



If It Dies, C'est La Vie

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The French vote today on whether to OK the European Union's draft constitution, and if they say no, as most opinion polls indicate, the document will be effectively killed. Big deal?

That one can even ask such a question when constitutional matters are on the table is remarkable. It also touches on the core problem with the proposed constitution: Both supporters and critics are all over the map as to why – or even if – it is important. With good reason. The new constitution will never be great literature. It has 448 articles, in contrast with the U.S. Constitution's seven. It drones on for hundreds of pages and is 4 inches thick in standard type. Substantively, it is full of potential contradictions, the result of everyone on Europe's political spectrum having had a say in its drafting.

The constitution is variously regarded as:

- a mere codification and streamlining of the existing EU order;
- the foundation for a stronger, more cohesive union;
- the death knell of nation-state sovereignty;
- the imposition of a Franco-German social welfare system;
- the establishment of an Anglo-American regime of hyper-capitalism.

The result is a draft constitution that few love, many fault and even fewer understand.

The foreign policy implications of a "no" vote in France are just as unclear. One account holds that if the French reject the constitution and thus block its adoption, a crisis of faith will spread throughout Europe as the great ex-

periment in European integration comes to a halt. The most extreme analysis says that failure to move forward on the constitutional front will revive the dangerous nationalism of Europe's bloody past. This anxiety is way overblown. Europe is no longer a collection of nation-states but rather of liberal democracies, most of which are allied with each other and the United States.

The more sensible worry is that a French "no" will usher in a period of European introversion and declining interest in working with the U.S. on such matters as integrating Turkey or Ukraine into Europe. One of the constitution's features is a nonrotating EU president and foreign minister that, the pro-constitution argument goes, would provide the U.S. with a more effective partner on the world stage.

It is unlikely, however, that the EU, even if the constitution goes down, would – or could – ignore Ukraine or Turkey for long. Turkey's prospects for EU membership would decline considerably if the French vote no, but that would require Brussels to redouble its outreach to Ankara to prevent an even greater crisis on Europe's rim. And although a new, streamlined foreign policy bureaucracy, a possibility under the proposed document, might make the EU a more coherent global actor, the new constitution would do little to change the underlying, consensus-driven process that marks key EU foreign policy decisions. The EU's might be the louder voice, but its words would be no different.

The Netherlands will vote on the constitution Wednesday, and polls show

even less support for it there than in France. Meanwhile, upcoming votes in the Czech Republic, Poland, Denmark and, most important, Britain could result in additional nos.

But as longtime observers of Europe are fond of pointing out, European political elites have always found ways to keep their integration dreams moving along. They have done so by keeping their ultimate goal fuzzy while contending that any new arrangements would not fundamentally change the EU's character. There's a limit to that strategy. As German Foreign Minister Joschka Fischer said in a May 2000 speech, the contradiction between what the European Union had become (and would probably become) and the political arrangements that could give it democratic legitimacy was increasingly unsustainable. But the European elites that created the problem – and that recently expanded the EU from 15 to 25 members without consulting the public – have not found a way to write a constitution to solve it.

Commentators here and in France have belittled French opponents of the constitution as "know-nothings" – partisans with exaggerated fears of immigration, globalization and Gaullist decline. There is some truth to that characterization. But these French "know-nothings" know something important: It matters whether citizens can control the government that controls them.

If the EU constitution goes down in flames, Europe's political elites would do well to remind themselves of that simple but profound point as they decide their next course.

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