

# Rome conference on EU constitution reveals intra-European conflicts

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The setting said it all. Italian government chief Silvio Berlusconi had chosen Rome's EUR district as the setting for the sixth European intergovernmental conference on October 4, and had transformed it into a fantasy backdrop—a mixture of pomp, kitsch and reminiscences of fascism.

Lying between the city centre and the sea, the "Esposizione Universale di Roma" (EUR) was one of Mussolini's prestige buildings. It was due to host the World Exhibition in 1942, but the Second World War and the ignominious end of the fascist dictator meant it was never completed. Since that time it has survived as a somewhat provisional mish-mash of classic Roman splendour and futuristic style elements, which Berlusconi had decorated with imitation marble columns made from laminated fibre sheeting. The walls of the congress centre were hung with enormous plastic tarpaulins depicting an idealised ancient Rome in the Renaissance style. A "kind of imperial Disneyland," as one commentator noted. Even the statue of *il Duce*, mounted on his horse with outstretched arm, was repaired in honour of the gathering heads of state.

An enormous police presence hermetically sealed off the surrounding area, so that none of the 300,000 demonstrators protesting against the summit could get close to the meeting place.

At the centre of the conference—where in addition to the heads of government of the fifteen existing European Union states, the ten new candidate members had also travelled, along with the three latest applicants—was the draft European constitution. Presented in the summer, after two years of work by a "European Convention" under the direction of former French president Valéry Giscard d'Estaing, the draft constitution is, like the backdrop for the convention created by Berlusconi, a mixture of deceptions and illusions.

Even the term convention is a fraud. It harks back to the American and French revolutions, in the course of which conventions prepared the first truly democratic constitutions of modern times. But while these conventions relied upon broad popular movements, the European Convention largely worked behind closed doors. Its 105 members have no democratic legitimacy. They were not elected, but were chosen by the national and European parliaments, national governments and the European Union Commission. When the work of the convention began to flag, German Foreign Minister Joschka Fischer peremptorily made himself a member, in order to lend more weight to Germany's interests. Convention chair Giscard d'Estaing constantly faced the reproach that he was behaving in an authoritarian manner, manipulating the results in the French interest.

For example, Luxembourg Prime Minister Jean Claude Juncker, otherwise an eager proponent of European integration, told the German news weekly *Der Spiegel* in June: "I have been active in European politics for 20 years. I have never before encountered such non-transparency, a completely opaque affair that avoided the democratic competition of ideas in drawing up the formulations. The convention was billed as the great Democracy Show. I have never seen a darker darkroom than the convention."

The essential task of the convention consisted of lacing up a legal corset for the European institutions, which are increasingly reviled in the population and are threatened with fracture by the growing conflicts between the European governments. It did not draft a perspective for the future, but dealt "largely with the mere codification, systematisation, simplification and rationalisation of existing law," as international legal expert Daniel Thuerer commented in the *Neue Zürcher Zeitung*.

The convention had been called to life when the EU intergovernmental conference in Nice failed three years earlier due to vehement internal conflicts. That conference had the goal of tightening up the European institutions in such a way that the EU remained capable of acting after the expansion from 15 to 25 members in 2004. The project failed because of conflicts between Germany and France, and the smaller countries' fears that they would be dominated by the larger ones.

The European convention was supposed to achieve in other ways what had not succeeded in Nice. The draft constitution, largely shaped by French and German interests, envisages a strengthening of the central European institutions and fewer rights for smaller member states. But the meeting in Rome showed that the intra-European conflicts have become even sharper since Nice.

While Germany and France are now acting in concert, and are partly supported by the Benelux countries, Italy and Britain, a group of smaller states, led by Austria and Finland, and drawing support from the new Eastern European members, vehemently rejects any diminution of their rights. The two mid-sized countries, Spain and Poland, insist—as was decided in Nice—that they should continue to enjoy almost the same voting weight as the four large ones.

The following is at stake:

The draft constitution envisages that in future the Council of the European Union would be overseen by a president, who would be elected for two and a half years, and whose term of office could be extended once. The council consists of all the heads of government and state of the individual members and is the most important decision-making organ of the European Union. So far, the council presidency has rotated every six months between all the member states. The small states reject this reorganisation because they are afraid that the larger members will choose the EU president exclusively from within their own ranks.

Moreover, an EU foreign minister post is to be created, with this individual being both a member of the EU-Commission and responsible to the Council of the European Union. Previously, these two functions were separate. Britain in particular has reservations about the EU foreign minister post, with London wanting to keep foreign policy under national control.

The weighting of votes in the council is also vehemently contested. The constitution envisages that a "qualified majority" is achieved when a majority of member states representing 60 percent of the EU population agrees a decision. Spain and Poland are outraged about this, since in Nice they had each enjoyed 27 votes, almost the same as France, Britain, Italy

and Germany with 29 votes apiece. The new provisions would weaken their influence. Berlin would find it much easier to organise a majority, since over 18 percent of the EU population lives in Germany, more than twice as much as in Poland.

Britain agrees with the new provisions in principle, but insists that the council be granted only limited authority and that important areas such as taxation, defence and foreign policy should remain within the domain of the member states.

According to the draft constitution, the commission is to be reduced to 15 voting members. At present, the EU's most important executive body consists of 20 members. The five largest countries each provide two commissioners, with the ten smaller countries providing a single commissioner each. Under the new rules, the larger countries would only be entitled to one commissioner, while the smaller ones would have to alternate and would no longer have permanent representation. This proposal is rejected by the majority of the smaller countries.

Several member states are also demanding that the preamble to the constitution make express reference to Europe's "Christian inheritance"—which would pose an obstacle for Turkey's future membership.

Only the question of European defence policy saw a rapprochement in Rome. France—and to a smaller degree Germany—regard the construction of a European military force as contributing to a "multi-polar world," in which Europe is an equal to the US superpower. Britain—with the support of Spain, Italy and Poland—insists on close links to the US. Efforts to emancipate the EU militarily from NATO repeatedly failed because of British objections.

These differences continue to exist, but on several important points London accommodated Paris and Berlin. Thus, Tony Blair consented to the EU developing a common planning and leadership capacity for independent military operations. Closer military cooperation between individual groups of EU members envisaged in the draft constitution no longer seems to face a British veto. Moreover, plans for a European arms agency, which would coordinate the research and production of European weapons, have a good chance of success.

The European defence ministers, also meeting in Rome, agreed to take over command of the SFOR (Stabilisation Force) mission in Bosnia from NATO in 2004—as long as the US consents.

The Rome conference did not bring about any convergence on the disputed questions, and they are to be clarified by the foreign ministers, who will meet several times up to the end of the year. It is considered extremely unlikely that the final draft of the constitution will be ready this year, as originally planned, if it comes about at all. And even if the individual governments should agree, the draft constitution could still fail because of the ratification procedures in the 25 national parliaments. In some countries, referendums are planned.

France and Germany openly threatened opponents of the draft with economic sanctions. "I do not know who can take the liberty of blocking the constitution," French President Jacques Chirac said in Rome, adding a warning that any delay in the constitution could hinder the negotiations beginning 2004 over financial assistance to the poorer EU states. German government representatives referred in the press to a "long list of tortures" that could be deployed against opponents of the constitution, and reiterated that Germany was the largest net contributor to the European Union.

The fear of Franco-German domination in the EU is quite justified. However, the opposition of the other governments to such dominance does not run in a progressive direction. That has already been demonstrated by the fact that the Polish and Spanish governments have closely embraced the Bush administration and unreservedly supported the war against Iraq. In Poland, opposition to the EU constitution is taking on hysterical nationalist tones.

Jan Rokita, popular parliamentary group leader of the liberal Citizens' Platform, exaggeratedly portrayed the size of the Polish vote in the Council of Ministers as a question of national fate and let loose the pathetic battle cry: "Nice or death." His colleague Vladimir Kaczynski, of the right-wing Law and Justice party, even compared Poland's present circumstances if the constitution were adopted with the situation before the Second World War. At that time, the Hitler-Stalin pact had sealed the fate of the country. The chair of the extreme right-wing Samoobrona party, Andrzej Lepper, is also singing the same tune. What Germany was unable to accomplish 50 years ago with tanks, it will carry out today with the European Union, he said.

The following incident is characteristic. Just before the Rome conference, the Warsaw Defence Ministry announced Polish soldiers in Iraq had found French Roland rockets produced in 2003. The implication being that France had directly broken the weapons embargo before the war and supplied Saddam Hussein with war materiel—providing grist to the US government. President Chirac then clarified Polish Prime Minister Leszek Miller in Rome: that particular rocket had not been manufactured for 15 years and the date stamped on the casing designated not when it was made, but when it expired.

The inflaming of nationalist tendencies in Europe can only be traced back superficially to disputes over the draft constitution. Behind them are concealed sharp social tensions, which will further intensify with EU expansion to the East.

The Brussels institutions have long acted as the servants of the transnational corporations and the financial establishment. An anonymous, and in no way democratically legitimised, authority implements regulations and provisions that change the lives of millions and which advances welfare cuts and the deregulation of working conditions. If the European Union was able to curb the worst social distortions in earlier expansion rounds through regional, agrarian and other funds, this hardly applies in the case of EU expansion to the East. It is insisting upon fiscal discipline and market liberalisation, which will cost the millions who are dependent upon backward agriculture or outdated factories the basis of their existence. Unemployment and low wages in the East in turn serve as levers to lower the standard of living in the West.

Since almost all the social democratic and former Stalinist parties support the European Union and are pioneering welfare cuts, right-wing and nationalist forces can exploit the increasing opposition. However, their nationalism leads into a dead end. The balkanisation of Europe would have devastating consequences—economic decline and finally war.

The progressive unification of Europe is only possible through a movement from below; by the unification of the European working class in a fight against welfare cuts, for democratic rights and against war, under the banner of the United Socialist States of Europe.



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