

ANOTHER ANGLE

By Kalypso Nicolaïdis

Should there be life after death for the European constitutional project?

According to myth, it is the path to the Grail that matters. So for the quest for a new European narrative. And like the rest of us, politicians only live once: they must dare.

Angela Merkel will be faced with enormous pressures to deliver some kind of resurrection of the constitution during the German presidency, perhaps in its last six weeks after the French presidential elections next May. She must resist such pressures.

The belief that a few cosmetic adjustments to the text, such as a declaration on the EU's social goals, could make misguided publics vote the right way a second time round is illusionary. Even if they did, how sad and lacking in ambition if Europe's first constitution were to be passed with the narrowest of majorities, by coercive popular re-votes or discrete parliamentary votes, and against wide pluralities of European citizens and a general lack of pride and enthusiasm.

This does not mean giving up on the idea. The opinion polls tell us that an overwhelming majority of Europeans think the EU needs a constitution – not that it needs *this* constitution. In fact, the prevailing mood among European publics seems to be: can't we do better? Even if 'better' obviously means different things to different people, we can.

If Plan B truly did not exist at the time of the referendum, we must now invent it. Perhaps first by renaming the constitution so that it sounds less like an exercise in state-building – say as a 'charter' or 'constitutional charter'. Certainly by keeping the best in the defunct draft but emphasising two other crucial 'B's: beauty – a memorable text – and balance – between geographic, social and cultural sensitivities.

Most importantly, if 'making it our own' is to be the motto of their constituents, politicians must 'give time to time' and resist the temptation to play Russian roulette with the idea of a constitution. The 2009 European Parliament elections should not be the end game – a vote on a text – but a starting point: a campaign about what is to be done.

In the meantime, why should EU leaders rush to adopt a 'mini-treaty' as Nicolas Sarkozy and others have suggested? Whatever we may think of referenda, we cannot now act as if they had not happened, even if only part of the original text were sneaked through that way. Nor is it clear that the institutional reforms envisaged are as urgent as claimed. After all, the Union of the Nice Treaty has not ground to a halt. Moreover, smaller member states only agreed to innovations like a Council president as part of a broader constitutional umbrella. If there is to be cherry-picking, let it be to salvage the constitution's consensual, democracy-enhancing provisions.

What we need instead of a pre-constitutional treaty is a period of targeted politicisation. Public debates around the EU should channel contestation into participation, embed Europe in domestic politics and link policy debates with grand constitutional ideas.

A profound political message could be the heart of next year's planned declaration to celebrate the Union's 50th anniversary: that the project is now mature enough to truly foster a new and active European citizenship for the twenty-first century, one which will not be constituted by a text but rather will shape the content of that text and the process of its adoption.

We will continue to have lots of debates about the Debate, about whether we face an information or communication deficit, or whether it is OK or lethal for the EU to remain boring. Initiatives linked to the Commission's 'Plan D', such as



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deliberative polling or the recent European citizens' consultation process will proliferate and continue to elicit both enthusiastic and cynical responses.

Perhaps here too, European politicians must think bigger. Let us dare try to foster a European public space on a different scale, more spectacular and fun than anything we have seen before – through the creation, for instance, of a huge annual festival, the Woodstock of European politics. After all, if the Union is hovering between crisis and renewal, no less than a gigantic song and dance can reconcile it with its new generations.