

Arguments

against the EU Constitution

This series will provide a range of “neutral” arguments against the EU Constitution. Neutral in this context means, that it will try to take viewpoints which are independent of the “classical” ideologies - except the very basic principles of democracy. Therefore these arguments may be useful to all of you*.



Part 2

How the proposed Constitution pushes the EU towards a single state without legitimacy

There will be the United States of Europe...

Those politicians sympathetic to an “ever-closer”¹ European integration subscribe to the idea of integration taking the form of a series of small but significant steps², leading irreversibly towards the goal of a ‘United States of Europe.’ Like that European Union is transforming itself from a genuinely federal union into a unitary European state.

The new European Constitution is the most decisive step in that direction, a clear sign that the EU is becoming one state, not merely in a functional sense, but in an institutional sense. It has developed the institutions, powers, mechanisms, behaviour and habits of a state.

But without the citizens’ participation ...

With the proposed Constitution the ‘boundaries of integration’ have been overstepped, and the EU’s inherent democratic deficit is not solved but enshrined by it. The Constitution claims to “reflect the will of the citizens and States of Europe”³, but those citizens were barely consulted at all on the content of the document.

The democratic legitimacy; supposedly guaranteed by the elected members of the European Parliament; is seriously undermined by the European Court of Justice, which has illegitimately usurped much of its power.

The Court as a ‘motor of integration’⁴ drives the EU towards the integrationist dream of an economically and militarily powerful Europe, whilst giving little consideration to the real economic, political and social consequences this might have.

it will be a state without democratic legitimacy!

The ‘state’ created by the EU is in fact illegitimate, because this state has been created, developed and extended by an authority devoid of democratic legitimacy, with a minimum of popular participation. In the absence of this participation, the creation of a constitution and a European Union with many of the characteristics of a state cannot constitute the creation of a single European people.

¹ Preamble of the Charter of Fundamental rights: “The peoples of Europe, in creating an ever closer union among them, are resolved to share a peaceful future based on common values.” - ² Jean-Claude Juncker, Luxembourg PM: “We decide on something, leave it lying around and wait and see what happens. If no one kicks up a fuss, because most people don’t know what has been decided, we continue step by step until there is no turning back.” (Economist 24 Sept 2004) - ³ EU Constitution, Part I, Article I-1. “Reflecting the will of the citizens and States of Europe to build a common future, this Constitution establishes the European Union, on which the Member States confer competences to attain objectives they have in common.” - ⁴ The European Court of Justice traditionally defines itself as the motor of the EU integration which is responsible for the application and interpretation of the treaties.

NOTE: These arguments were collected from a paper of the eminent German academic Prof Karl Albrecht Schachtschneider. Please download a comprehensive summary of it at www.europeannocampaign.com/293.html