

## Renewing the European Answer\*

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### Key points:

- The European Union (EU) must be able to shape developments in a new political and economic global environment that is more and more determined by events taking place far beyond its borders.
- Europe's ability to exert its influence both internally and externally requires a renewal of the European integration project. This task elicits three strategic responses:
  - (1) A strategy of institutional efficiency that entails two things: First, the elaboration of a "Treaty Amending the Treaty of Nice", that incorporates the central innovations of the Constitutional Treaty into the existing primary law. Second, the heterogeneity of an EU-27+ requires a higher level of differentiation among member states, that will lead to divergent leadership coalitions and not to a core Europe.
  - (2) A strategy for shaping global politics that begins in the EU's immediate geographic vicinity. The possibility of joining the EU must remain open to all European states even if the prospect of membership is (very) distant. However, the Union should, in the immediate perspective, not grant any further accession offers beyond Turkey and the Western Balkans. In the international arena, the assertion of global interests requires a more determined effort to pool European defence capabilities by creating a European Army.
  - (3) A strategy for the promotion of European self-assurance that requires two things: First, a gradual politicization of European policy-making on both the national and the European level. Second, the definition of a new *raison d'être* underpinned by a grand project in the field of security.

Europe has two faces. On the one hand, there was a time when Europeans were enchanted by the miracle of integration. After having experienced bitter centuries of war and enmity, imperial devastation, and outbursts of nationalism, the nations of Europe had moved in precisely the opposite direction. Although the European success story continues to this day, it nowadays resembles the description of a distant epoch. Perceptions of the European Union are increasingly characterized by a resurgence of national egoism and by declining levels of public approval.

In this situation, it is helpful to recall the heart of the current problem inside the EU, which is the conceptual schism among the member states. The arguments are ostensibly about treaty texts, though deep down it is a matter of antagonistic views of the shape of things to come. If it proves impossible to reach some kind of agreement about the future political order of the continent, the

Europe of 25 and soon more member states may well go into decline, and may possibly even fall apart.

The basic strategic question concerning the EU's future remains unanswered: Why is there a need to undertake new efforts, why is it necessary to mobilize new forces? The answer to this question is linked to the new constellations and conditions of world politics. It has to do with Europe's future ability to shape developments in a changing global economic and political environment. Following the rise of new powers in Asia and South America and the globalization of economy and security, Europe's future is increasingly being determined by developments that take place beyond its borders. There is a danger that the old continent will gradually become marginalized.

Europe has the potential to inject its own ideas into the formulation of the rules governing the new economic and political world order. However, Europe's ability to exert its influence will depend on whether Europeans are able to renew the "European answer". Providing Europe with a new *raison d'être* requires the EU to assert itself both internally and externally, and to clearly communicate the reasons for further European integration to citizens. This tripartite task elicits three strategic responses:

### (1) A Strategy of Institutional Efficiency

A structural feature of Europe's institutional architecture is the fact that it is constantly changing. Deepening and geographical widening require a political system that is stable but at the same time able to adapt to new circumstances. Today again, the Union needs to guarantee its institutional efficiency. In this respect two things are particularly important: *the outcome of the EU's constitutional process* and *the progression of further differentiation in Europe*.

#### Europe's Constitutional Process

The rejection of the Constitutional Treaty by the electorate in two EU founding states means that another historic attempt to provide Europe with a reliable political order has probably failed. Nonetheless, the EU-27+ still needs to optimize its current structures and procedures. Numerous alternative proposals to the Constitutional Treaty have been put on the table in the aftermath of the negative referendum results in France and the Netherlands – but none of them seem promising:

- *The retention of the Treaty of Nice currently in force* is to all intents and purposes not a viable option. The EU-27+ cannot be governed on the basis of a set of rules and regulations that in essence was originally conceived for six states. Without substantial amendments to the Treaty of Nice the EU will sooner or later experience a dramatic crisis of legitimacy.
- The option of *holding on to the original Constitutional Treaty* implies that the French and Dutch electorates will be asked to vote on the new primary law once again. However, the chances that a second referendum will be more successful than the first seem rather slim.

- The option of “*making the most of Nice*” is not sufficient to enhance the enlarged EU’s future efficiency or democratic legitimacy. The implementation of constitutional innovations on the basis of the existing Treaties and thus beneath the level of formal amendments to primary law – for example, in the shape of inter-institutional agreements or modified rules of procedure – is unlikely to be achieved in many important cases. Attempts to unravel the package as a whole and to “cherry-pick” individual elements of the Constitutional Treaty will repeatedly come up against the opposition from certain member states and thus fail.
- Another option would be to present the electorate with a “*shortened constitution*” possibly using the terminology of a “basic treaty” and combining Parts I, II and IV of the Constitutional Treaty. This alternative is also rather problematic. On the one hand, the opponents of the Constitution will argue that it is simply duplicitous. On the other hand, this alternative would also require a revision of Part III of the constitutional text – an extremely time-consuming process that could not be completed without calling yet another Convention.

As the above options are not viable, there is need for another alternative in case the Constitutional Treaty cannot enter into force. A pragmatic option would be to transfer the core of the constitutional innovations into primary law in the shape of a treaty amending the Treaty of Nice. The provocatively titled “Constitution” would be transformed into a modest revision of the Treaty of Nice, thereby making it possible to incorporate the core constitutional reforms into the existing Treaties. To apply this alternative, it would be necessary to identify the central reforms of the Constitution and combine them in the shape of a treaty amending the primary law currently in force. A “Treaty Amending the Treaty of Nice” seems a realistic alternative, which would not disrespect the vote of the French and Dutch electorates, yet at the same time would secure the implementation of the basic constitutional reforms.

The modesty of a “Treaty Amending the Treaty of Nice” could provide the impetus for a decisive spurt ahead. The next step would be to elaborate and adopt a less voluminous text that contains only the principal constitutional provisions while relegating the detailed non-constitutional parts to a text below the constitutional level. The constitutional part would by and large include Part I, II and IV of the Constitutional Treaty (CT). The second part would resemble Part III (CT). However, in practice it will not suffice to pull Parts I, II and IV (CT) together in one document and to expel Part III (CT) from a new Constitution. Simplifying the EU’s primary law will necessitate major changes to Part III and a number of technical and some politically highly sensible changes to the remaining parts of the Constitutional Treaty (e.g. new ratification procedure). The elaboration of a “Constitution II” will require yet another Convention and a subsequent intergovernmental conference. This process will take years. Taking into account the present political situation in the member states, one can expect that such an enterprise could begin after the European Parliament (EP) elections in 2009 – the earliest. In the meantime, the EU should work out a mandate for this enterprise: A “Laeken II” defining the concrete objectives for a new Convention.

Differentiation in Europe

The increasing diversity of interests and the growing complexity of decision-making inside the Union call for a greater degree of active and visible political management. More than ever before, Europe needs various speeds in order to remain effective.

Citizens expect the EU to provide state-like services in areas as diverse as justice and home affairs, foreign, security, defence, tax, environmental, and social policy. However, not all of the member states can or may wish to provide such services at the same time and with the same intensity. As was the case in the past with the common currency, the Schengen accords, or social policy, closer cooperation among a smaller group of countries can help to overcome a situation of stalemate and improve the functioning of the EU.

The formation of islands of differentiated integration should not be equated with the creation of a closed core Europe. Debates about a Europe of triumvirates, directorates or pioneer groups – which some demand and others fear – are unrealistic and counter-productive. They are unrealistic because the idea of a closed core Europe, in which a small group of countries continues the unification process, is unfeasible. The vast majority of member states will want to belong to any group moving ahead – and none of the potential core countries would deny them their participation. Debates about the establishment of a core Europe are counter-productive, because threats and conceptual misunderstandings overshadow the fact that differentiation provides a key strategic opportunity. Bringing the notion of differentiated integration into disrepute makes it impossible to utilize its formative potential to the full.

The real potential of increased differentiation inside Europe will be revealed only in practice. In the years ahead, greater use should be made of the various instruments of differentiated integration. It will be particularly important that the EU institutions and the member states become familiar with the instrument of enhanced cooperation that was introduced in the Treaty of Amsterdam and modified by the Treaty of Nice and the Constitutional Treaty. The instrument of enhanced cooperation, which has not been employed in practice, should initially be used in the context of smaller differentiation projects in various policy areas. Only then will it be possible to ascertain how well its legal provisions work in practice and where improvements are needed in order to increase the usefulness of this key instrument of differentiation.

In political practice, using instruments of differentiation to solve individual questions will not lead to an exclusive core of states, but to divergent leadership coalitions. The total sum of individual cooperation projects and the intersection of the participating countries will create an “open area of gravitation” that attracts other EU states to engage in a more intense level of cooperation.

**(2) A Strategy for Shaping Global Politics**

The global political landscape is characterized by changing constellations involving new powers and unprecedented challenges. New risks and threats combined with a high energy dependency, growing migration pressure, the geographic proximity to future crisis regions, and the vital

significance of unimpeded world trade for EU economies, make Europe a particularly vulnerable continent.

Europe cannot afford to stand on the sidelines when economic and political developments require the establishment of new forms of order. The EU's international responsibilities begin in its immediate geographic vicinity. However, Europe also needs to have at its disposal sufficient resources to protect its interests and project its power in the global arena.

### Stabilizing the Neighbourhood

The EU has a special responsibility toward Southeastern Europe. The prospect of accession for the states of the Western Balkans promotes reforms and western-oriented and liberal political forces in the countries concerned, and is in the fundamental interests of the EU and its member states. Only the full and equal integration of the Balkan countries into the Union can secure the strategic advantages that the EU already derives from association and gradual convergence. A receding prospect of EU membership could cause the status quo that has already been attained in the region to be called into question. Disappointment and the lack of a perspective might lead to new outbursts of violence among the various ethnic groups, the costs of which would have to be borne not only by the region, but also by the EU and its member states.

The European Council gave all states of the Western Balkans – Albania, Bosnia and Herzegovina, Croatia, Macedonia, Serbia and Montenegro – a specific prospect of EU membership as early as 1999, and has confirmed this offer on numerous occasions. Accession negotiations are currently in progress with Croatia, and Macedonia has been granted candidate status. After the accession of Bulgaria and Romania, there will be even greater pressure to close the “black hole” on the map of Europe. Southeastern enlargement – which is not comparable to the 2004 enlargement round in terms of either size or political and economic consequences – is not a question of whether or not, but of when and how.

But the EU's attractiveness does not end in the Balkans. The start of accession negotiations with Turkey means that Europe has finally come to a point where it no longer has definitive borders. In essence, the decision concerning Turkey marks the start of a large-scale process of enlargement reaching far beyond the Balkans, and where this will end is currently impossible to say. Europe urgently needs to understand the strategic ramifications of the path on which it has embarked.

In view of the perspective of a continuous widening process the EU needs to consider the following: (i) The Union should not shut its doors to potential newcomers. The possibility of joining the EU must remain open to all European states even if the prospect of membership is (very) distant. (ii) However, the EU should in the immediate perspective not grant any further binding accession offers beyond the Western Balkans and Turkey. Taking into account the increasing enlargement fatigue in the EU member states, enlargement beyond the Balkans and Turkey should be forestalled for a specific period of time. (iii) The EU should continue to deepen relations with neighbouring European states in the context of a differentiated policy toward



Eastern Europe. The Union needs a genuine strategy for the Black Sea region and a strategy for Central Asia – two regions that are becoming ever more important in terms of security and energy policy. (iv) Cooperation with the EU's immediate neighbours in Eastern Europe, the Black Sea region and Central Asia requires an active partnership with Russia. The relationship between the EU and Russia should be reformulated with regard to both form and content by 2007, when the current Partnership and Cooperation Agreement expires. At the same time, the EU must emphasize the values and principles on which cooperation is based, and the necessity of democratic reforms in Russia.

#### Promoting World Peace and Asserting Global Interests

The European Union is a factor to be reckoned with in world politics on account alone of its sheer size and economic strength. However, Europe is a very vulnerable actor and no member state acting on its own is in a position to master the new global challenges.

Despite numerous advances in recent years, security and defence policy in Europe is still characterized by divergent national approaches and perceptions and by persisting claims to national sovereignty. The assertion of global interests requires a more determined effort to pool European defence capabilities by creating a European Army with the appropriate organizational and command structures on the European level.

The creation of integrated armed forces would enhance Europe's military capabilities and tie the states of Europe closer together in the field of security policy than at any time in their history. Interlinking national security and defence policies in this way would increase the pressure on EU member states to overcome the current deficit in strategic thinking and to speak with one voice regarding even the most sensitive foreign policy issues. Europe would be enabled to engage more self-confidently in the concert of international powers and to play a more active and relevant role in shaping global developments.

It may well be that the idea of a European Army is asking too much considering the current level of consensus on security and defence policy among EU member states. In this case, it should be possible for states that are willing and able to engage in cooperation to move ahead even if not all EU countries are prepared to participate. In this regard the possibility of a structured military cooperation as envisaged in the Constitutional Treaty points in the right direction. Germany, France and the United Kingdom bear particular responsibility. Based on the size of their defence expenditures, the existence of national headquarters and the ability to pursue crisis diplomacy on the highest level, the "Big Three" possess means and capabilities without which a European Army cannot be established.

#### **(3) A Strategy for the Promotion of European Self-Assurance**

Europe is stuck in a mental crisis of orientation. This lack of orientation is not a specifically European, but a general phenomenon. A hitherto unparalleled degree of mobility, pluralism and flexibility has led to the breakdown of traditional types of identification. As a result, there is a

fundamental need for guidance. The European Union, as an evolving political system, must provide its citizens with a sense of orientation if it wishes to overcome its current crisis of legitimacy.

In order to strengthen European self-assurance, the EU should pursue two things: *a gradual politicization of European politics*, and *a new raison d'être underpinned by a new grand project*.

#### Politicization as Step toward Maturity

To enhance its legitimacy, the EU must ensure that citizens enjoy greater democratic participation. The key to this is the progressive politicization of European policymaking.

Although the EU's institutional architecture has developed considerably in recent years, a weak point of the system is becoming ever more apparent: European political life lacks the lifeblood of a thriving democracy. A political system lives from the clash of colliding arguments, which is the essence of politics. In contrast, the EU is structurally oriented toward consensus. Competing ideas and concepts are not sufficiently presented and discussed on either the European or the national level. As a result, there is, by and large, neither a public nor a media-driven opinion-forming process about European issues. What can be done to redress this deficit?

- First, the exaggerated craving for harmony when it comes to Europe is out-dated. Disagreement is a constituent element of every political process, and as such should not be dramatized on the European level either. Differences of opinion, divergent interests and conflicting goals need to be seen as evidence of the vitality of the European policymaking process and not as an existential threat.
- Second, politicization on the European level should emulate what succeeds on the national level. Politics is made by people and not by soulless bureaucracies. Those who wish to make policymaking comprehensible must ensure that it is associated with identifiable individuals. Europe requires a higher level of personalization. Numerous innovations in the Constitutional Treaty point in the right direction. The appointment of a President of the European Council, the creation of a Union Minister for Foreign Affairs, and the strengthening of the Commission President would give the EU identifiable faces that would be the focus of trust and distrust, approval and rejection.
- Third, European issues must become a self-evident feature of political debates at all levels. Up to now, European citizens rarely interact directly with the Union. Their perceptions of the EU rather tend to be filtered through national, regional or local perspectives. If issues related to the Union are to play more than a minor role, they must become an integral part of political debates in the member states. The strict separation of national and European level issues in political discourse needs to be eliminated. The electorate must give politicians on the national level also a mandate for their policymaking in the EU.
- Finally, European elections should be dramatized. By voting for MEPs of their choice, citizens should be able to exert a direct influence on the appointment of the President of the

Commission. The latter should be nominated by European parties in the run-up to EP elections on the basis of a common election manifesto, and elected by the new parliament. The President of the Commission duly elected by the EP would then have to be confirmed by the Heads of State and Government on the basis of a qualified majority vote. This procedure would upgrade the importance of European elections as an act of electoral control and would strengthen the legitimacy and power base of the Commission and its President, while simultaneously enhancing the significance of the EP.

A higher degree of politicization will rekindle the interest of the electorate in Europe as a political entity. Politicians on the national and European levels would be forced to conduct debates on European policy with their voters. In sum, the gradual politicization of the EU would be a decisive step toward a more mature political system.

#### A New *Raison d'être* Underpinned by a New Grand Project

A strategy to enhance the EU in the eyes of its citizens must involve the elaboration of a new rationale explaining the necessity of the European project. The Union, far more than its constituent nation-states, must offer an autonomous reason that legitimizes its existence. Europe needs a convincing and plain answer to a simple question. What do we need the EU for in the future – beyond the preservation of what has already been achieved?

The European Union as a dynamic economic, political and security actor that is able to shape both internal and external developments in a dynamic global environment: Putting this abstract formula in concrete terms is a prerequisite for conveying the necessity of future integration steps.

However, it will not be enough to proclaim this new *raison d'être* in form of a solemn declaration replete with group photo. The art of European politics will be to combine such an abstract formula with an ambitious yet realistic grand project beyond a "Europe of small projects". European policymaking has always been particularly dynamic and successful whenever it set its sights on a large-scale and ambitious goal – the most impressive example being the single market project "Europe '92".

Two areas where there is both a considerable pressure for action and where citizens particularly want the EU to deliver seem appropriate for a new grand project: the field of economic and social policy, and the area of security.

Despite its undeniable significance for EU citizens, the thematic cluster of *economic and social policy* seems not very suitable for a new European grand project for a variety of reasons. First, the Union does not possess sufficient competences in these areas and it cannot be assumed that the member states will be prepared to centralize further responsibilities. Second, a grand project that pursues the economic and social modernization of Europe would almost certainly be accompanied by drastic cutbacks for a considerable number of people – this is hardly to generate "new enthusiasm" for Europe among citizens. Finally, further integration in the areas of economic and social policy that goes beyond (i) individual measures to complete the single market, (ii) mutual learning in the context of the Open Methods of Coordination, or (iii) a mere



synchronization of national economic and social policies would be questionable from an economic point of view. Is not the competition between the divergent national systems and between the member states' economies a key reason for Europe's economic success?

Europe's internal and external vulnerability underscores the need to pursue a grand project in the area of security. Greater security policy integration can procure benefits for the member states and their citizens that the individual countries can no longer provide on their own.

Since Maastricht, the Union has made considerable progress in the areas of justice and home affairs as well as foreign, security and defence policy. Yet, many of the individual measures that have been initiated appear to be rather haphazard, and the overall picture lacks coherence. Furthermore, there is a lack of conceptual inter-linkage between the various aspects of internal and external security.

Existing projects in the area of security should be embedded within a clear-cut framework with ambitious yet realistic goals. The creation of a European Army would be an appropriate goal in the area of external security, but this would have to be complemented by an equivalent project in the area of internal security. The successful implementation of a grand project in the field of security requires the elaboration of a coherent concept that defines European security interests in a comprehensive manner, aligns both internal and external as well as civilian and military aspects of security policy, identifies the specific measures that are required, and provides a timetable that is binding on the participants.

If policymakers succeed in making the European Union a coherent actor in all aspects of internal and external security, Europe will be in a position to make a decisive contribution toward shaping the future international order. The epochal decision to embark on the unification project once brought peace and prosperity to the European continent. It is now time to view the success of the European project from a global perspective.

*October 2006*

- \* The present text is based on a strategy paper entitled "Europe's Strategic Responses" prepared for the 10<sup>th</sup> International Bertelsmann Forum that took place on 22/23 September 2006 in Berlin.