


Transcription of the interview with Valéry Giscard d'Estaing (Paris, 17 November 2008)

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I. The origins of the Convention and the appointment of its Chairman

[Hervé Bribosia] Mr President, hello.

[Valéry Giscard d’Estaing] Hello.

[Hervé Bribosia] You have agreed to give us an account of the European Convention, which you chaired between February 2002 and July 2003, and whose work consisted of producing a draft Treaty establishing a Constitution for Europe. I should like to start by thanking you for agreeing to this interview, which will enrich the heritage of European NAVigator, the digital library dedicated to European integration, which is being developed by the Centre Virtuel de la Connaissance sur l’Europe in Luxembourg and is available on the Internet. Let us begin at the beginning, with the origins of the constitutional process that date back to around the year 1999, when the Cologne European Council decided that a Charter of Fundamental Rights should be drafted, this Charter being finally proclaimed at the Nice European Council.

[Valéry Giscard d’Estaing] That is correct but, as you know, there was a legal issue. It was proclaimed, but its legal force was not specified at that point.

[Hervé Bribosia] Absolutely. It was the Convention that was to take it up again. In the absence of satisfactory reform of the institutions, the Treaty of Nice was accompanied by a Declaration on the future of the Union. And in December 2001 the famous Laeken Declaration was adopted. Mr President, what memories of this initial period stay with you, and at what point did you begin to develop an interest in the nascent constitutional process? At what point did you imagine playing a personal part in this? Finally, what were the circumstances of your appointment as Chairman of the Convention?

[Valéry Giscard d’Estaing] I did not particularly follow the process from Nice to Laeken. I had seen that the Treaty of Nice was a bad treaty. I quite readily say that it was the worst of the European treaties, because it was a treaty that was intended to prepare for enlargement, as you know

— an enlargement was anticipated and was, indeed, in the process of being negotiated, and it was a treaty that made no changes to the institutions. Hence it made absolutely no preparations for enlargement and, in addition, it consolidated the aspects of European integration that were actually very negative. For example, the arrangements for voting rights in Council decisions, which were very unfavourable to Germany and too favourable to other countries, and hence made the system unbalanced. The treaty retained a Commission that already had far too many members and was destined to become even more unwieldy. So I could see that this treaty did nothing to resolve the problem. Then some work was done — I did not keep up to date with it — on the initiative of the Belgian Prime Minister, Guy Verhofstadt, who assembled a group which included the two future Vice-Chairmen of the Convention, Giuliano Amato and Jean-Luc Dehaene. I believe they worked in Brussels, more or less as a group, and they produced a document known as the Laeken Declaration, which the European Council approved in December 2001. It was actually a very good document, which very lucidly described the inadequacies and imperfections of the system in place at the time, and concluded that quite a few things needed to be changed and that the diplomatic-negotiation method had failed. And that is understandable, since diplomatic negotiation is, by virtue of its nature, national, which means that everyone either wins or loses. This is not how the European Union functions — it is a joint project, it is different. So it was not possible for this to achieve satisfactory results, and the idea of a convention was put forward, with some sketching out of its profile, since there were to be a chairman and two vice-chairmen, but this was not in the Laeken Declaration, it was in the Council Decision. The chairman was mentioned by name and the two vice-chairmen were also mentioned by name. The Praesidium was mentioned; perhaps we'll mention it in a minute when we talk about the working methods. An outline of the composition of the Convention was given. So I could see that people were going to try to do something. In the course of the previous year, in fact, two ideas were circulating. The idea of a convention was there, although not yet in any detail, but it was doing the rounds, and the idea of a committee of wise men — both these ideas. There would have been seven or eight wise men, but this would have been more difficult to organise, because who would these seven or eight wise men be, and what would they represent? What weight would their proposals have? To sum up, the convention route was chosen, and I believed that this was the better option. Well, at that point the question of who was to chair the Convention arose, and there was one person on whom everybody was more or less agreed, namely Mr Kok, who was the Dutch Prime Minister at the time. A man who was absolutely competent, familiar with European affairs, a moderate socialist — a European social democrat, in fact. OK, I told myself he was to be the one. Fine. And then for reasons of Dutch domestic politics, he ended up refusing, because the Dutch had elections the following spring and he wanted to lead his party in the elections. He could not combine chairing the European Convention, which involved an attitude of relative political neutrality, with leading his troops in the political battle in the Netherlands. So he stood down from the former. And it was at that point that I looked at the candidates and said to myself, 'Right, I want to be Chairman. I think I would be, in the conditional tense of course, preferable to the others.' For the other person under consideration was Amato. But the current President of the Commission was Mr Prodi, and we couldn't have two Italians, one as President of the Commission and the other as Chairman of the Convention. So it didn't seem to me that Mr Amato could be appointed, and so I began to say that I might be interested in this post. And I received support mainly from Schröder, from the Germans, and then from the British, Tony Blair, then finally from the Spanish, the others being fairly well-disposed. As for the French, their response was ambiguous, to say the least. Then, let me tell you how it happened, I called President Chirac and said, 'I'd be interested in this, I believe my experience could be helpful in finding a solution.' 'All right, I'll discuss it, I shall be seeing Schröder' — there was going to be a bilateral Franco-German meeting — 'I'll be seeing Schröder, I'll talk to him about it!' Then he called me back ten days later and said, 'Listen, frankly it's impossible, Schröder is completely opposed to the idea. Yes, completely opposed to it, to start with he says you are too old, that a younger man is needed, and then it was clear to me that he didn't like the idea.' So then I called Helmut Schmidt in Hamburg, and Helmut said he would go to see Schröder, that he was amazed

that Schröder had said that. Helmut Schmidt went to Berlin, which was to his credit as he wasn't a young man, it was good of him to go there and back, and so on. He went to see Schröder, and he rang me back and said, 'Listen, I don't know what you've been told, but Schröder has told me that that is completely untrue, that he never mentioned your age and was wholly in favour of its being someone French, and that it should be you.' So I said good, in that case we'd carry on. After that I had a rather strange telephone conversation at a motorway stopping point with Tony Blair, who was difficult to get hold of; he was trying to contact me. I was in Auvergne, it was late November or early December and it was snowing a bit. I stopped at a motorway stopping point and talked to Tony Blair for half an hour. He was very kind, he asked a few questions to get his bearings and find out how it would work. Then he said, 'Good, that seems like a good idea to me, I'm going to ...' And then another person who was also ultimately positive was Aznar, José María Aznar. So I was finally appointed.

II. Those involved in the Convention

[Hervé Bribosia] The Convention was characterised by a particular method — we shall come to that — but also by its composition. In it, representatives of national governments and parliaments rubbed shoulders with representatives of the European Parliament and the European Commission. Why were members of the Convention positioned in alphabetical order in the hemicycle? Lastly, what parts did these four institutional components play *per se*?

[Valéry Giscard d'Estaing] You used the word 'representatives', didn't you? They were not representatives, they were appointed. I had wanted to believe that members of the Convention would speak for others, but they spoke for themselves. They had actually been appointed, some of them by governments, but they were not government representatives.

[Hervé Bribosia] Or agents ...

[Valéry Giscard d'Estaing] The national parliaments had made their choices, two members per national parliament, as you know. The European Parliament had appointed its own members, and the Commission had sent its own appointed members, Mr Vitorino and Mr Barnier, so they were actually individuals, and that is how I saw them. Throughout this period, I read a great deal of American literature on the Congress of Philadelphia. The two had little in common — the Congress of Philadelphia lasted three months in summer 1787, so it was quite quick. The population was very small, there were three and a half million inhabitants, they all spoke the same language, they were all Christians, from the different Protestant or Catholic denominations. So it was very different. But the way in which the Convention finally came into being ... I said to myself that it had to be a convention, and not a conference. Then there were various ideas for achieving this. At first people wanted to sit in groups according to country. So we would have had the Italians, the Swedes, etc., and I said no, it is a meeting not of Member States but of Europeans. Then there was the traditional temptation, namely to organise themselves by political party. But that too would distort the atmosphere somewhat, because then people would have said, or members of the press who were present, as you know, would have said, 'The Social Democrats are in favour of this, but the Christian Democrats are against it.' We said no, it has to be a convention. So it was decided to seat people in alphabetical order. In fact this was very original. From 'A' to 'Z', with strange results, as you had Joschka Fischer, for example, who was appointed by the German Government — not straight away, incidentally, he came in the second period. And he was seated next to Mr Fini, who

was Italian and came from the right wing of the political spectrum. Alphabetical order produced strange results. At first people did not know each other, and when they spoke, it was immediately a matter of ‘Who’s that?’ So in the beginning, when I gave the floor to someone, I said who it was. I said Mr or Mrs So-and-so, appointed by the Danish Parliament, or Mr So-and-so, appointed by the Slovenian Government, or the Dutch Government, and so on. What I wanted was that ultimately they would only say their name, that they would know each other, as members of the Convention. And it worked, although at first people were rather ..., they looked at each other, they didn’t know one another, and subsequently they entered into the culture of the Convention. Despite this there were two main cultural groups, of course. At first there were the people of Brussels and the rest. The people I refer to as the people of Brussels were those who held or had held a position in the Brussels system, because they had been living in Brussels, living well for the most part, with one or two assistants and their dossiers and so on. And then there were those who were ‘visitors’.

[Hervé Bribosia] Who came from the capital cities ...

[Valéry Giscard d’Estaing] Who came from the capital cities, who arrived by train or by plane, from the new Member States in particular, with a suitcase, who went to their hotel, who hardly knew where our meeting rooms were. So there was a kind of fault line, which eased over time. It took several months though. I would say that it was only as from the summer that the two groups ended up mixing more.

[Hervé Bribosia] But the components *per se*, didn’t they end up being useful for the final negotiations?

[Valéry Giscard d’Estaing] Yes, they were interesting, and in the end, you know, we had meetings in which the members of what was known as the Praesidium, perhaps we’ll say a few words about it, went to see the various components. Some of them went to see the members of national parliaments, others went to see MEPs, still others went to see the individuals appointed by governments, and so on. Because sometimes they still had shared viewpoints — MEPs had shared viewpoints, for example. Towards the end, when a summary had to be produced, these components were brought together again, they were reconstituted for a few days, almost a week, and representatives were sent to talk to them.

[Hervé Bribosia] As for the representatives of the 12 future Member States and those from Turkey, which were also represented in the Convention, as candidates for accession, did they make particular expectations known, or did they bring something in particular to the table?

[Valéry Giscard d’Estaing] To whom are you referring?

[Hervé Bribosia] The representatives of the 12 future new Member States — to start with it was 10, and then also Bulgaria and Romania, and Turkey, which was also represented.

[Valéry Giscard d’Estaing] It was interesting to observe and to enable things to develop, or at least to try to do so. At first they were lost, and they were a bit aggressive, in the way that people who are lost often are. For when you come into a group that does not know you, to which you feel you do

not belong, you make excessive demands, you assert yourself, and so on. So I would say that in the first two months, i.e. April and May 2002, it wasn't very comfortable. They argued a lot about languages, they wanted things translated into their own language. But we already had all the EU languages, and the Laeken Declaration said that the discussions would take place in the European Union languages. So in fact they were wrong. But they said, 'No, it's discriminatory, we have to be able to speak our own language.' And as always, it was interesting to see how groups formed. They were supported by the others, even though the others had been appointed by the European system itself, and the system had decided that only the EU languages would be used. So this was a bit of a difficult discussion at some points, and as this was adding to the weight of the debates, making them longer, there were extra translations, extra documents. And finally we came to some kind of arrangement, in that they had the right to speak in their own language, but when they insisted on doing so, they had to provide their own translation. That led to a financial problem in a way, as the translation wasn't done by the Convention system, but by themselves. And in the end we mainly used the major European languages, but they spoke in their own language when they were made pronouncements to the general public. The problem eased as from summer 2002.

[Hervé Bribosia] What was your relationship with the European Council during the work of the Convention, or with certain Heads of State or Government in particular? Did you meet with encouragement or obstacles?

[Valéry Giscard d'Estaing] Now we come to the affair of the Praesidium. It had been decided that the Praesidium should include four government representatives, no, three government representatives ...

[Hervé Bribosia] From the countries that would hold the Presidency.

[Valéry Giscard d'Estaing] Yes, the countries that would hold the Presidency. We began under a Spanish Presidency, then we had the Danish Presidency, and we concluded our work under a Greek Presidency. So these three Presidents were included in the governments represented in the Praesidium. In principle, it was they who should have established a link with the Council. There was no active intervention by the Council throughout this period. I went to see each of the Presidents of the Council in turn. The first was José María Aznar, the Spaniard, when the Convention opened. He started by being very favourably disposed towards it, and decided to support us. He made a speech when we were in session, he came along to an opening session, and then they had a European Council in Barcelona or Valencia — I believe it was Barcelona — to which I went to make a report, because I was supposed to make a report to each of the Councils, and the atmosphere was favourable. Yes, there was a degree of mistrust, obviously to some extent, because we had to make progress on this affair, as it were, it had to be approved, but overall it was favourable. Then we had the Danish Presidency. The Danish Prime Minister was very favourably disposed towards the Convention, even though they are not in the euro zone, as you know.

[Hervé Bribosia] Or Schengen ...

[Valéry Giscard d'Estaing] Or Schengen.

[Hervé Bribosia] Well, they are, but they have only dipped a toe in it.

[Valéry Giscard d'Estaing] [Laughs] That's true. So the country is quite cautious when it comes to European affairs. But he himself, in contrast, was quite candid, and so I spent a day in Copenhagen. He had met his main advisers, members of the Government, and they had an in-depth discussion on the subject, in a positive spirit. Then came the Greek Presidency. There was Mr Simítis, who was in the Greek Council, a Greek Socialist who was not going to vote in favour of my appointment. I was appalled and I said to him, 'Listen, frankly, it's thanks to me that Greece came into the European Union, you could at least give me something in return.'

[Hervé Bribosia] It seems to me that Mr Papandreou, who joined the Praesidium, was more favourably disposed.

[Valéry Giscard d'Estaing] Yes. So in fact the Praesidium, it was Papandreou and Simítis, who was President of the Council, and ultimately it must be said that he was very cooperative. For it was to Thessaloniki that we took the final results of our work, and he received them warmly, he facilitated things. So we had a good relationship. As you see, the three countries in question were pro-European, with pro-European governments, not very committed, but they were not militant countries. Except for Spain at first. As you know, Spain's attitude and posture changed in 2003. Probably because of events — I don't think it was the Iraq War, it was before that. It was the conflict in the islands off the Moroccan coast that gave rise to a degree of disquiet in Spain, and doubts about the support Europeans would give Spain in such a matter. So there was a small change at that point, but relations were good, though not very profound. The Heads of State, the Presidents of the Council were not very well informed about things, but I had the impression that they thought we would ultimately be successful.

[Hervé Bribosia] And the prospect of the Intergovernmental Conference that was to follow the Convention ... Did you have the impression that this influenced the work, perhaps making the results more realistic? Did this keep certain ambitions in check?

[Valéry Giscard d'Estaing] That's not the impression I had. One point needs to be emphasised, particularly when we see what has happened since then. That is the absolute transparency of the affair. All our work took place in public. With a big gallery at the top of the room for the journalists who came and went as they saw fit. All the texts we disseminated were put on the Internet straight away, without delay. So the affair was completely open, although unfortunately people have gone back to their old habits. The work of the Council is not transparent, and so on. So we had this transparency, and the IGC, which is actually at most a meeting of Ministers for Foreign Affairs — Heads of Government only join it at the end — we did not think that the Ministers for Foreign Affairs would be in a position to amend many texts. We thought the work we'd done, which, after all, represented efforts sustained over 18 months, would not be amended by four subsequent IGCs. So we thought the conference would be quite ..., which proved to be the case ...

[Hervé Bribosia] Which was the case. It took a bit longer even than was anticipated.

[Valéry Giscard d'Estaing] That's true, it took a little longer, as always. There were various demands concentrated around the charter, around problems of justice and security, as you know. Essentially. Not much was changed. And finally, there was no apprehension regarding the forthcoming conference.

[Hervé Bribosia] We are talking about the players, the divisions at the heart of the Convention; do you think there were other players who helped to formulate the final consensus? I'm thinking for example of the European political parties that you mentioned. Was there a split between right and left? And what about civil society?

[Valéry Giscard d'Estaing] You know, that's very interesting, since it's true of this meeting, but it must be true of others too. There are events whose merit lies simply in existing. Even if they talk of a product or don't add anything, if they don't produce anything. And it was a bit like that with us, because we had two sessions for civil society, which were led by Jean-Luc Dehaene, and in July we had a session for young people. These sessions for civil society tended to be the usual expression, in fact, of the concerns, demands, dissatisfaction, etc., of civil society. There were few suggestions for structuring the future text. There were general remarks: 'Qualified majority voting needs to be increased, the Commission needs to be made more effective.' There was always support for the Commission. But it was more talk than anything, and there were very few lateral discussions — they did not have very many debates among themselves.

[Hervé Bribosia] It seems to me that they cared above all about policies.

[Valéry Giscard d'Estaing] What?

[Hervé Bribosia] They cared about policies.

[Valéry Giscard d'Estaing] Yes, that's right.

[Hervé Bribosia] That's what interested them.

[Valéry Giscard d'Estaing] Yes, and that wasn't the subject of what we were doing, or it was only partially the subject, since the text did not set out to change EU policies. It was aimed at the way the systems functioned. So it was interesting, and I believe they expressed themselves quite freely. Then the discussions continued with the Internet system, which took the form of questions and answers.

[Hervé Bribosia] On the forum, the discussion forum.

[Valéry Giscard d'Estaing] The forum, which always provided useful pointers. So I think it was useful, and in any case no one could reproach us for not doing anything, for ignoring civil society. So that was positive. And I believe Jean-Luc Dehaene was very happy with the way things went. The session which was not good was the Youth Convention. It's bizarre, it's strange. Firstly, it was not young in spirit. [Laughs] That was what they'd been chosen for. It consisted of squabbles between bodies about holding posts. They spent their time discussing the role they would attribute to one another in the system. And very little came out of it. This made me rather worried, not about the young people of Europe, because there were 105 of them, but about how representative the systems were. Because I said to myself that what was there wasn't 'youth', for youth is much freer, much more imaginative, it takes an interest in two or three things, and if it talks about them, it

speaks with feeling. So there was a kind of doubt about whether or not young people were represented by organisational systems.

[Hervé Bribosia] And the European political parties, the left/right split, were you aware of it?

[Valéry Giscard d'Estaing] No, I would say not to any great extent. There is a division between left and right which is entirely normal, of course. No, because the topics we were discussing were not left/right topics — the composition of the Commission, the mode of deliberation in Parliament. There were some divisions of this kind on two topics. The Charter of Fundamental Rights, where certain elements, including elements from the Belgian Parliament, insisted that we should go a bit further on the social side or with the affirmation of social rights, etc. So there was an insistence, without much support from the group as a whole. There were demands in this area. And then also when we came to what was, I have to say, a very complicated issue, that of judicial cooperation, of the possible appointment of a European prosecutor, it was not exactly right/left, but even so it was, I should say, liberals in the Anglo-American sense, that tendency.

[Hervé Bribosia] And law and order.

[Valéry Giscard d'Estaing] Yes, that's right.

III. The Convention method and its future

[Hervé Bribosia] Having covered the players in the Convention, let us now move on to the process, to the working method of the Convention. You have already mentioned it when you spoke of transparency. In your work presenting the Constitutional Treaty, published by Albin Michel in 2003, you compare the European Convention with the great Russian Legislative Commission of 1767 ...

[Valéry Giscard d'Estaing] Because I was reading a book at the time ... [laughs]

[Hervé Bribosia] ... or the French Estates-General of 1789, as a place of free expression, a place representing the real Europe. I'm using your terms. Can you clarify this impression of new openness and transparency?

[Valéry Giscard d'Estaing] There are assemblies, there are parliaments, etc., if you like. Of course those who are involved are bound by several things. The terms of their election, their membership of a political party, the hierarchy of the system, their appointment to committees and so on. So they are free — of course these systems must not be denigrated — but their freedom is exercised within a framework that is actually quite codified. The great Russian Commission, which was a very original idea since it helped to assemble quite a large number of people, to ask them 'What do you think?', etc., this was not codified at all. And it was the same in France, with the Estates-General of 1789, people had written terms of reference at home, in the provinces or parishes, and so on. But they set off, there weren't many means of transport. They set out on horseback, they arrived, they were free, they were there. They talked about themselves, and the tone was very interesting, for when one sees the famous speeches, they were actually very spontaneous. And what was interesting

about the European Convention was that it became like that. In other words the parliamentary representatives, I don't know, the Lithuanians or Portuguese, were not thinking of the Lithuanian Parliament, they were thinking of themselves, there, being there. They said what they were thinking. So there was actually great freshness of expression. And that was curious, as it enabled the system to evolve. At the start — let me summarise briefly — at the start we arrived and the Brussels system was dominant in the Convention in 2001. So if someone spoke very highly of the Brussels system, in other words all the powers in the Commission and all the powers and responsibilities in the Union ... I said to myself it was total deadlock, it would never get anywhere. But it was like that because these people had worked in the system. And then little by little, they began to ask themselves questions: 'It's actually rather strange, because it can't be like that, this Commission is really odd, if there are three people from the Baltic States, there will be seven Yugoslavs, and one German and one British citizen. It isn't they who will be governing Europe, but that poses problems all the same.' So they began to ... And free expression, if you like, led them to say things that they wouldn't otherwise have said. And it led to an evolution in their own approach. So as from around October 2002, when our plan was presented, attitudes began to change dramatically. It was strange to see. They were no longer saying the same thing. They began to see that effectively, the initial system needed to be retained, the institutional triangle, rather than being flattened by eliminating the Council. That the institutions needed to be more effective, but that the powers and responsibilities still needed to be respected ... Suddenly we saw things developing — and it came from them.

[Hervé Bribosia] But some members of the Convention thought the listening phase was a bit long, while the working groups took a long time to get going. What was your strategy for guiding the work of the Convention and ending up with a consensus, was your Chinese tortoise the symbol of the method adopted?

[Valéry Giscard d'Estaing] You're right, people were getting impatient. Not straight away; I would say it was when we came back after the summer, in September, October, when many members of the Convention said, 'Give us some texts — you're busy making speeches, asking us questions and so on — give us some actual texts and we'll discuss them.' There were two fundamental questions. First, would there be a vote? And second, when should texts be produced? On the issue of voting, my position was absolutely clear: there could not be a vote. I'm very democratic, etc., but quite simply, votes are held in a homogeneous assembly. Here, we had two representatives of the Commission, 27 government representatives, and so on.

[Hervé Bribosia] And twice that number of national MPs ...

[Valéry Giscard d'Estaing] There were more national MPs than MEPs, so what would a majority have been, what would it mean? It would mean nothing. So we decided that no votes would be held, and that we would try to take decisions by consensus. But what is consensus? For me, consensus was when I felt that there was in the auditorium a majority close to 75–80 %, around three quarters, when one can see that they are virtually in agreement, then there we are ... And in fact it worked. As you know, some of those there were what are known as Eurosceptics. And that is misuse of a term, for they aren't sceptics, they are anti-Europeans. But that is the preferred term. And they could speak whenever they wanted to. So they expressed their views — addresses were never interrupted except for reasons of time. There were time limits, and then we stopped, but never because of the content. People could say what they wanted. The working method was to make them speak. It's very interesting, and I believe it's true in other aspects of modern life: one has both a great need to express oneself and then deep down a kind of reticence or fear of talking too much or of speaking. People said they needed to be able to say whatever they wanted. Very well, so we told them 'Fine,

after that we'll give you some texts.' Then they would say they wanted the conclusions now. I said no, because the conclusions would be based on what they said, this would be taken into account. But it was quite interesting to see this conflict. Because actually they were uneasy about speaking, I wouldn't say into the void, but talking about the subject in an abstract way. It was easier to be opposed to a proposal and to say 'We don't want that'. And so on. This meant that when we returned in the autumn, people were frustrated, and I told myself that we would have to find an answer, because we couldn't keep them waiting, all being well we had to finish in around spring 2003. We still had more than six months. We had created working groups, which were already working and were doing very good work, for everything they decided is in the Treaty of Lisbon. In full. On the decision-making process, functioning, both of which were, incidentally, chaired by Giuliano Amato. But they hadn't finished. They were going to finish at the end of November or the beginning of December. You can't say you have finished the text when the working groups haven't finished. I told myself that the solution was to present a table of contents, a plan showing the parts of the future text and the subjects that these parts would deal with, and this would feed into the deliberations and help to guide them. So I had this done, with John Kerr, Secretary-General of the Convention, who came to see me in Paris with his British assistant, I believe he was called Milton. They spent the day drawing up a plan: the introduction, the values of the Union, the objectives of the Union — the objectives took precedence over the institutions, since it was a structure that was produced to achieve objectives — and so on. Then powers and responsibilities and decision-making processes, then the institutions, and finally Union policies and conclusions. In this fairly detailed plan ...

[Hervé Bribosia] This was the preliminary draft Constitutional Treaty of 28 October 2002.

[Valéry Giscard d'Estaing] That's right. Then it was drafted in a bit more detail in the Praesidium, and it was presented on 28 October. And this reassured members of the Convention. There was a text, there was a document. It didn't contain all the details, far from it. When we spoke of the institutions, we put down the list, we didn't say exactly how they were going to function. But they had a schedule they could use as a basis for discussion. And during that time the European Commission was also working on a document, and it announced amid much publicity that it was going to present the results of its work. This caused great excitement in Brussels, because of course it was the Brussels project.

[Hervé Bribosia] The Penelope Project.

[Valéry Giscard d'Estaing] I don't know why they called it Penelope. I imagine it was because she worked on her tapestry for ever. I said to Prodi, in his office in Brussels, I said to him, 'Right, present it.' He said, 'It will be sent to you.' 'No, you aren't going to get it sent to me, you're going to come and present it yourself.' 'Oh, but why?' 'It's much more helpful when people can listen to you.' And so it was agreed that he would come at the end of November to present his project. So as from the end of October there was a basic structure for our project and we were awaiting the Penelope Project.

[Hervé Bribosia] Did you have a strategy, or had you envisaged a way of finally achieving this consensus? Did you have a plan?

[Valéry Giscard d'Estaing] Yes, at least up to a point. I didn't think that there was any alternative.

A different concept — we could have proposed complete federalism, or a multi-speed Europe. And there were other possible approaches. But I believed that there wasn't anything else that could be formulated. So the plan that could be formulated was our one, which I had in my head from the outset. And it's a point that hasn't been emphasised enough in my view, namely that the Convention and what followed have definitively clarified the nature of European integration. And that's what I thought from the start, as from June in fact. Because I had witnessed the interminable debates between the federalists and the intergovernmentalists; this was a pitched battle which never really ended. I personally had more sympathy for the federalists.

[Hervé Bribosia] You accepted the word 'federal'.

[Valéry Giscard d'Estaing] Yes, I did. But the others couldn't be persuaded. I believed that basically, the true nature of the European project is to be a union of states, because the states exist. And in my view, they're not going to disappear. Moreover, I don't think that the objective is to make them disappear. So they won't disappear, but at the same time there are powers that they can no longer exercise and that in fact they no longer do exercise. So it was a unique situation, and that called for a plan in which there is a union of states and powers are attributed to the union. And the union exercises them in federal mode. That was the plan. So I had this plan in my head from the start, or rather from May or June, and I told myself that that was where we would inevitably end up. Because there were no other solutions. Once you have that in your head, and you simply seek improved mechanisms — if you see that you need to look at the legislative initiative procedure, simply observe the work of the Commission. If you are considering the decision-making process, simply look at how Parliament functions, how the Council functions. This opens up many avenues. And I told myself that for all these subjects there were obviously some solutions that were preferable to others. So if we left the discussions open, they would get there of their own accord.

[Hervé Bribosia] You mentioned the Praesidium of the Convention just now. How did it function? Sometimes some members of the Convention regretted a lack of transparency, sometimes a lack of efficiency, or the fact that the members of the Praesidium were not representative of the elements from which they had come. How did you perceive and handle this criticism? And, more fundamentally, how was the Convention managed? Were tasks distributed among you, the two Vice-Chairmen and the Praesidium?

[Valéry Giscard d'Estaing] Although I felt relaxed, contented and good-humoured during the Convention's deliberations, I felt uncomfortable during the Praesidium's deliberations. First, at the start, I was prejudiced against it because it happened to be a Soviet word. When I was President of the Republic, the word 'praesidium' evoked the Supreme Soviet. I didn't want to use this term, but it had become common usage. I believe it is used above all in Germanic culture, or perhaps in northern Europe. Not among the Latin countries, we don't use it. So I was already not very happy with the word. Then its composition was not very good, because why have representatives of the three countries that would be holding the Presidency, who were not there by chance?

[Hervé Bribosia] You've mentioned the three Presidencies ...

[Valéry Giscard d'Estaing] This was no coincidence, and meant that none of the countries with the largest populations and none of the founding countries were represented.

[Hervé Bribosia] It was the criterion of the three successive Presidencies.

[Valéry Giscard d'Estaing] Yes, which was a strange criterion. Then the members of parliament were duped.

[Hervé Bribosia] The MEPs?

[Valéry Giscard d'Estaing] No, the nationals. Because the British are much more skilful, they know what they're doing in this field. So the people we saw arriving to represent all the national MPs were an Englishman and an Irishman. It was quite natural for us to have an Englishman, but there should have been someone from continental or southern Europe. We had two from the British Isles, one from the UK and one from Ireland. This was somewhat bizarre.

[Hervé Bribosia] Gisela Stuart and John Bruton.

[Valéry Giscard d'Estaing] John Bruton, yes. Happily, the European Parliament sent two very good elements. It sent Hänsch, a German, who was very good, and Méndez De Vigo, a Spaniard, very competent and very good. So you see the Commission had its two representatives. You can see that it was rather a strange group. There was no affinity among its members. There was no warmth, and some of them, I'm not going to name names, were not really representative and were very obstinate. [Laughs] When one is very representative, one can be obstinate, but when one is not very representative, one should not be, or less so. This made the discussions difficult. And they thought they should have a lot of power and, deep down, they did not like the Convention. And as for me, I liked the Convention and I didn't want them to have too much power. So things weren't very easy. The Vice-Chairmen played the game perfectly. I simply had the good fortune to have two excellent Vice-Chairmen, and with them matters could be managed despite everything. But things were managed without ... Generally speaking it wasn't easy. I had rather more problems in the Praesidium than in the Convention sessions.

[Hervé Bribosia] Coming to the Secretary-General of the Convention, Sir John Kerr, former Permanent Under Secretary in the UK Foreign Office, how was he appointed? And how was the team of drafters, which he led, recruited? What was the role of the Secretariat of the Convention and, more generally, the technical, legal, indeed the technocratic dimension? Was it important in this constitutional exercise?

[Valéry Giscard d'Estaing] Firstly, the recruitment of the Secretary-General. As you know, we met in the Council building. In Brussels there was the triangle, so you have the Commission, Parliament and Council buildings. We were created by the Council. Our report was to be addressed to the Council, so we were installed in the Council building. The Council was led by a man who was extremely active, extremely capable and extremely directional. So I arrived, I went to settle in. They said, 'Yes, fine.' And I said I was going to look for a Secretary-General. 'No, we have one.' And I said, 'Good.' 'Yes, yes, I'm going to get him to come along.' 'What's going on here?' Well, I'm not going to tell you who it was, but it was an unassuming individual, retired, from a small country. 'But what's going on here? No, no, no.' Well, it was very disagreeable, because someone had probably said to him ... [Laughs] No, he was a good man, but he wouldn't have done at all for the job. We looked for an alternative, and I knew it couldn't be someone French.

[Hervé Bribosia] Inevitably ...

[Valéry Giscard d'Estaing] It couldn't be a German. All the same, it had to be someone with a lot of experience and expertise. It tends to be the British who have this talent. So I decided to see if there was someone British. As luck would have it, the best of the British was just retiring. You know that they have an extremely strict system of retirement, on the very day you are 60, that's it, you're off. And John Kerr, the Head of the British Diplomatic Service, well, the technical head, was retiring at the beginning of January 2002. I obtained information about him, I was told that he was a quite remarkable man. He had held all the major diplomatic posts. He had been Ambassador in Washington, he had been on boards of all kinds, and so on. So I got the information, and I said to myself that basically, he had the profile. I got him to come along and we got on very well with each other. And the post pleased him, for I'd feared that ... And he was quite remarkable, quite remarkable. That's to say very loyal to the system, he was Secretary-General, he was loyal to the system, and skilful at the same time, he knew the UK's limits, the famous red lines, and so he made sure we were aware in all cases of these lines, which we didn't cross, as you know. So I was very happy with this cooperation. At the same time, he had plenty of spirit, plenty of humour. I'll just tell you one little story. He came to the house one day and he brought me a book. You know, most people bring a box of chocolates, he brought me a book, and he had marked it for Valéry Giscard d'Estaing, and the text was 'The Philadelphia Convention had a Secretary-General. He was called Robert Graham' — I think — 'nobody remembers him, it's too bad.' [Laughs] Well, since then he's had a brilliant career, as you know.

On to recruitment, there I discovered something that irritated me greatly, which I didn't know, and that was the war of the institutions. The European institutions of the time — I don't know if things have changed, it's now seven years later — loathed each other. If one wanted to take someone from the Commission, because they'd said there was a very capable man or woman, so come and get him or her ... General outcry from the Council, they didn't want that. And if one wanted to take someone from the Council, the Commission sent a message during the day saying that it wasn't balanced, it should not be accepted. As for me, I had a simple rule, which was to take the best people. It was difficult work, and something new, and we needed to take the best people for the job. And secondly, they must quite simply be committed Europeans and be loyal to their work, and that was all. Nothing more was asked of them. We succeeded in having a small team, because the Secretariat was to have a total of 13 or 15 members. They were young — reasonably, since after all they needed to have a certain amount of experience — in their thirties, I would say, or a little more, something like that. Very capable, really very competent, and it was a very good team. And furthermore, we had absolutely no problems with the Secretariat. Everything was on time. We had an Italian woman from the Council as John Kerr's assistant. A very good organiser. We had some Spanish women who were also very good. In short, we had a panel that was really of very high quality, virtually equal numbers of men and women, with a small majority of women, I believe, I think one or two more.

[Hervé Bribosia] And what language did you work in?

[Valéry Giscard d'Estaing] That was very interesting, since we were supposed to use the European system. We spoke English, but we reviewed the texts in French, for I think that French is a better language for writing; ultimately it is a language that is more precise, more nuanced, in which one really says things. On the other hand, English is a good debating language, which is now very

commonly spoken, so it is easy to use it. So it was bilingual, bilingual English-French, tending to be English for the spoken word and French for the written word.

[Hervé Bribosia] My last question concerning the Convention's working method: do you now think that a method of this kind will still be acceptable in future for revising the treaties? Or do you believe instead that the failure of the Constitutional Treaty itself puts the method followed in the Convention at risk for the future?

[Valéry Giscard d'Estaing] The failure of the Constitutional Treaty, let's say the semi-failure of the Treaty, for the Lisbon wording is a disguise, isn't it ... has nothing to do with the Convention, it was the governments, it was the way the governments acted on this work — and I must say that I pass quite a severe judgement on their action. But perhaps we'll come back to that. Because I think there was a historic European opportunity that was quite ripe, and the moment could have been seized. The courage and initiative to seize it were needed, but this did not happen. We will not use this method again, we shouldn't delude ourselves. It was an original method, it worked once, but it was very specific, wasn't it, we brought together people from different backgrounds, we allowed them freedom to work and to express themselves, we gave them the means to work freely, with no governmental or political pressure on them; we shall not be starting again. And so this method will have borne fruit once, that was it. There will be no others like it.

[Hervé Bribosia] There will be no others because the governments will not be so bold again in future?

[Valéry Giscard d'Estaing] Quite simply because things change.

[Hervé Bribosia] Will we go back to the traditional IGC?

[Valéry Giscard d'Estaing] No, because basically, why didn't the governments like it? Most of them, I won't say all, because some governments supported it. And moreover many of them, the majority of them, played the game. It was just that deep down they prefer to decide for themselves. In reality, although they prefer to decide for themselves, they don't actually take decisions! But their idea would be that they would decide for themselves. Our system was one in which the object, approval, was entrusted to others; by giving them the necessary attributes, namely freedom of expression, freedom of thought and external communication. So I don't think we shall begin again in that form.

[Hervé Bribosia] Mr President, if the European Convention were to be started again, what would you do differently? Would you do anything differently?

[Valéry Giscard d'Estaing] No, basically we'd do the same thing. I think there would be a discussion, but now we have a different perspective, don't we? So if I may say so, it's a bit of a facile exercise, because we know what has happened. We could have looked at the issue of the third part differently. It's no secret that I was not very active in the third part. What interested me was the first part. Those who did most work on the third part were John Kerr, the Secretary-General, who acknowledges this, and I worked with him, of course. The third part concerned the old treaties. If

we had needed to start again, perhaps we could have presented an option, i.e. the first and second parts and a much lighter third part, simply involving adaptation of the vocabulary — because there were things to be done, but they were of no significance — and keeping the corresponding parts of the earlier treaties. This option could have been suggested. I don't think it would have been very popular, believe it or not, because it was complicated. It was still simpler to have a single text. And the misunderstandings that arose were completely artificial misunderstandings and could have arisen anyway. I'll quote two, which were really extraordinary. The arguments that were given against the text, for example, against the third part, included the famous argument of the Polish plumber. The text authorised mass entry into France, and perhaps into Belgium or other countries, of Polish plumbers. Since 1 May or 1 June last year, they have been entering freely. Nobody talks about it. There is a second example, which is the Services Directive ...

[Hervé Bribosia] Bolkestein.

[Valéry Giscard d'Estaing] Bolkestein, which was presented in a very negative fashion, it had nothing to do with the Constitution. Nothing. It was a directive from the normal Brussels decision-making process. It was finally adopted, amended a bit, but adopted. Nobody talks about it. So in reality you don't know in advance what the obstacles will be, the annoying tangles, the frustrations in a project. But to answer you, I think the process would have been the same. It might have been necessary to look at or propose to the Council a variant in which the third part would have been greatly streamlined, we would have kept part of the old treaties.

IV. Three sensitive subjects: the war in Iraq, the reference to Christianity and the EU's borders

[Hervé Bribosia] Mr President, I should like to continue this interview with two or three intense issues that punctuated the work of the Convention. First, the American invasion of Iraq shone a spotlight on European divisions. Did it put the Convention at risk as it was preparing to examine texts on the common foreign and security policy?

[Valéry Giscard d'Estaing] My reply will surprise you, for it is no! It was at the initiative of the United States that the Iraq invasion divided Europeans. It was not the Europeans who created divisions among themselves, it was the Americans who divided Europeans by asking some of them to give them support and criticising others. That didn't affect the work of the Convention. It was actually very curious. It was as if the Europeans had wanted to keep well away from a division that had come from outside. And I can tell you that in our meetings of April/May 2003, there was no change in tone or change in drafting of the various articles on foreign policy. Very strange.

[Hervé Bribosia] Another question that might have divided the Convention was that of the reference in the Preamble to Christian values. What did you make of this debate and, a question that is more specific, did Pope John Paul II address you personally on this issue?

[Valéry Giscard d'Estaing] It was a debate that interested me greatly — it was an important debate. I wanted it to take place publicly, so people could express themselves. It was quite difficult to achieve, because words don't have the same meaning everywhere. For example, the word *laïcité*

does not mean the same thing in France, Italy or the UK. It's not the same thing. In France, in fact, since the beginning of the 20th century *laïcité* has meant 'anti-religious'. In the UK, the equivalent English word, 'secularism', means the fact of not being subject to or bound by religious rule. That's not the same thing. [Laughs] And so disputes arose because the perspectives differed. It would have been absolutely natural to make a clear reference to Europe's Christian origins, for it was clear. If you take Europe from the 6th to the 18th century, it was Christian. If you take a walk in Europe, the south-east of Europe, etc., these are Christian regions. The villages are full of churches, people who are well known, that's how it is. It's not a value judgement, it's not saying it's good or bad. It's just how it is.

[Hervé Bribosia] It's a fact.

[Valéry Giscard d'Estaing] It's a fact. But the anti-religious *laïcs*, it annoyed them, they didn't want it to be done, and I had proposed a text that had the merit of offering an acceptable summary, which was accepted by the Catholic bishops, which was accepted by the religious grouping, which included Protestants, the Jewish community and, to some extent, Islam. Ultimately, this text was accepted. There was no reference to Christianity, but it included religious values, which are part of our heritage.

[Hervé Bribosia] Religious heritage.

[Valéry Giscard d'Estaing] It was very clear. And unfortunately after that there was a debate, which was pointless in my opinion. Because we couldn't go any further. It was one of the rare subjects on which I got the Praesidium to vote. And I was dumbfounded by the vote. I'm bound by confidentiality, I can't give details, but it was not at all what one would think. Big Catholic countries voted against and others, in contrast, voted in favour, as did I.

[Hervé Bribosia] Mr President, there is one issue that the Convention barely addressed, namely the EU's borders. How did members of the Convention and, in particular, the Turkish members of the Convention who were present react to your stance in the media at the end of 2002, questioning whether Turkey was cut out to become a member of the European Union?

[Valéry Giscard d'Estaing] It's true that we didn't hold a debate on borders, and I don't think we could have done at that time. Remember that this was 2002–2003, in other words the new Member States had not entered the EU.

[Hervé Bribosia] They were in the period ...

[Valéry Giscard d'Estaing] No, throughout 2002, they were not members. If we'd seemed likely to have a debate on borders, they would have rebelled. They would have said basically that it was a manoeuvre to exclude them, to marginalise them. So we couldn't do it. We could now. In future it will be a difficult debate, but I think it will be possible to hold it. The debate on Turkey did not take place, there was no debate on Turkey. Besides, the Turks were in a special position, because they were not involved in negotiations on accession. The others were in negotiations that were due to conclude in winter 2002–2003. And they became members before we filed our text, whereas with

the Turks there were no negotiations.

[Hervé Bribosia] Nevertheless, they had the status of candidates for accession, with negotiations not having begun.

[Valéry Giscard d'Estaing] Exactly so. They were very correct, I have to say. They expressed themselves in moderate terms. There were no discussions or disputes regarding their presence. And they themselves were not seeking a platform to present their claims. So they were present under conditions that did not give rise to any criticism.

V. The result of the Convention: the Treaty establishing a Constitution for Europe

[Hervé Bribosia] When and how was the actual concept of constitution accepted, and then how was the option adopted in which the constitutional part of the treaty would be included in a single document that would consolidate and replace all the treaties in force? In your view, did this option, which was designed to simplify the treaties, actually complicate the process of ratification, and were other options considered, or should they have been?

[Valéry Giscard d'Estaing] The 'constitution' issue, the word 'constitution', was in the Laeken Declaration — the mandate that we were given. Towards the end of the Laeken Declaration, where we have the heading 'Towards a Constitution for European citizens', the word is there. Moreover, it is an ambitious word, and I believed that it was high time to give Europe back some ambition. Europe should not tread water, no, it needed an ambition. As soon as you say — and this is the current situation — that Europe has a single area, a single financial market, a currency, a common foreign and security policy, a judicial system at the level of the entire area, it is a constitution. It is a constitution. You can avoid saying it, you can call it something else, but it's a constitution. I thought that for Europeans, we had lived for 50 years with treaties which were a small Europe with small powers, we had done that, we had been happy, and so on. Now we had a big Europe with greater powers, and we needed a text that was worthy of this situation. And moreover, it was important with regard to the image projected to the world by the creation of the European organisation, which would have made people aware that Europe existed. Because the world still perceived Europe as a group of countries that from time to time decided things jointly. That was how it was perceived. In meetings that took place, the G20 meeting in Washington, there was actually no mention of Europe. It was the individual countries, the member countries, that each spoke. A constitution for Europe would have been accepted, even if this constitution was cautious, flexible, and so on — which was important. I believe that we were adding a brick to the European structure and we were marking a very major historic date. I myself had imagined ... what was it I had in mind? There was the Treaty of Rome. The Treaty of Rome was very well drafted by diplomats and financiers. Both were involved, but no politicians, no members of parliament. In fact it was a fine text, well conceived, but it was a market Europe only. Only that. With additional related elements, namely competition, and that's all. And one or two dubious articles, which were articles enabling the institutions' powers to be extended if it appeared that the objectives could not be achieved with ... This was a point that was both strong and weak. It suited the system and it was risky, because it meant that things would be done which were not [...], and which to some extent fuelled a kind of campaign against the European system — people said 'What's this, there's a treaty and then suddenly they tell us by virtue of these articles they will do more, and they aren't asking for our opinion.' So that led to some of the disquiet. I said to myself that things had changed, since we had political union in the

sense of external affairs and common security, which was essentially political, we had monetary union, despite currency not being mentioned in the Treaty of Rome. The word ‘currency’ does not appear there. So we really have a whole that has become much vaster and at the same time larger, since we have had enlargement, and I said to myself that in historical terms, we needed a new founding treaty. That is a point on which we may have been mistaken, and I include myself in that, because as soon as we said that, it meant that we were putting in the treaty everything that needed to be retained from the earlier treaties. And so the boat was being overloaded. That was of no importance, since these treaties had already been ratified and applied. But it meant that the document was indigestible, a bit heavy. Did it need to be done, or did an additional treaty need to be produced? That would have been a slightly easier solution, but at that point we still had the very imperfect idea that it was necessary to consult all the earlier treaties, adopted in an age in which Europe did not have the same powers. Which is actually quite wrong. So we took that option, and I think everyone was in agreement, that the earlier treaties would be put in a third part. And that was bound to create problems with ratification. It was better to have a single text, since schools and universities would have had a little book of the Constitution of the European Union. But it was not essential, and in my view we could have done what we did in Thessaloniki, namely to have the first and second parts, which could have been called the Constitution for Europe, and then to have annexed documents that would have described the policies of the Union. That was possible, and the choice between the two could have been left open, and in any case I personally would not have been opposed to this. I brought the first and second parts to the European Council in that fine city of Thessaloniki, where one is at the heart of European culture. And the third part was still in the making. So there was an option. But actually that wasn’t what put a stop to the process. It was the fault of political manoeuvring and the lack of political will in France.

[Hervé Bribosia] The process of ratification?

[Valéry Giscard d’Estaing] Yes. Because in France, if you will, the Constitution was caricatured, with the stupid story of the Polish plumber, nicknamed Bolkestein. And it is absurd to say that the Constitution facilitated relocation. Not one word is true, and there was a famous meeting on television, where it was apparent to the young people who were questioning him that the President of the French Republic had not read it. Naturally none of all this facilitated matters.

[Hervé Bribosia] How did you feel about the negative referendum in France?

[Valéry Giscard d’Estaing] Well, it’s in the past, so it’s quite difficult. For one thing, it was not a text for a referendum in a country that does not have a referendum culture. A text for a referendum is one to which it’s easy to answer yes or no. ‘Are you in favour of abolition of the death penalty, yes or no?’ ‘Are you in favour of absolute equality between women and men, yes or no?’ But a text that is long, difficult to say, relatively difficult to read, in a country that is very suspicious and is afraid that things will be imposed on it or things will be concealed from it, that’s not a good procedure. The referendum could have come after a very long and very transparent parliamentary debate. In other words, for a year, discussions are held and amendments are accepted, but when this is finished, people vote. On the other hand, a kind of surprise referendum, since it came after a very short time, on a text that people had difficulty reading, that was not a good procedure. And since it was also apparent that our political leaders wanted to make it a political issue, and they were unpopular, it was taking an enormous risk. For if you take the reasons for the vote, it was not a vote against the Constitution, it was a vote against the powers that be. And to dissociate themselves from it, the powers that be said that the people had voted against the Constitution, and they would remain. Whereas the historical truth à la de Gaulle was to say ‘You’ve voted against me, I’m going,

and then you can continue to examine the Constitution.’

VI. The future of the European Union

[Hervé Bribosia] At the end of two years of reflection, did you approve of the approach adopted by the Treaty — said to be simplified — that became the Treaty of Lisbon?

[Valéry Giscard d’Estaing] Yes, it’s still the same thing, it consists of a smaller version of what could have been larger. It’s the same thing, but it’s more complicated, it’s more disorganised, it’s left deadlocked in conditions that are not very appropriate. Because, for example, there are countries in which the political institutions have ratified it and the President hasn’t signed it off. What’s this about? Once it is ratified, it is ratified. You are not at liberty to say ‘it’s ratified, it isn’t ratified’. At this moment, it’s likely that by the end of the year, 95 % of the population of Europe will have ratified it. Ninety-five percent is democratic, in other words there is a democracy that accepts it. So at that point one needs to say ‘that’s an end to it’, and not ‘we’ll wait’. What concerns me more is the weakening of political will and the lack of enthusiasm for bringing this European political entity into being. As I said just now, the world doesn’t know the European political entity. People believe that in Europe there is a kind of arrangement between nation states, which take decisions together from time to time. They do not see it as an entity, but now, strangely, they see it from a monetary perspective. They know that there is a European monetary entity. The euro, the euro zone, and so on. They still don’t see it as a political entity.

[Hervé Bribosia] ‘United in diversity’, that was the motto for the European Union that appeared in the Constitutional Treaty. You speak of an entity or of political union — do you think this diversity constitutes an obstacle to political union? Must Europe renounce a wholly federal form in order to have a chance of realising political union?

[Valéry Giscard d’Estaing] No, diversity is a fact. You can’t change facts. There are plains and mountains and that’s that, there are plains and mountains! Diversity exists, it’s strong and it’s been around for a long time. It’s what characterises Europe. There is diversity in countries like the United States, but it’s recent. So you can accept it, you can manage it, etc. For us, it is rooted in our ways of life, in language, in clothes, in food and so on. So the solution is not to want to eliminate it, it’s to make it understood, to make people feel that they can have two things, diversity in their private lives and Europe for all the major issues. And that isn’t a problem. The fact that the French, the Italians and the Germans don’t have the same eating habits doesn’t mean that they can’t have a common currency. There’s no contradiction in that, is there? It’s just that in this perpetual to-ing and fro-ing between national powers and European powers, when one puts European powers below national powers in reality when they should actually be put above them, public opinion struggles to find its way. I think that the big effort needed — perhaps we didn’t do enough to this end, whatever we said in our Constitution — was to say ‘You will stay as you are. Nobody will take anything away from you, but you will also become European in major issues. So you will still be Belgian, French, Luxembourgish, Slovenian, Hungarian, etc. You will be the same. Nothing will change, but for the major issues you will become European.’ And this is the idea that we need to get accepted. And it has to be said that the European institutions do not play the game very well in this respect. For example, the battle to keep one Commissioner per Member State is actually an anti-European battle. Because it means that Member States retain the power. The battle is to say that we need a good European Commission, which will be good for European issues. It could have five members,

ten members, we need to know how to choose them. But it's not to say that the Member States control the Commission. That's anti-European. So in this area, we still have a long way to go in my view. And the institutions themselves — even Parliament, which in my view is the one that works best — by adopting resolutions very frequently, in all the sessions, on topics that are not within the European remit, they disrupt things. For example, the referendum, what happened in Ireland — which is something that affects me personally, since the Irish are pro-European. The Irish had accepted the text in the negotiations, and then they said, 'But we are uneasy because there is nothing to prove that on the basis of this text they aren't going to use indirect procedures to go back over things that are fundamental for us.' And effectively, when they read in the press that there are proposals, resolutions, etc., which propose things that are outside European responsibilities, this gives them arguments. So the great Europeans of the future will be people who are opposed to the European institutions intervening in domains which are not within their competence. They are not people who will say 'On the contrary, they should do a bit more.' No, they will say 'That's the responsibility of Ireland, of Belgium, of Italy. We will leave them to it.' On the other hand, other subjects falling within the European remit will be handled from a European perspective, from an overall perspective.

VII. Epilogue

What interests me is the historical period. It is very difficult to define the historical period. It's not the same in the different countries. For example, for the Chinese the historical period is the dynasty, or at least several dozen years, 50 years — they see historical periods in that way. Now we are countries that hold very frequent elections, with short terms of office of four or five years, so our historical period is divided into shorter lengths of time. And I would personally say that in the history of Europe, which of course has a fascinating history, there is one period which is essentially ending, which is that of the Treaty of Rome. It was a post-war treaty, concluded between some major countries of Western Europe and restricted to the economic domain. It has been an outstanding period, we have achieved things, we have moved forward. This period is essentially coming to an end. And now we are in a continental Europe with broad areas of responsibility and many members. A new era. And this era needed to be given a basis. And in my view the draft Constitutional Treaty was not just created for the sake of it, it was not an intellectual game, that's not what it was. It was to serve as a basis for this new era, for continental Europe with all its powers and all its members. That is why for all the passages it contained on strengthened cooperation, there was nothing on a two-speed Europe with a hard core. It was Europe. And I think that if there had been leaders with strong European motivation — there were some, I'm not saying there were none, but there were none in the big European countries at the time who were ultimately very committed — they would have taken advantage of this opportunity. And they would have said, 'We had the Treaty of Rome as a basis, and now we are going to have the new Treaty as a fresh basis.' And I think that despite the reluctance and the fears of some, if this passionate commitment had existed, these Europeans would have been happy and proud of it.

[Hervé Bribosia] So it was an opportunity missed?

[Valéry Giscard d'Estaing] Yes, it was an opportunity missed, deferred, because of course we're going to do something, but it will be something that lacks the founding inspiration.

[Hervé Bribosia] Mr President, thank you very much for this interview.