

The Spirit of the Time

At the time this issue of *EuConst* goes to the press, June 2007, the German presidency is nearing the climax of its efforts to solve the conundrum of the future EU treaty or constitution. There is no way of even guessing what the outcome will be, as every day brings a new set of circumstances and proposals.

Still, it is in such tests of strengths and of ideas as the present one, that the true foundations and the key questions of a situation can be detected.

Is a constitution meant to found an entity capable of action, or is it, conversely, meant to limit a body's action capacity and protect existing interests? Certainly it is meant to do both things at once: to provide both for change and for protection. But in the European situation the question polarizes opinions.

Is a constitution, further, meant to create, for Europe, a government more or less like that of a modern state, or is it meant to create something original? That is the second fundamental question, opposing the minds.

These two fundamental issues are reflected in a discussion carried in the German press between two opponents of the constitutional treaty and a protagonist. To mark the spirit of the time and demonstrate its potential for getting to the heart of matters, *EuConst* is presenting them in translation. The originals were published in the *Welt am Sonntag* of January 14 and 28, 2007, respectively.

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