

Before Europe may look proudly on its Constitution, it has just stumbled into another crisis. "The challenge now is the ratification" found EU-Commission President Barroso after the signing of the Constitution on October 29, 2004 in Rome. At least his home country Portugal will not cause any problems. He will take care of this. Actually, some unexpected trouble has come up: the French may refuse the essential "oui" and lure the Constitution to failure. The situation is

serious: if one of the traditional drivers of EU-integration cannot generate a clear acceptance of the Constitution, it will be difficult to save this project.

We cannot deny a certain irony in these developments. British may smile these days – as French may vote against the Constitution and in favor of the major opinion in Britain. So far, everyone was sure that the British or the Danish would be the troublemakers. Indeed, this problem has not been solved either – an alarming majority in Britain is against the Constitution. Old new Prime Minister Blair hasn't made things easier with his generous promise to allow a referendum that wouldn't have been necessary. Indeed he has caused himself a big problem. The point of EU-partners is clear: “The EU-Constitution will not fail on Britain” stated a high-ranking member of the Permanent Representation of Germany to the EU in January 2004 – after the failure of the December 2003-summit.

Prime Minister Blair's difficulties to convince his people of the Constitution may be attenuated by France – in case the French mess it up before the British referendum could be announced. Additionally, other “usual suspects” may not ratify the European Constitution quick and easy: so far, the Danish are very skeptical. The Danish government has always been forced to invest huge efforts to convince Danish citizens. A referendum is required by the Danish Constitution – no way out of this.

Not to forget the group of EU-skeptics among the new members. Europeans are watching Poland these days with tension. After the December 2003-summit the mood was worse than you can imagine. Things are improving since the Polish coalition government has brought itself to a pro-European course – after tough debates not only in the Sejm. Still, a majority of Polish citizens is not convinced of the Constitution. At least the tendency is positive. The “yes” to the EU-constitution will be a late and definite “yes” to the Polish EU-membership.

More alarming is the situation in the Czech Republic. After positive tendencies in the weeks after the EU-accession the number of EU-opponents grows. So far, the result is open – as well as in Malta. Maltese commitment to the EU has always been ambiguous. We may recall that Malta jumped back and forth for years, applied for EU-accession to withdraw the application again. One thing is clear: if the ratification of the Constitution fails, the government of the smallest EU-member will have problems to justify the EU-membership.

Europeans are confident that the French referendum margins will be narrow, but positive. No one wants to believe that France – Britain's counter player in questions like the Iraq war – will veto the most important step of EU-integration since the Treaty of Rome. "France would never recover from this loss of image", an EU-expert from Tübingen stated. Either way, would a negative result in one of the biggest and oldest EU-members deal the deathblow to the Constitution? It depends. If the Constitution is to take effect without further negotiations, all EU-members have to ratify the Treaty by October 2006. That means that all parliaments have to vote for the Constitution and all referenda have to be positive.

Hence, there is an option for the worst-case. If at least 80% of EU-members – i.e. 20 member-states – will ratify the Constitution before the deadline runs out the matter will be referred back to the Council of Europe. In other words: the Constitution has failed only, if more than 20% or 5 EU-members do not ratify the Constitution by October 2006. Assuming that the French vote for the Constitution – 50% and one voice was enough – it is almost sure that the process can go on – even if UK, Poland, Denmark, Malta, and Czech Republic refuse the adoption of the Treaty.

Why is this so clear? While the world looks tensely on the EU-skeptics, we tend to forget the strong integrationists among the EU-members. Lithuania ratified the Constitution before all other EU-members – a remarkable achievement for a new

EU-member state. Second was Hungary despite controversial discussions. Italy was the first of the “big five” to ratify the Treaty, Greece and Slovenia followed quickly. Spanish people have expressed a clear “Los Primeros con Europa”. After this, it is clear that Congress and Senate will ratify the Constitution. Slovakia has just ratified the treaty, while Germans and Austrians wait for the decision of their Bundesrat.

From the other EU-members – Belgium, Estonia, Finland, Ireland, Latvia, Luxemburg, Portugal, Sweden and Cyprus – we do not expect any bad surprise. The only exception may be the Dutch, whose referendum will be definitely influenced by the French one. All in all we can sum up that if the Constitution makes the French referendum, it has a realistic chance to be ratified in all EU-countries. Maltese and Czech will think twice, before they risk running into a crisis – with their own countries. While the Danish referendum will remain the biggest hurdle on the way to the European Constitution, Britain will have to agree to the Treaty – or rethink their general commitment to the European integration.

### **Why Europe needs this Constitution: New Perspectives for the old continent**

When German Chancellor Gerhard Schroeder traveled to Paris in April to support French President Jacques Chirac’s campaign for the Constitution, Schroeder said that to him the Constitution was an “affair of the heart”. Supranationalists might agree right away, whereas intergovernmentalists might oppose fiercely. In fact, the necessity of the EU-Constitution can hardly be denied. To prove this, let me give you a brief insight into the major improvements laid down in the European Constitution – from the perspective of this side of the Atlantic.

## **A single foundation for Europe: creating a European Federation?**

The “EU today” is the result of numerous steps of integration taken at several points of time. National governments’ willingness to “push” the European integration varied over the years. While some governments have always seen themselves as drivers of the integration, others were more reluctant. Because of this diverging amount of enthusiasm to foster the integration, the EU is founded on different Treaties: the EU-Treaty, the Treaty Establishing the European Economic Community – the EC-Treaty – and the Treaty establishing the European Atomic Community. The Treaty establishing a Coal and Steel Community – the ECSC – ran out in June 2001 and was not extended.

The “mixture” of supranational and intergovernmental elements is the main reason, why the EU appears so complex. It makes it almost impossible to classify the EU in traditional terms of governance. Europeans have seen the problem and found a convincing compromise for now. The European Constitution is the first treaty that creates a single foundation for Europe. It will replace the so-called “three pillar structure” of the EU and list all policies – communitized or not – in its part three. This is a big progress in terms of transparency.

But: this does not go along with the communitization of all policies. The single articles refer to the procedure of decision making applicable. EU-legislation is allowed in the field of former EC-policies only, while in the fields of nowadays’ so-called second and third pillar – the Foreign and Security Policy and parts of justice and home affairs – national governments have to agree on common actions unanimously.

The single foundation does not go along with the creation of a European federation. In legal terms, the Constitution remains an international treaty. Modifications can come into force only after completion of the regular procedure



to change European treaties. At least the Constitution allows – as the first European treaty ever – the adoption of minor changes in a limited amount on the basis of a so-called “simplified procedure”. According to this, changes can be adopted by the European Council unanimously. Matters to be changed after this simplified procedure include the extension of the scope of QMV. The Constitution also allows the establishment of enhanced or structured cooperation in the field of defense. Anyway, changes that qualify for a significant change of the Constitution require the “regular” procedure.

In fact, the question about the final goal of the European integration is so far unanswerable. The establishment of a European federation replacing the European nation-states is not possible. A treaty allowing this would never pass the ratification process. The EU after the Constitution will be a “federation of nation-states” as it has been since Maastricht. The reason for this is simple: until today, some EU-members cannot imagine being part of a European federation that would replace their statehood. Others can – under certain circumstances. However you see it, in this question all EU-member states have to commit themselves. Outvoting is not possible. As long as some experience the vision of a European Federation as threatening, other EU-members cannot establish a European federation.

### **The Common Foreign and Security Policy (CFSP)**

The character of the EU as a “federation of nation-states” does not cause problems in those fields, in which the EU has power to act and speak with one voice – i.e. in all communitized policy-fields. Problems occur, where the EU-members have the final say – i.e. in all policy-fields that are not yet communitized. Best or worst example is still the Foreign and Security Policy. “The CFSP is, what’s left after all EU-members have defined what they will definitely NOT do”, an EU-insider

explained to me – before the Iraq war. After the Iraq-war you may ask: is there anything left for now? Indeed, that's a good question.

The cause of all problems is quite clear: the CFSP is not an EC-policy. It is still in national governments' sovereignty. This means that the EU-member states have the final say over their FSP – even, if this leads into a crisis as experienced many times during the last decades. But why is it so important that the old continent speaks with one voice, why is it so bad that the EU seems to be a toothless tiger in many FS-issues, why are we not very satisfied with the status quo? So far, we can only try to detect the cause. A major aspect may be that Europe is facing a different strategic role in the global area after the end of the cold war.

Times have changed. The East-West-Confrontation is over, but the result is far from a peaceful world. In opposite, conflicts have become more decentralized and much more complex. New questions have come up: what do we mean, when we talk about “Western” values and to what extent can we expect other countries to adopt them? Do we have to interfere in cruel conflicts going along with genocide and resulting some times in the total destruction of the state – as happened in some African countries? Which strategy is the best to cope with aggressions towards the own countries – diplomacy or a more determined proceeding?

While we could talk about these and related questions for hours, we all know: the “new world order” Wolfgang Czempiel saw coming up after the fall of the iron curtain goes along with a growing responsibility for the Europeans – also in those matters that are not related to the common market. Europeans have to help in fostering democracy and rule of law, protection of human rights, global peace and mutual understanding and a mere check-book diplomacy won't be enough in future. But more engagement means more influence on the global arena – a fact that has already caused a vision of an unwanted European super-power.

Indeed, we have to decide what we want, if we want to reach anything. Europeans have decided to leave things open – the Constitution will not lead to communitization of the CFSP. A common EU-strategy – binding for all member states – will be possible only, if all EU-members agree – on a voluntary basis. Also, it's for sure that the quick communitization of the CFSP is not realistic. At least, European actors have understood that a more coherent policy is inevitable also in FS-issues – even, if some politicians may still be tempted to go their own ways. Driving factor has been the EU-citizens, who show a growing interest in their governments' FSP-strategies and who will not hesitate to use the power of vote, if they don't like what they see. Spain is one example, UK another. The Foreign Policy – once a topic of diplomats and fat cats of political life – has turned out to be of public interest.

Though the Constitution will not communitize the CFSP, it will help to establish a more coherent policy. To enable this, the European actors have agreed on a Foreign Affairs Minister as the future contact person in all CFSP-issues. The Foreign Affairs Minister is the real institutional innovation and it seems the EU has learned the lesson. A transatlantic expert said on a conference at ZEI: “The High Representative was a nice try, but we need something. real”. Indeed, the Foreign Affairs Minister will act on a much stronger institutional basis than the High Representative could ever do.

A significant change is that the Foreign Affairs Minister will be member of the Council and the EU-Commission at the same time – a very interesting development. As member of the EU-Commission he will take the post of vice-president. At the same time he is the head of the Foreign Affairs Council, one out of only two Council configurations written down in the Constitution. What does this mean for the CFSP? First, there is no room left for changes or negotiations about the Foreign Affairs Minister itself and his or her scope of competence. As it is stipulated in the Constitution, EU-member states cannot negotiate again, if they

really want the Foreign Affairs Minister and the Minister's scope of competence. They will have to accept this institution unless they don't want to change the Treaty again.

Second, the Foreign Affairs Minister will create an institutional bridge from the Council of ministers to the EU-Commission – a unique position. The Commission is the symbol of supranational integration, while the Council of ministers stands for the Europe of the nation-states. As member of both institutions, the Foreign Affairs Minister may foster the supranational development of the CFSP. Or weaken the power of the Commission by transporting the Council's influence into the Commission. One thing is clear: as vice-president of the Commission the Foreign Affairs Minister acts on a powerful basis. While the Minister has a vital interest to realize a CFSP-agenda, the Commission will strongly support his efforts. In terms of CFSP the Commission's course has always been: "the more, the better", while the European Parliament has already started to claim for more parliamentary influence on the FSP in general.

That means there are chances that Europe will have a more coherent FSP in future. If this goes along with a common European position on all FSP-questions, is indeed open. The suggestion to allow QMV in CFSP-questions did not find the required majority in the Convention and the IGCs. Still, the council decides unanimously only. The Foreign Affairs Minister will be helpless, if EU-member states decide not to agree on urgent issues. While some member-states may be disciplined by means of political pressure, the Foreign Affairs Minister can only execute what has been decided by the Foreign Affairs Council.

Anyway, the Foreign Affairs Minister may push the development of the CFSP significantly as he or she will be a supportive factor for developing confidence. The minister may reduce the temptation for national governments to act without consulting the other EU-members. Undoubtedly, the Foreign Affairs Minister will

strengthen the EU's global image, because only he or she can speak for the EU in CFSP-questions. If the Minister has anything to say, will of course depend on the EU-members, who have the power to leave the Foreign Affairs Minister speechless, if they simply refuse to cooperate. This will also depend on the charisma of the Foreign Affairs Minister.

### **The European Area of Freedom, Security and Justice**

The unwillingness to cooperate in the field of FSP – or even start to communitize parts – is caused by two main factors. First, FSP belongs to the core of national sovereignty – like the economic or monetary policy and others, which have been communitized. Second, the EU-member states do not consider the communitization of the FSP as essential in terms of national interest. We can see this clearly, when we compare with the improvements in the so-called area of freedom, security and justice.

Europe has a special regional position in this world – not only in terms of global policy. “Europe has a strategic position” stated a state secretary of the German Federal Foreign Office last week. Others share this point of view – apart from national governments unfortunately also delinquents of organized crime. Everyone, who has ever lost his car somewhere in between the very East of Germany and the Polish border – just a few meters away – knows what I'm talking about. Despite strong border controls, it is almost impossible to keep every criminal out of the EU. Things are improving since the EU-enlargement. The accession of 8 Eastern European Countries has shifted the EU's border to the East. If this makes the EU more safe depends on the success of the efforts: the new neighbors – Ukraine, Moldavia and Belarus – appear even more problematic than Poland, Czech Republic, Hungary and others have been.

Indeed, the organized crime is growing and its fight has become of vital interest for the EU. All EU-members have realized this, not only those, who have always been affected. The list of problems is long, the crime tough: money laundering, illegal prostitution, trafficking of all kinds of drugs, weapons and other threatening, corruption, mafia-clans establishing legal business to gain influence in and on society, illegal immigration, tax fraud or EU-means, fundamentalism and extremism, murder and – of course – terrorism.

Some of the problems are old. Terrorism is a well-known problem in Ireland and Spain. Illegal immigration has been a challenge for Germany ever since. Germany seems to be most attractive to asylum seekers – next to France, Spain and Italy. The fall of the iron curtain has caused domestic instabilities in countries very close to EU-Europe. The combination of an uncontrolled capitalism, slow democratic reforms, the lack of the rule of law, enormous corruption, unwillingness of governments to push reforms, civil wars, nationalism, poverty and religious fundamentalism, have brought up a number of criminals free of any scruples.

The EU-members have understood that they have to act together, as it is hardly possible to cope with the problems alone. After early and successful steps like Europol or Schengen, the EU-members have strengthened their efforts since the EU-Treaty of Maastricht significantly. Already the 1992-Treaty defines an area of security, freedom and justice as a common European goal including a growing police and judicial cooperation. Since 1992, the EU has generated several common initiatives. A landmark was the Treaty of Amsterdam. In its title IV the EU-countries committed themselves to communitize their visa-, asylum- and migration policy. The Constitution confirms these steps and offers a solid basis for their implementation.

To enable a high standard of domestic security the EU will assist the border control operations of the EU-member states. The Constitution also fosters the

judicial and police cooperation of the EU-members. Efficient crime prevention requires the strong cooperation of national administration – especially the police. The EU will support this in future, e.g. by means of the so-called European arrest warrant.

A further step will be the establishment of a European Prosecutors department as suggested by the Commission already years ago. A European criminal prosecution requires the harmonization of the national criminal law. Indeed, the Constitution empowers the European Parliament and the Council of Ministers to agree on this – on equal basis. The common activities may hurt EU-citizens' and non-EU-citizens' rights, which brings up the question of a protection of fundamental rights. The integration of the European Charter of Fundamental Rights into the Constitution is therefore an important step – also in terms of transparency.

Most significant are the procedural changes. In order to facilitate the decision-making in all questions of freedom, security and justice the Community method will apply. The EU-Commission is empowered to work out initiatives the council and the European Parliament may enact – mostly on equal basis. To a large extent the Council will decide on the basis of QMV, which will speed up the process. The fact that member states can be outvoted is a big incentive to act with solidarity. Not all EU-members have the same domestic problems, but the EU's problems are the problems of all EU-member states. National governments tend to forget this from time to time.

Of course, the process will take time. Justice and home affairs touch on the holiest of the holy of national sovereignty. Regarding this, we may wonder, why people make such a big deal out of Foreign and Security questions, while the critics on the EU's justice and home affairs plans are quite modest. Obviously the problems I listed are more relevant to Europeans than FSP. This is not ignorant. The opposite is the case: Europeans do obviously not see a vital interest so far to give up their

FSP – in opposite to the fights against all kinds of crime, where national governments accept more and more that the community way is the only that will be successful.

### **EU-membership: European values and European identity**

When US-President Bush came to Europe in February, the EU-Commission President Barroso underlined the importance of trans-atlantic partnership. He said: “there is much more that unites us [the USA and the EU] than that divides us, in political, economic and social terms”. As in terms of values, we may add. The European Constitution outlines Europe’s values as clear as ever – and defines the requirements for EU-membership. This is important not only in regard to an EU-accession of Turkey. It also eliminates doubts that after the accession of 10 new member-states the EU may have lost its strong commitment to democracy, human rights and the rule of law.

Indeed, the EU has taken the opportunity to define its values clearly: according to the Constitution, the EU “is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.”

The message is clear: states that respect these values can enter the EU, others cannot. The Constitution defines what we mean, when we say “European”. Of course, these values are not new and have been common to all EU-members. These values were also to be found in the European Treaties. Yet, there has not been an article defining the value-basis of the EU so clear. This underlines also the development of the EU from an economic and legal community to an economic, legal, political and value community after the Constitution. Why is this so important? A Political Union cannot exist without values and the EU never did.



Moreover, values secured in a constitution stand for a democratic entity – much more than mere legal or cultural traditions do.

Common values are also important for future accession plans: the accession-round of 2004 has brought up the question of the limits of the EU – not so much in terms of geography, but in terms of what is feasible. Talking about visions and ideas can be indeed problematic as it includes a kind of arbitrariness. We experienced this in regard to the potential accession of Turkey: Turkey cannot be an EU-member, because it has no Christian or Jewish history, some say. Turkey has been an opponent to Western development over centuries, other say. Turkish have never been Europeans, they do not stand for what is “European”. The only question Turkey may pose is: what do you mean exactly?

The EU resisted the temptation to argue on a vague basis of history, cultural traditions or feelings in general, but created a catalogue of hard facts. The Constitution’s objective definition of what’s Europe and European is like a checklist for current and future EU-members. This is an important step, maybe the most important the EU has done so far. An EU of 25 members, 20 official languages – minority languages not included – 25 and more different traditions, customs, cultures and identities, covering numerous regions with own lingual dialects, customs, traditions etc. can hardly claim to have one “European” tradition separating the “European” countries from the rest of the world. The EU can define only, what all its different members have in common and would like to preserve: a certain kind of political system – a democracy – and a series of standards being essentials of modern democracies – first of all the respect of human rights and the rule of law.

Apart from this, the EU has as common vision of what it wants to reach. The roadmap after the Constitution is: united in diversity. This diversity can also be a

Turkish one – if Turkey fulfills the more precise requirements, listed in the Constitution.

### **Outlook: new perspectives for the old continent?**

The Constitution will definitely bring a number of changes that may turn out into new perspectives for good old Europe. I could mention some, others not: a structure that's better to understand, reforms that appear to be necessary, more efficiency. Indeed, the real new perspective was given to Europe already 60 years ago with the signing of the Treaties of Rome. Anyway, there's no doubt that we have to keep moving what we call the integration process. After the enlargement this is more necessary than ever. The enlargement and the Constitution were meant as two sides of the same coin: widening and deepening – as the Europeans say. One requires the other, if we want to avoid that the EU will collapse sooner or later.

The Constitution is therefore a necessary and logical step after the enlargement. If Europeans refuse to do it now, they have to do it a different time very soon. One thing is also clear: the end of the Constitution will not mean the end of a united Europe. Maybe it means the end of Treaties called “constitution” for the next years. “Europe has always been developed out of crisis” stated a German MP and member of the EU-Convention lately. Indeed, Europeans are hard headed. New members catch it right away: making a change of front, former opponents suddenly start fighting for the EU – Poland is only one example in a row. Remember also that EU-citizens feel attached to the EU and the Constitution is an affair of the heart. If even Germans become emotional – what may go wrong?  
Thank you.