qualified majority vote was previously used. Moreover, the qualified majority vote procedure will become more complicated due to the new 3-step procedure. The requested percentage for qualified majority decisions will amount to 73.5%. A Council decision will also require the simple majority of Member States. And the third hurdle which must be overcome to reach a Council decision is that any Member State can apply that it be established that the majority represents 62% of the population. This so-called “demographic safety net” is just a further possibility for blocking decisions.

So it can clearly be seen that the summit has not achieved its goal of putting the European Union into the state of being ready for enlargement. As enlargement is a historical, political and economic “must”, we cannot accept a result that will lead to the long-term destruction of the European Union. It has to be assured that an EU of 27 Member States can still function.

For this reason, and considering the broader democratic deficit as well, I will advise the European Parliament to vote “no” when the report of the results of the Nice Summit is discussed in the plenary session in February 2001. A rejection of the Treaty will not lead to a delay of enlargement because there are several ways to avoid this scenario:

- When it turns out that the Treaty of Nice is not an applicable solution we will need a new round of negotiations. The earlier this new round starts the better.
- In the past the technical conditions for the accession of new states – such as the number of votes in the Council or seats in Parliament – have always been part of the accession treaties. This would also be profitable for the accession states as they could not be tricked.
- The imperative revision of the Community treaties (the so-called post-Nice process) with the simplification of the treaties, the incorporation of the Charter of Fundamental Rights as legally binding and the delimitation of competencies between the EU and the Member States could take place before 2004 and start immediately.

These alternative ways could also be varied. The argument that a rejection of the Nice Treaty would delay enlargement does not convince. Lasting structural mistakes should be abandoned soon because the chances of these being revised in a Union of 27 Member States will decline. Successful “post-Nice” and enlargement should soon become reality. We therefore need a better version of the Nice Treaty.

Jan Kulakowski*

Federation and a Wider Union
An Attempt to Respond to Joschka Fischer

My generation of Europeans experienced the tragedy of World War II and saw the devastation brought by communism. We also witnessed the success of European integration and participated in Poland’s Solidarity revolution, which finally resulted in the fall of communism and opened the path to the reunification of Germany and of the European continent.

I have been committed to the European integration process since the very beginning, since the fifties. Therefore I would like to put aside for a while my official hat of Poland’s chief negotiator with the European Union and speak not as a member of the government but rather as a committed European, just as Joschka Fischer, German minister of foreign affairs, did in his speech at the Humboldt University in Berlin. I want to consider Europe’s future, bearing in mind what I have seen in the past and what I am experiencing today. Moreover, I would also like to add my views on the Union’s enlargement process. I am convinced that slowing down the enlargement process in order to ponder first the ultimate destiny of Europe would in no way help in resolving the Union’s existential problems. It will simply delay finding “right” solutions.

Problems and Objectives of Integration

European integration has reached the goals which were set almost half a century ago in times of utmost
threat to European civilisation. After the hecatomb of World War II and under the threat of Soviet oppression, the nations of Western Europe managed to maintain the peace, and in particular to reconcile France and Germany. This was possible, however, at the price of the suppression of democracy and freedom in the other half of the continent by the communists. The Marshall Plan provided a financial stimulus and an incentive to the free part of Europe, whose economies recovered and experienced an unprecedented period of development in terms of both pace and duration. The American nuclear umbrella averted the menace of ultimate destruction. However, only the western part of Europe enjoyed the privileges of welfare and security.

The events of 1989 enabled the foundations to be laid for the political integration of the whole continent. The biggest challenge facing contemporary Europe is the enlargement of the Union, the natural consequence of these events. The "Community peace method" — this unique invention of Europe of the twentieth century — needs to cover the countries of Eastern and Central Europe as well. Perhaps the most difficult element of this challenge is the experience gap of the last half century. For Western society this was the time when it achieved stability and affluence. For Central Europe this was the time of departure from the mainstream of civilisation, and then the time of struggle to regain the right to democracy. For the whole of Europe this was the time when its global role was questioned.

However, the enterprising spirit of Europe has already awoken. The Union’s single market is a major achievement and a great success. Euro banknotes and coins will soon be circulating. Transparency of prices and competition across the whole single market will result. Business in the EU member states is profiting from the stability created by monetary union. During the last ten years the young, dynamic, well-educated and hungry-for-success entrepreneurs of Central Europe have proven their ability to adapt to new rules of competition. The economic dynamism of the countries in this region brings hope for a better future and it complements the activities of EU businessmen, who are entering the new Central European markets with increasing boldness. The accession of Central European countries to the EU will be the crown of those labours.

Yet, those labours are pursued alongside the objectives set by the founding fathers of Europe half a century ago — namely to establish "ever closer Union among the peoples of Europe". Under current circumstances those objectives still need to be pursued with due diligence — since nothing but integration of those nations, and cooperation with the USA, can guarantee peace in Europe. At the same time, however, new objectives need to be set today, ones to be endorsed also by the new EU members. Those new objectives will define the shape of Europe for the next half century. The European Union must take a lead in guiding the development of integration at the world level. It must play an even greater role in world institutions such as the WTO or the world environmental bodies. It cannot leave all crises for the United States to settle; at a minimum it must have the capacity to deal with security on the European continent. And there are many other new policy challenges for the Union, all of which result from the great success of the first 50 years of integration. In my view, a pre-condition for carrying those objectives into effect is a swift and efficient EU enlargement. It is also an opportunity to build sustainable foundations for political cooperation between Poland and Germany, which should complement the process of European reconciliation. Polish-German friendship and cooperation thus lie in the best interest of Europe as a whole.

The Future of Europe — Federation or Union

The European Union also faces dramatic problems internally. How far and how fast should further steps towards integration go? What relationship should there be between member states which wish to integrate further, and those which are more reticent? What is the role of the nation state in a federating Europe? These are all questions to which political elites in Europe are now turning. My hope is that these vital debates are held in the greatest openness, so that the charge of a democratic deficit cannot be held against the Union once again.

Against such a background, Joschka Fischer presented his concept of the future of Europe, which can be summed up in the words: "let's build a Federation". This proposal deserves several comments. As a convinced European, I think that federation is an obtainable goal of integration. However, the significant problem is how such federation is to be accomplished. I was provoked to think deeply about this concept by the Fischer speech and I am sure that he has done a great service to European integration by stimulating such deep consideration in all the European capitals.

His federal vision of Europe assumes the establishment of the institutions of government, of a parliament and of a president elected in direct elections. Those institutions would cover the group of those states which are ready for such a step. Flexible integration is to become the means to such an end. In the words of