

FOREWORD

by Philippe de Schoutheete

Extract from:

Yves Bertoncini and António Vitorino,

"Reforming Europe's governance. For a more legitimate and effective federation of nation states",

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Addressing the Bundestag in December last year, Chancellor Merkel said that in a constantly changing world no one could possibly expect the European treaties never to be altered after the Treaty of Lisbon had been signed. It simply would not work: *"Das wird nicht funktionieren"*, she said.

The logic behind her thinking is unimpeachable in the longer term. There is no reason to suppose that the European entity that we have built, at quite some effort, through a succession of treaties over the decades, has found in the Treaty of Lisbon such a perfect level of completion that it will never require modifying again. That would be absurd.

But we also need to accept the fact that, in the short term, negotiating any substantial changes to the European treaties would plunge us headlong into a chancy and dangerous process. The political debate today is focusing on the economic crisis, on jobs, on the uncertain future and on people's lack of confidence in their leadership class. The rise of euroscepticism is the worrying factor. In this light, proposing a new treaty on the institutions would probably be interpreted by many European citizens as a provocation. With the climate reigning today, who can seriously believe that a crucial new text would ever be unanimously ratified? And how can we negotiate with one major member country, namely the United Kingdom, deliberately allowing an existential question mark to dangle over its ongoing participation in the common enterprise? Setting negotiations of that kind in motion would be just as absurd, in the present circumstances, as ruling them out forever.

This Study conducted by António Vitorino, the president of the Notre Europe – Jacques Delors Institute, and by Yves Bertoncini, the Institute's director, attempts to come up with a reply to this apparent contradiction. The anthology contains a collection of essays published by the Jacques Delors Institute over

the past few months, taking their cue from the consideration that the issues raised by the institutions' functioning, by European governance, by the division of areas of authority and by decision-making democracy can find political answers which do not require a modification of the treaties.

The authors make a highly instructive effort to clarify the confusion reigning at the grass-roots level over concepts, names and figures. Their work is particularly useful when it addresses the governance of the Economic and Monetary Union. The measures adopted, often piecemeal, under the urgency and the pressure of events, need to be put into proper perspective. That perspective is achieved here, in particular, by drawing a parallel with the practices adopted by other institutions such as the IMF, the OECD, the United Nations or the World Bank. The difference between a country's having to achieve results by specific means and simply having to achieve results without the means being specified becomes clearer. The relationship between solvency and sovereignty also becomes clearer. We all know that the crisis has led to the transfer of areas of competences at the European level, but it is a beneficial exercise to gauge that transfer's exact scope, which varies in each case.

Other considerations address what we might call the institutions' own internal discipline. Would it not be beneficial for the Commission to reflect, further down the road, on subsidiarity and on the *de minimis* principle? Had it done so, it might have been possible to avoid ruling on the curve of the cucumber. And would it not be beneficial for the European Parliament to focus on legislating? For it to avoid voting on issues which, however important they may be, in actual fact lie well outside the Union's brief? We might have been better off without resolutions on same-sex marriage or abortion, for instance. And would it not be beneficial also for the Council to impart greater transparency to its decision-making process? Or for it maybe to ponder the question of whether a rotating duty presidency really is the best solution in the light of its now considerable number of members?

Ever since the Cecchini Report in 1988 we have known that "non-Europe" has an economic cost, and that we can even quantify that cost. The authors of this Study, whose pro-European convictions are common knowledge, now tell us that "too much Europe" can have a political cost, fuelling incomprehension and rejection. That is a useful addition to our debate.

Clarification of the real situation and of the issues at stake, a reflection on the spirit which needs to underpin the institutions' functioning, and a consistent use (particularly for the EMU) of the flexibility and differentiation clauses which already exist in the treaty would all allow us to move much further ahead. It will probably be beneficial to make a few changes to the treaty at some point in the future. But in the meantime, we need to explain things better and to operate better. That is the only way to win back people's dropping confidence, and maybe even to rediscover the dream to which Jean-Claude Juncker alluded when he addressed the European Parliament in July, a dream which is part and parcel of our inheritance.

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