

'A European constituent assembly' from Le Monde (17 December 2001)

Caption: On 17 December 2001, commenting on the decisions of the Laeken European Council, the French daily newspaper Le Monde outlines the political and institutional implications of the future Convention on the Future of Europe.

Source: Le Monde. 17.12.2001. Paris: Le Monde. "Constituante pour l'Europe", p. 22.

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A European constituent assembly

In deciding to call a 'Convention on the Future of Europe', the Union's fifteen Heads of State or Government are keeping a promise made last year in Nice to compensate for several days' inconclusive bargaining on institutional reform. Most of them would like to restrict the Convention's agenda in order to keep it under control. But on the eve of an enlargement that will bring in around ten new members and profoundly alter the Union's image and way of operating, Europe deserves better than yet another facelift.

The Convention is an opportunity to finally give Europe a genuine constituent assembly that will propose a new set of rules for ratification by its governments and peoples — irrespective of whether it is called a constitution, a basic law or a constitutional treaty. It should be a document that is simple, clear and intelligible to the majority of Europe's citizens; a document that also takes account of the experience accumulated since the Treaty of Rome in 1957, does not get lost in theoretical disputes between advocates of federalism and defenders of the nation state but reinforces the efficiency, intelligibility and democratic legitimacy of the European institutions.

To produce such a document, the Convention must not be empowered merely to enumerate the outstanding issues: should the Community bodies or the intergovernmental institutions be strengthened? How can the European Union be given a human face? Should the European Council be transformed into a Chamber of States, become a real government, or retain its hybrid legislative and executive nature? The Convention must do more than submit options among which the Heads of State or Government can subsequently choose according to their mood or their individual interests. It must propose solutions and engage its authority — and that of its chairman, who will play a key role — towards the Member States.

While the Convention does not derive its legitimacy from direct elections, there is no denying that it is widely representative: it includes members of national parliaments, the European Parliament, the fifteen governments and the European Commission, just like the first Convention called last year to draw up the Charter of Fundamental Rights. It was that successful precedent that led the Fifteen to opt for this method rather than the interminable intergovernmental conferences with their unclear and uncertain results.

Although the final decision will probably be taken by the national governments, some already regret opening the Pandora's box of institutional reform. The Convention may well take on a life of its own and escape the control of its creators, just as the Philadelphia Convention in the 18th century took the thirteen American states much further than they wished to go.