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BEGELEIDENDE NOTA

van: het secretariaat

aan: de Conventie

Betreft: Bijdrage van de heer Lamassoure, lid van de Conventie:
"De Europese Unie: vier mogelijke modellen"

De secretaris-generaal van de Conventie heeft van de heer Lamassoure, lid van de Conventie,
bijgaande bijdrage ontvangen.

THE EUROPEAN UNION: FOUR POSSIBLE MODELS

The debate on the institutional architecture of the Union is still an argument between those who defend the Community role of the European Commission and those who favour the supremacy of the Council. Yet the first few months of the Convention proceedings have shown that the problem could no longer be stated in those terms. While there is no doubt that fifty years' experience of life in the Community constitutes an irreplaceable heritage, the debate between the advocates of federalism and sovereignty has been rekindled by three radical changes confronting Europe at the beginning of the twenty-first century.

The first major change has been *the revolution of history*.

The infant Europe of Six was the offspring of the Second World War, born during the Cold War. Half a century later, reconciliation between the enemies of 1945 is a long-established fact, the former Cold War adversaries have been brought together by the North Atlantic Alliance, while Africa and Asia have shaken off the ties of European colonialism but are claiming full membership of a world whose total population has trebled. At the same time, we are coming within sight of the end of the European adventure upon which we embarked in 1950: the borders of the Union will soon coincide with the borders of the European continent, and, after half a century of living together, we now have a clearer idea of the powers that we can reasonably and sustainably exercise jointly. And so **Europe is finally glimpsing the possibility of escaping from the provisional status** that has been a characteristic of its long process of growing up, from deepening to enlargement, **at an average rate of one treaty every three years! The time has come either to conclude the final treaty or to embark upon a different process: the process of producing the Constitution of the European Union.** In both cases, our relationship to history will change.

And that revolution has been further enriched by the *revolution of numbers*. The institutions we have retained since 1957 were designed for the little 'Common Market' of the six founding States. Around that table, unanimity was not too difficult to achieve. But with twenty-five or thirty members, to require unanimity would be a commitment to inaction. That applies to political decisions, to the drafting of laws, and to the institutional reforms themselves.

Similarly, when it was created, the European Council was the size of a chamber orchestra: it was sufficient for one of the players (or two – the Franco-German duo) to sound the keynote and harmony was guaranteed. But now the Council is to become something more like a symphony orchestra, and will need a proper conductor.

Thus, whatever the philosophy adopted, this change in numbers is in itself sufficient to compel the Union to adopt the majority decision procedure and create an executive power – a President, a ‘Mr Europe’ or ‘Mrs Europe’.

Finally, the time is ripe for *the revolution of the people*. Hitherto, Europe has been able to come together almost without reference to its peoples. That does not mean, of course, that it has come together despite them, as some would have it: if that had been the case, the adventure would have come to an end long ago. Time after time, the six-monthly ‘eurobarometers’ actually confirm that, in most States of the Union, public opinion is somewhat more europhile than the governments. And yet public opinion has hardly been consulted: events have taken place as if European construction, and even the functioning of the Community authorities, had been hijacked by a specialised ruling class.

Those days are over. The new founding text that will emerge from the proceedings of the Convention will be impossible to ratify in a great many Member States – France, for one – without recourse to a referendum. The muted, not to say hostile, reception given to the previous treaties of Maastricht and Nice in countries where the people were consulted makes it essential that we should ensure, this time, that the texts are clear, the procedures straightforward and the nature of the proposed institutions democratic. **The Union will be democratic or it will not survive.**

And so the problem confronting the Convention is this. Bearing in mind the experience of half a century of Europe as a Community, and bearing in mind these new situations, how are we to plan a large-scale European organisation that will enable some thirty States to act together, effectively and democratically, in exercising the full range of powers envisaged by the present Treaties? We will take it as a working hypothesis, and a likely one at this stage, that that range of powers will not be radically called into question.

To clarify the terms of the debate, it seems logical to compare four conceivable broad types of organisation. There are two extreme models: confederal and federal. And there are two possible comprises: a combination of the two, or a different approach to the Community model.

THE EUROPE OF STATES: THE CONFEDERAL MODEL

For those whose overriding concern is the preservation not merely of sovereignty but of the dominant role of the nation state, the Union should be a sort of cooperative of states. How would that work out for the enlarged Europe, taking due account of the ‘three revolutions’?

Even if it is given the name of ‘constitution’, the founding text of the Union will still be an international treaty.

The European Council will exercise the supreme political authority. It will provide the stimulus, lay down the broad guidance and determine the timetable. In the event of conflict with Parliament, it is the Council that will have the last word. Above all, it will be the main source of legitimacy for the executive organ or organs of the Union.

The executive function will be vested in a corporate body representing the national executives. If it is to be effective, this function will have to be exercised full-time and in a single place. That means that each government will appoint one of its members to be based in Brussels and provide weekly reports on its activities. In other words, **one of the formations of the European Council of Ministers will become ... a true Council of Ministers for Europe.**

This arrangement will pose unprecedented problems:

- Under this system, the number of European ‘ministers’ or ‘envoys’ would depend, by definition, on the number of Member States. This prospect, which would be both administratively and politically unacceptable (for example, there would be three members for the Baltic states and only one German), was previously responsible for the limitation on the number of members of the Commission introduced in the Treaty of Nice. But how would it be possible, in an intergovernmental model, for some governments not to be represented? Or, conversely, for some to be better represented than others? We would be back with the **explosive issue that divided the Union in Nice, setting the ‘small’ States against the ‘big’, but magnified tenfold**: since the purely intergovernmental system calls for the Commission to take a back seat, or even to disappear altogether, the composition of the executive will be the subject of fierce negotiation. And that negotiation will recur at regular intervals when portfolios are redistributed.

- **How can overall political cohesion be ensured?** An executive needs at least a minimum of team spirit. Yet, by definition, its members would come from different political groupings, groupings that are deeply divided in all the other national and European political institutions, and sometimes even at odds over the Union’s philosophy. And, once this European executive had been formed, how would its composition change under the influence of the vicissitudes of national politics? The logical thing would be for a change in the majority within a country to be reflected by the replacement of that country’s ‘minister’ in Brussels. But in that case, the executive would never achieve stability.

- Which raises the question of the **political control of that executive**. Will it be a matter for the European Parliament? That would be contrary to the philosophy of an intergovernmental system. Or the European Council? That is hard to conceive in practice, from the point where each member of the Council appoints ‘his’ member of the executive.

- Finally, **who would speak in the common interest?** With this model, after all, the Commission would cease to exist as an independent institution: its services would be subject, directly or otherwise, to the superior authority of the Council.

Would it be the President of the executive? How would he be selected, for how long would he serve, and to whom would he be accountable? If he has legitimacy in his own right, how could he perform his duties with ‘ministers’ whom he has not selected? That is the problem already confronting the President of the Commission in the present system.

Assuming that agreement could be reached on the answers to such formidable and novel questions, this institutional system would still be open to serious objections:

- **The overall architecture would be complex, and ambiguous.** At the top would be the *European Council*, with collective sovereignty. Then *the executive*, with its *President*. This full-time executive would not eliminate the existing manifestations of the European ‘*Council of Ministers*’, which would still be needed to coordinate national policies, as they are today. A *Chamber of States*, associating the Member States with the legislative work of the Community, and emanating, as it does today, from the Council or the national parliaments. The *European Parliament*. And, perhaps, what would be more or less a rump *Commission*. Anyone unfamiliar with this structure would have great difficulty in finding his way around it. ...

- **The common interest would be seriously underrepresented.** In which case, a principle that is fundamental to European integration as a whole would be disregarded. The unhappy experience of the Schengen Executive Committee, deprived as it was of any political secretariat, was sufficient to convince everyone that the apparatus should be ‘communitised’. More recently, the institution of the High Representative for CFSP and the comparable projects relating to a ‘Mr Euro’ or ‘Mr Security’ have confirmed that European nature abhors the Community vacuum.

- Public accountability would be non-existent. Paradoxically, **the system would actually guarantee that the real decision-makers (the executive and the chamber of states) were out of reach of the public.** It would be very difficult to defend in a popular referendum.

- Finally, **the decision-making procedure would be a highly conflictual one.** Not only would the unanimous decision rule no longer be tenable, in view of the number of members, but majority voting within the Council would also suffer from a major drawback: by definition, it emphasises national differences of opinion, and sometimes tends even to exacerbate them. If the supreme authority is made up of representatives of the national governments, that means that the whole of France is voting for or against a measure, and the same applies to our partners. After a sensitive

vote, the leadership and press of a 'victorious' country, one that has voted with the majority, will tend to exploit the result to show their country in a good light; conversely, the 'defeated' minority will express their resentment, which, after a few votes have gone against them, may degenerate into humiliation. Whereas, by contrast, scrutiny and voting by a parliamentary institution is a procedure calculated to tone down national antagonisms: in the European Parliament, political divisions usually carry the day, and it is rare indeed for all members from a single country to vote the same way.

To summarize, the 'pure' confederal model does not meet the needs of today's Europe. It would be a retrograde step in terms of the spirit of the Community. Not only that, but the present state of the European Union is an accepted starting-point for the twenty-eight States represented at the Convention: for some, because they are already members of the Union, and for the remainder because they hope to join it, having incorporated the *acquis communautaire* and having accepted the interplay of institutions, the criteria defined at Copenhagen and the mandate given to the Convention by the Laeken European Council. **Positions may differ regarding the reforms to be introduced, but no one has suggested any reduction in the level of integration.**

THE FEDERAL MODEL

This is the opposite model. What would it look like if it was applied to the Europe of today?

In this case, the founding text will be a Constitution.

The Union will be a sovereign entity. Whether that sovereignty is acknowledged *ab initio* by the Constitution or whether it is regarded as being delegated by the constituent States is a minor point: outside the Union, international organisations and third countries will in future recognise only the Union as a whole, not its members; and within the Union, the result of any referendum will be calculated for the Union as a whole and not (or not exclusively) State by State.

Membership of the Union will be open to all, but, once a State has become a member, it will be a member for ever. Each Member State will have the same rights and duties (as in the American or German system): the Spanish model of pick-and-mix autonomy, under which each of the regions enjoys different powers, would certainly be difficult to transpose to the continental scale.

The legislative power will be shared between a *people's chamber*, representing the citizens, and a *chamber of States*. The former will automatically have the last word over the latter.

The supreme authority of the Union will be its President. Depending on whether the system selected is presidential or parliamentary, the President will exercise the principal executive responsibility

(the American model) or will settle for a purely formal role (the model favoured by the majority of European states). Since it is inconceivable that he will be elected by universal suffrage, at least in the short term, the President will be elected by the European Council or by an *ad hoc* parliamentary congress.

If preference is given to the parliamentary model, the head of the executive will be a Prime Minister, elected at least by the European Parliament alone, or even by Parliament and the European Council. He will then be able to be called to account by the institution or institutions that have appointed him. He will form his government team as he sees fit, on the basis of the political majority that supports him.

The Commission, in its present form, will disappear. Its services will come under the authority of the European executive. Some of its departments, such as those dealing with competition, will become autonomous or even independent federal agencies. Throughout Europe, the Union will have local services to administer its policies; federal civil servants will number hundreds of thousands (as compared with a mere 40 000 or so today).

Failure to abide by European law will incur penalties under Community criminal law. The Court of Justice will be promoted to a Supreme Court, hearing appeals from the courts of the Member States.

The legal powers of the Union will be supplemented by budgetary powers in the same areas, resulting in a change of scale of the Community budget, and centralised administrative resources.

For the media and the public, the principal forum of debate and political decision will inevitably become the Union, rather than the nation state. The flag, the army, the national anthem and citizenship of the Union will become the strongest symbols of identity. Many sports and artistic events will abandon the framework of the European 'Nations' for that of the European continent. A common culture will tend to emerge in the language(s) of communication, works of art, social relationships, lifestyles, fashions, etc.

In a word, we will be living in the 'United States of Europe'.

That description immediately poses a question: is public opinion ready for this? Will something that was impossible between the Six – at the height of the Cold War, when we were bound together by the powerful adhesive of a common foe – sit more comfortably among thirty widely diverse countries that have no enemies?

While the 'eurobarometers' show that, considered individually, most of the above arrangements would enjoy majority support, there is no certainty that the complete package would be accepted

without demur. Nor can we be sure that an initially favourable balance of opinion might not fall prey to an accident along the way.

The natural tendency of national governments to make 'Brussels' a scapegoat can only increase when the Union has acquired a genuine executive of its own, distinct from them. Initially unknown to the general public outside his country of origin, speaking a foreign language and representing the incarnation of a power of prohibition (the essential function of the Union will be the making of rules), 'Mr Europe' will always seem more remote than national or local leaders, who, for their part, enjoy the permanent support of their media and incomparably greater powers to bestow financial blessings. Will he come from one of the larger countries? If so, he will seem to be the instrument of an intolerable quest for supremacy. But if not, his claim to speak for an entire continent will be laughed to scorn.

Finally, we do not have – or do not yet have – a European public forum. It is television that shapes the public mind today, and all our television services are parochial, frequently chauvinistic and in some cases nationalistic.

That is why caution today suggests that the 'pure' federal model is inadvisable.

THE COMPROMISE OF COMBINATION

The guideline here is to seek a compromise between the federal and confederal approaches. **Not so much a middle way as a combination of the two.** Why?

The first few months of debate at the Convention have confirmed that there is a fairly strong aversion to the idea of simply applying the traditional 'Community method' to the new policies for which the Maastricht Treaty has provided *ad hoc* procedures (the 'pillars').

That could lead to **a fundamental distinction between the *internal policies* and the *external relations* of the Union.**

As far as internal policies are concerned, it is indefensible to apply procedures to European legislation that are as a matter of course less democratic than those applied to national legislation. The French Council of State believes that more than half of the new rules which the French are required to obey are now decided upon in Brussels and Strasbourg, and no longer in the *Assemblée Nationale* – and the proportion must be similar in the other Member States. As things stand at present, then, any transfer of powers to the Union is seen by the citizen not only in terms of geographical remoteness but also as representing a loss of information, comprehension, influence, and, ultimately, power. Whether European, national or regional, laws should be drafted by the

elected representatives of those to whom they apply, on the basis of proposals put forward by an authority that takes full political responsibility for them – an executive authority. That is the ABC of democracy.

On the other hand, as far as external relations are concerned, joint action by a union of States as original as ours may perhaps need to pass through a shared learning curve. It would be a provisional phase, but could be a fairly long one, as happened with the European Monetary System, the success and limitations of which had a very important educational value. In other words, external relations would remain under the close control of national governments and would have their own structures, separate in some cases from the internal policy structures.

And so we can think in terms of a diarchy.

For internal policies, the executive power would lie with the Commission. All legislation would be subject to the codecision procedure, meaning dual approval by the European Parliament and the Council of Ministers, **Parliament having the last word in the event of conflict with the Council.** The Commission and/or its President would be politically accountable to Parliament alone.

On the other hand, in external relations, security and defence, the Council would have the last word. The executive function here – proposal, representation, coordination, control of implementation – **would lie with a *secretary for external affairs*.** The resources currently administered by the Commission in the field of external relations, including development aid, would come under his control. He would be accountable to the European Council alone.

The Commission, however, would retain its external competences in the field of trade relations, and those relating to its internal powers, such as the environment: everybody admires the way in which the Commission has defended the Union's common interests in its dealings with the World Trade Organization and in the major negotiations on sustainable development. It would be absurd to change a system that is working.

This is quite an attractive comprise formula for those in the know. It has the merit of being a highly logical one: it is reasonable to give those elected by the public the last word in deciding on the rules that are to be imposed on the public; similarly, it is good governance to position external policy where it cannot be disrupted by the vicissitudes of internal policy. **But it would be wrong to conceal its disadvantages and limitations:**

- A system of this kind is an incentive to **permanent competition between the two executives**, the powers of which overlap fatally, although their respective legitimacies originate, in part, from different sources. Present relations between the High Representative and the Commissioner for

External Relations already suffer from the same internal flaw: and that conflict would, as it were, become institutionalised at the higher level.

There is one form of corrective action that might alleviate this inherent flaw. If action cannot be unified, it could at least be made consistent through the device of budgetary unity. It would be possible to redefine the list of items of expenditure decided upon by the Council (and referred to as ‘compulsory’), which would be the external policy appropriations, and the ‘non-compulsory’ expenditure decided upon by Parliament (all the others). There would also be a requirement that Council and Parliament should agree on the final vote on the budget – as they do in current practice. Together with the power to ratify treaties, this would also provide the basis for a minimum of parliamentary control over external relations.

- **The public has no control over any part of the foreign policy decision process**, and the overall architecture is complex.

- Finally, **the duopoly would be viable only if there were a supreme arbitrator in the event of conflict. Which arbitrator?**

The European Council itself? A body comprising some thirty members and meeting intermittently will be in no position to take responsibility for swift decisions.

A permanent offshoot of the Council? States not represented on it would regard it as an intolerable throwback to the *Directoire* of the 1790s.

The President of the Council alone? Here we would be opening a different Pandora’s box: would this super-president be a mere arbitrator or would he have superior authority over one of the executives – or even both? If so, he would become the kingpin of the system, and the whole logical basis of that system would change.

Overall, this ‘cumulative compromise’, which in some ways recalls the United Provinces in the age of the Grand Pensionary and the Stathouder General, may appear attractive even though (or because) it is unstable. **It can only be conceived in a context of further change.**

THE COMMUNITY MODEL

If preference is to be given to consistency, continuity and simplicity, a better place to look for compromise would be in **an improved and recast Community model. The key here would be to dispense with the diarchy phase, moving straight ahead to the principle of the single executive.** An executive controlled and symbolised by one person. An executive with a democratic

legitimacy equivalent to that of the heads of national governments.

If we develop the original Community model along those lines, we come up with the following system.

The founding text will be a constitutional treaty.

The institutions will be of the Community type. The Council will decide by majority vote and Parliament will have a legislative power of codecision. The European budget will be financed out of its own resources instead of national contributions, as at present.

It will not be possible for the head of the executive ('Mr Europe') to be elected by direct universal suffrage: even assuming that every country accepted this, the practical problem of languages would make it a remote prospect. Nor can he be elected 'only' by the heads of government: this prestigious but highly select electoral college would turn the office into that of a club chairman rather than a democratic leader.

There are three conceivable systems of democratic appointment: election by the European Parliament alone, a dual investiture by Parliament and the Council, and election by a congress representing the national parliaments. Dual investiture would make it possible to reconcile the two possible sources of legitimacy (the national governments and the elected representatives of the people), and would be completely compatible with the retention of different rules governing decisions on external relations and on internal policies – the Council having the last word in the former instance and Parliament in the latter.

This president will assemble his team as he sees fit, in order to secure the confidence of those who appoint him, and the administrative services of the Union will be placed under his authority. National quotas within the Community civil service will be retained.

How many members would the European executive ideally have? We should be wary of carving the number in a tablet of stone! It is no coincidence that none of the national constitutions of the present Member States specifies how many members should form the government. Some presidents will want to have a close-knit team. Others will be more interested in broadening their political and/or geographical power base. In any case, running a population of 500 million spread over some thirty different countries would be more likely to call for a large team in touch with the national and regional capitals. A distinction might be made, within the government, between genuinely executive functions, of which there would not be very many, and tasks involving relations and communication with the Member States and civil society, which could be entrusted to officials equivalent to French secretaries of state. In that case, it would not be very difficult to ensure that all nationalities were

represented within the body as a whole – if that really did appear necessary.

Community or federal?

There are several obvious differences between a conventional federal system and this *sui generis* Community model. If it were to function properly, the Community model would, or at least could, comprise the following additional characteristics:

- Constituent authority resides with the Member States.
- Basic power also resides with the Member States. In particular, they retain full control of their national constitutions and their own internal organisation.
- The means of intervention open to the Union, in its dealings with the Member States, are highly diversified: alongside issues that it deals with directly (decisions, regulations) the Union can adopt framework texts (directives and framework directives), recommendations, common positions, etc. It has an original, mandatory power of coordination over purely national policies (economic and employment policies).
- The Union has an executive but no individual head of state. The European Council collectively would be the head of state.
- The right to withdrawal is enshrined in the constitution. It is subject to strict and deterrent conditions, but every State is acknowledged to hold that right at all times.
- The body representing the States, derived from the present Council, combines two roles, represented by two types of meeting (and possibly of formation): a legislative function, where it can operate like the German *Bundesrat*, and a function of coordinating the national executives, extending into fields that are not within the Union's remit but where the Member States may have an interest in exchanging information and acting in concert.
- All the national languages are recognised as official languages of the Union.
- One enormous difference: the size of the budget. Whereas the upper limit in conventional federal States represents about 50% of total public spending, the present European Union functions by taking little more than 1% of GDP, which represents, on average, less than 3% of the public spending of the Member States.
- Similarly, the Community authorities are reduced to specific and limited functions.

- The Community judicial authority comprises a Constitutional Court, for resolving conflicts of jurisdiction, but not a Supreme Court responsible for unifying civil, criminal and administrative law throughout the Union.

These differences would remove the sting from the criticisms levelled by those who reject the concept of the ‘superstate’. The fact remains that the Community model, with a democratic executive, will not be readily accepted by all States that are members of the Convention. To have credibility, **it will certainly have to be flanked by an alternative proposal for those States that would not accept it immediately; at least one provisional abstention clause**, comparable to that which has enabled three States to defer their participation in monetary union.

A FEW LESSONS OF THE EXERCISE

One of the merits of this exercise is to demonstrate that a relatively large number of points are common to all models.

1. The existence of a legislative power shared between the People’s Chamber (the present European Parliament) and the Chamber of States (the present Council of Ministers). In the intergovernmental alternative, the last word would more willingly be allowed to the Council, but the existence and function of the European Parliament are difficult to challenge.

The same applies, conversely, to the need to improve the democratic legitimacy of the European Parliament by providing it with an incontestable method of scrutiny. The Regulation adopted in June 2002 is a step in that direction.

2. The choice of a majority voting system for the Council. This is the ‘mathematical’ consequence of the increase in the number of members.

3. Similarly, and for the same reason, the need for a European executive. Its name, the source of its legitimacy, the way in which its members are appointed, its political accountability and even the extent of its role may vary from model to model. But the need for an authority that *defines the common interest, makes proposals, coordinates and monitors application* is obvious.

4. Whichever hypothesis is adopted, **the reform of the Commission cannot be dispensed with**. The composition envisaged by the Treaty of Nice – one Commissioner for each State – is not viable; its effect would be to change the political nature of the institution, which would duplicate the work of the Council.

Above all, though, it must be clearly realised that any democratic legitimacy vested in the Commission or its President (for example, by a parliamentary election) will amount to changing the nature of the institution. It will then become a reflection of the views of a political majority, to which it will be accountable. That is the price to be paid for allowing Europe to be taken over by its citizens: those who run it must be brought within range of their ballot papers.

5. Similarly, the time has come to realise that **with thirty members, the nature of the European Council itself will change**. It will, after all, be as large as the General Assembly of the League of Nations in the 1920s! An assembly of this composition and format can provide ideas, and general guidelines, but it can no longer claim to be permanently at the helm of the ship. To make a comparison with company law, it will be able to serve as the Supervisory Board but no longer as the Executive Board.

At the same time, the problem of the presidency of the European Council would evaporate. The fact is that the real political problem concerns the head of the executive. If the Council cannot be identified with the executive, the choice of its presidency is of no more than formal importance.

And that is why the long-standing debate, which continues because it has become a matter of routine, between the ‘supporters’ of the Commission and the defenders of the Council is absolutely obsolete. We are no longer talking about the same things.

6. The choice between these various models is not, ultimately, particularly dependent on the distribution of powers that will be decided upon in advance by the Convention. Whether or not some areas of agricultural policy are restored to the sphere of the Member States, whether the common foreign policy applies to Africa or not, whether the protection of the external borders is or is not entrusted to a Community police force – these things will have little effect on the problems of the institutions.

7. In the course of this discussion, another self-explanatory yet concealed fact has come to light: **the need to combine the *principle of subsidiarity* and the *Community spirit***.

In any collective enterprise there are some ground rules which, in themselves, lead towards union and others that foster divisions: **there are ‘irritating rules’**, just as there are irritating subjects. We saw this earlier in connection with the voting system for the Council of Ministers, and there are plenty of other cases.

For example the present system of financing the Community budget is an incentive to conflicts of self-interest: it is based on contributions for each country, calculated as a proportion of each

country's gross domestic product. Naturally enough, this simple rule induces every head of government to behave like Margaret Thatcher, comparing what she has paid into the kitty with what she has taken out, and saying, 'I want my money back.' On the other hand, if the Union is allowed to turn directly to the 'real' taxpayers, natural persons or undertakings, by transferring to the Union some or all of a massive tax revenue which is today gathered at national level, there will no longer be anyone wanting to know exactly where the money came from.

The existence of 'unifying rules', in preference to 'irritating rules', will be even more necessary in the enlarged Europe of thirty. We are asking the candidate States to apply the *acquis communautaire*, in other words the few thousand legislative instruments that form the legal basis of the Union. But the most valuable aspects of our Community adventure are unwritten: the habit of working together, the fabric of trust woven day by day, the habit of listening to others, the quest for a lasting compromise, the method of collective debate conducted in several languages, the exhausting practice of marathon negotiations, the emergence of new forms of solidarity to be superposed on national forms, the amazing discovery that the output of this inevitably complex machinery is generally better than the most brilliant individual decision, etc. In other words, the art of living together. It is that peaceful miracle that prompts the citizens of France uncomplainingly to accept decisions made by an authority with a foreign majority, whose members include the representatives of all our 'hereditary enemies'.

And that is why we must ensure that a balance is struck between the **principle of subsidiarity**, the effect of which is that as many powers as possible are delegated to levels as close as possible to the citizen, meaning away from Brussels, and the **Community spirit**, whose purpose is to unite us firmly behind anything we want to undertake together.

The operating rules are not everything. The European vehicle has always needed a primary energy source. The political intent of governments has long played a crucial role. In a Europe of thirty members, no one would imagine that one state or one group of states could exercise *de facto* leadership. It is no part of the purpose of the European Parliament to play that role, while the Council will have become too large. **The engine, then, can only be the European executive, provided that it enjoys genuine popular legitimacy.** That is the normal end result of the 'revolution of the people'. It is the ordinary situation in any political body: the mayor within the local authority, the president of the region or the head of state or government provides the stimulus and conducts the action, buoyed up by the support of his electorate. The enlarged Europe will need a powerful engine, driven by the energy of 500 million citizens.

Alain Lamassoure