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**WHAT EUROPE NEEDS MOST
THE RATIFICATION PROCESS VIEWED FROM THE NEW
CENTER OF EUROPE**

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- ES GILT DAS GESPROCHENE WORT -

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Introduction

We are all asking what is happening with Europe. Throughout its history, the European Union has found itself in several conflicts. So far, it has always been able to extricate itself, but this conflict may be the most serious of them all. Timothy Garton Ash, a renowned contemporary historian and an all-out European of the Union, speaks of a European Crisis with a capital “C”. He goes on to say that the Crisis has the symptoms of a civilization in decline, if not in decadence. So it is a crisis. I am not afraid of crises, not even crises with Ash’s capital “C.” A crisis often moves things forward by unearthing what remained hidden during a smooth ride. Paradoxically, a smooth ride can lead to dire straits, and kill a project. A crisis can be turned into a victory only if whatever it has unearthed is subjected to rigorous analysis and called by its proper name. In doing so, one has to take risks and formulate thoughts that may take people out of their comfort zones. And that is what I will try to do today by making three points. When I started working on them a few weeks ago, they seemed too provocative. Now, similar voices emerge all over Europe.

The Borders of the European Union

My first point is that citizens of member states have the right to know in advance, and decide, why and how far the borders of the Union will extend. They have the right to decide whom they are willing or unwilling to show solidarity to and why. I am not saying this can only be achieved through a referendum. I am saying, though, that there always must be a possibility to force national parliaments to convene a referendum on an enlargement. And, of course, national parliaments must always have a possibility to decide on enlargement.

On the other hand, I believe that citizens of member states may well leave decisions concerning EU institutions and ways of making decisions in those institutions up to their elected - and better informed - representatives. After all, people usually do not get to vote on constitutions of their own countries.

If we turn around who gets to decide on what, like we did now, there is a good chance we will find ourselves in the middle of a crisis.

I am convinced that the clearest definition of the Union is based on how far it extends through the will of Europeans. This definition may be indirect, but it is much more relevant than a definition based on decision-making rules in EU institutions. Answers to a question whether to enlarge the Union or maintain the status quo always tell us what values and goals Europeans share at a particular moment. Values underpinning the Union can be identified through the choices citizens in EU member states make as to why and with whom they want to share their wealth and sovereignty.

It is through decisions on enlargement, not through decisions on procedures, that we make the most important choices: First, about the nature of consensus and shared values in the Union. Second - directly or indirectly – also about our approach to issues like minorities, the socially disadvantaged, the powers of the state and the extent of regulation, the environment, human and social rights, and the spreading of democracy throughout the world.

During the last enlargement, the Union institutions changed the rules midway. Initially, the enlargement was to be a tough race of individual boats. Eventually it was decided that all boats would sail through the finish line side by side like at a boat show. The criteria, the effort, and the performance did not seem to matter. The entry of ten new member states trivialized enlargement as a concept. People in new, and perhaps more importantly in old, member states were led to believe that enlargement was a minor problem. Perhaps that is why it took them a while to understand that enlargement indeed was relevant to them and their standard of living. In the meantime, enlargement criteria have been loosened even more, as the accessions of Bulgaria and Romania, which seem to be a done deal, suggest.

Clearly, the French and Dutch NO was, among other things, a vote on enlargement. It was an ex-post vote on us, the recently integrated members, and an early vote on enlargements that are on the horizon: Croatia, Turkey, Ukraine, Serbia, Moldova and perhaps others.

Simply, people voted on what they wanted to vote rather than on what they were told to vote by the Union and by their political representatives. They voted the way they did because they voted on what matters to them and what they were able to understand. In a way, they were wiser than the Convention and the European Council put together.

Why do we want them to form an opinion on the ramifications of double majority voting in the Council of Ministers peppered by a blocking minority clause? And how do we want them to form that opinion when the Convention presents these procedures in a thick, illegible book? Besides, facilitating people's understanding is certainly not the only thing at stake here. Enlargement affects everyone; it defines the goals of the Union and, indirectly, the values underpinning it.

If enlargement affects everyone, then everyone should get to decide on it. Some protest that if everyone gets to decide, then the current Union will close in on itself. That option cannot be ruled out, especially after the 1st of May of last year. At any rate, the next enlargement is likely to be slower. The major advantage of it being slower, however, would be that, unlike the last enlargement, it would not jeopardize the already achieved level of integration. On top of failing, a faster enlargement could break down what has been built so far.

Solidarity as Opposed to Cohesion

My second point is that enlargement may currently be an expression of solidarity rather than cohesion. Yet, solidarity is what makes the EU a unique project different from all other integration attempts.

I understand solidarity as an attitude motivated by ideals rather than pragmatism. For me the, strengthening or weakening of solidarity is an organic process. Solidarity will pay off, but only in the longer run, and certainly not by the next elections. Solidarity cannot be legislated by an authority. As solidarity always entails sacrifice, it is the reflection of a conscious choice, and a value system, of individuals.

Cohesion, on the other hand, is rather mechanistic in my concept. It is motivated by pragmatism rather than ideals. Cohesion pays off quickly. As a response to outside threats, cohesion is a more or less automatic reaction. Sooner or later, outside threats usually force cohesion.

Apart from solidarity and cohesion, Europeans are bound together by many material interests. That can be proven by economic analyses based on quantifiable data.

National egoism steps in where cohesion and solidarity is missing. National egoism also represents economic interests, but those of different countries rather than those we have in common.

What will happen to solidarity now if cohesion, as a residuum of the bipolar world, has lost its urgency? Those, in my opinion, are the questions that the process of ratification presents with the strongest voice.

With that in mind, let me first take us back to something that may be obvious: The difference between current Europe and Europe in the first decades of integration. Europe in the bipolar world as opposed to Europe in a unilateral world. The motivation behind integration processes is likely to have changed.

When the world was bipolar, Europeans in the EU were united by many different things. Among them, the feeling of being threatened stood out. Initially, the threat came from within, and was inspired by the fresh memory of two world wars: will Germany start arming itself again, followed by all of us? Then, a new threat came from the East, from the Soviet Empire exhausted by the war yet strengthened by expansion.

In the face of those threats, it was quite easy to join ranks and find good reasons for sacrifice.

Motives for cohesion and solidarity complemented and reinforced each other. Besides, the unification of Europe had firm contours. The limits have been drawn, with the only uncertain thing being whether Switzerland or Norway would eventually join. There was a clear, unchallenged framework for cohesion and solidarity. Europeans from richer countries knew whom they were giving up part of their wealth for and why. Everyone knew why they were giving up part of their sovereignty.

What binds us together today? Do we feel threatened? Perhaps only that we will lag behind economically. Europeans are not facing any outside threats, at least not immediate ones. I do not think Europe could take the threat of expanding Islamic countries, mentioned by some people after September 11, 2001, seriously. Millions of Muslims who live among us and who we have long been inviting to do the work we did not want to do ourselves – that is a different story. I do think, though, that while not feeling threatened by a particular enemy, many Europeans feel concerned that the Europe of today and tomorrow has lost firm contours. They are worried because they are not in a position to make even basic judgments as to the benefits and costs, the pros and cons of enlargement, not knowing how far Europe will eventually extend. Unable to agree even on the final limits of their Union, Europeans will not be able to share common concerns and hopes. There is yet another issue. Europeans do not seem to have made a final decision as to whether they consider new member states part and parcel of the Union with all that entails. A

significant number of French and Dutch conceded through their NO that they have not accepted the last enlargement.

The Post-bipolar Situation

My third point is that if we can speak of a crisis today, then the crisis comes to a large degree from the EU's failure to adapt well to life in a post-bipolar world that is momentarily unilateral. When the bipolar world started falling apart, nobody was ready, because nobody saw the Soviet Block disintegrating. That in itself should have been a memento. The EU is now enlarging to take those countries in, but I am not sure if it takes the enlargement seriously. I am not sure the EU is enlarging with enough understanding for the new member states, at least those eight, for their specificities deriving from their exceptionally difficult transformations.

A laboratory-quality piece of evidence lies in the unification of Germany – the first Eastern enlargement of the EU. It is not over. Many have not come to terms with it. Who knows how the vote would turn out if it took place today? The unification runs a much slower, painful and expensive course than envisaged. All pessimistic forecasts have long been exceeded. Yet, the Federal Republic of Germany seemed to have all it takes to deal with the problems of its new lands. It had enough funds and human resources and a ready-made legal system to handle unification.

I can't help thinking that we all – not only Western Germans or Europeans in the Union – have not yet fully understood, and therefore accepted, the unexpected implosion of the Soviet Bloc. The indirect challenge to the last EU enlargement, voiced through referendums in France and the Netherlands is just a late consequence of this inadequate understanding.

What do I mean by that? I mean that we have not understood the basics. We have not understood what kind of regimes broke down 16 years ago and why. Those regimes were no longer totalitarian. It is difficult to sort them. They were not democratic in any way, but they were not authoritarian either. A real authoritarian regime tolerates the market and to some extent civil society – and that was not the case. Perhaps they weren't even “authoritative”. Why did they last so long, given that the powerful had almost no will or power left to defend? How come the world didn't see it coming? Were those regimes really exhausted by Reagan's arms race? What were the people living in those regimes rejecting? And what did they want? What did they want to keep? They seemed unwilling to part with solidarity and a spirit of community, albeit unacceptably deformed by a non-democratic political system. Perhaps some of them expected the EU to continue cultivating some of these aspects. Yet recently, the Polish plumber has been hearing from France, and the Czech bus driver from Britain, to stay at home. Thus, we should not be so surprised by the inertia of the remnants of the so called “real socialist” mentality, including the strength of communists, regardless of the name they choose for themselves.

Perhaps the very things that used to hold those regimes together, the very things that we have not understood well enough, make today's transformation more difficult, slow, painful and expensive. Not expecting the fall of the Soviet Block, not being ready for it, and not being able to explain it well enough has lasting consequences. That is also why many Europeans in the EU 15 now see the accession of these new member states as a precipitated, risky step.

New member states seem to be at a disadvantage in face of the older EU member states in almost every respect, but they do enjoy some relative advantages. With the broadest brush stroke, and very unjustly, they are labeled as a cause of “social dumping.” Dumping, however, results from a determined policy, and unfair behavior. In some areas, our underdevelopment gives us objective advantages, albeit relative ones. For instance, labor is cheaper. Some advanced richer countries are unwilling and unable to cope with this. Through transitional periods, they in effect shut the doors to people from new member states, penalizing them for not wanting to overcome their backwardness or contribute more to the Union’s budget. In doing so, they cast doubt on the very pillars supporting the Union, on its fundamental freedoms. New members feel disappointed and offended. Their response is: well, they don’t want us, so we won’t intrude.

There have surely been many reasons for the two failed referendums on the Constitutional Treaty. But the common denominator of many of them seems to lie in the unprocessed, and, in a way, unmanaged last round of enlargement. Citizens in the EU 15 are called to make sacrifices when the world is no longer bipolar, when Europe has no enemy, and when the beneficiaries of that sacrifice are unnervingly unclear. What used to be self-defending cohesion must now turn into solidarity. As I have said, solidarity is motivated mostly by ideals. Practical reasons for solidarity will take more time than a single term of office to come to light.

We are beginning to hear that in addition to losing motivating ideals, some Europeans respond to the new circumstances that no longer require cohesion by moving from liberal democracy to national egoism. Talk of solidarity peters out. Perhaps that’s too strong a statement, but in any case, solidarity did not seem to work in the last two referendums. We should not be surprised. After all, solidarity is the ability to share, to give a gift. Could we even imagine wanting to give such gifts when the borders of the future Union are unclear and expandable, when everyone sees them somewhere else?

If we want people to feel co-responsible for an entity that is too vague, unclear and unfathomable, they will not be willing to give things up for it. If solidarity is indeed a gift, then that gift must have a clear, tangible beneficiary. People would not feel comfortable letting a middleman choose the recipient of their gift, or parachute the gift down to a place hit by a disaster. A gift must be given. To give a gift, one must know who is receiving it and why. If we want a Europe based on solidarity, then we cannot impose it from Brussels through a directive. We must convince ourselves that it makes sense, but it almost becomes an impossible mission to convince ourselves about something that lacks clear contours.

Any future enlargement should have goals and time horizons that are defined as clearly as possible. It should be adopted through a procedure that is as democratic as possible. Europeans should have the clearest possible view of what they may gain and where - for example, in geopolitical terms, - and how much they will have to give up for it.

We are seeing the exact opposite: Europeans have been asked to approve an illegible code of rules and policies. But policies have no place in a constitutional treaty, let alone a Constitution, yet. Nobody asked Europeans about enlargement. Some people answered questions they wanted to be asked rather than questions that Parliaments would have been in a better position to resolve. The Union did not decide how to ratify in particular countries, but it must have known that some countries would opt for a referendum. With that in mind, I simply can’t understand

how the Convention could have adopted such a lengthy text. I can't help seeing the mere presentation of such an extensive text as an act of arrogance. It is based on a hypocritical assumption that people will want to, and be in a position to, engage with it.

Conclusion

My thoughts are coming full circle: Solidarity, firm borders - albeit changeable in time - and hence shared values are intertwined. So are suspicious national egoism, uncertain borders, and confusion in values. Unable to agree on the final borders of their Union, Europeans will not be able to share common concerns and hopes.

Next time, we want to be able to count on the solidarity that makes European integration a unique and respectable project. To do that, we always have to be clear where Europe begins and ends. We have to know where and when it may enlarge, and what values bind it together. Europeans should always have the clearest possible view of what they may gain from every enlargement - for example, in geopolitical terms, - and how much they will have to give up for it. Most importantly, they have to be sure they will be the ones making the decision, not only through the European Parliament, but also through national parliaments and perhaps even referendums. In a hazy Union whose shape and size is determined by super-state bodies, solidarity will evaporate and give way, quite understandably, to cautious, petty egoism. And then, though our words may want to reach the sky, we will fall on the ground, and the European project will break into pieces that no one will be able to put back together.

What Europe needs most of all are clearly defined reasons for solidarity. For that, Europe needs a clear shape and clear rules for its enlargement. Those will give Europe clear content. Then, Europe will always know what sacrifice is worthwhile for what gain. If solidarity and sacrifice are too lofty words for some, then we can always stop, turn around, and pursue mutually advantageous trade. But that would be a different story. To do that, we don't need to be Europeans.

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