THIS weekend in Copenhagen, the European Union will sign and seal its largest-ever expansion. Barring last-minute mishaps, ten new members, mainly from Central Europe, will be invited to join the 15 already in the club. But while new entrants crowd into the Union, back in Brussels the finest minds at the European Commission are concentrating on a different problem: how to kick countries out. A draft European constitution, code-named “Penelope” while being drawn up in secret for Romano Prodi, the commission's president, and released just a week before the Copenhagen meeting, dwells in loving detail on the idea that any country that fails to ratify the new constitution should be booted out of the club.

To invite an array of new members to join the EU while preparing plans to expel others may sound paradoxical. In fact, the two ideas are linked. The constitutional convention under way in Brussels is trying to work out exactly how an enlarged EU of 25 countries is going to work. In traditional jargon, the problem has been posed as “widening versus deepening”. Supporters of enlargement, in particular the British, have always hoped that a larger EU would make the federalist dream of a “deeper” United Europe impossible. How can you possibly impose common foreign, economic and social policies on 25 or more countries, with very different levels of wealth and national traditions? The federalists respond that a wider EU may actually demand deeper integration, pointing out that if all countries retained vetoes over many of the Union's actions, the organisation would get stuck.

There is an obvious compromise. The federalists are right that an enlarged EU will be able to work only if most decisions are made by majority vote. But their opponents are correct that the diversity of membership in a bigger EU suggests that the Union should do less. Indeed, it should withdraw from whole areas—from social policy, for instance—where there is little case for pan-European action.

Europe's constitutional convention, which probably has some six months to run, shows little sign of accepting this compromise. Penelope is unequivocal about the need for ever-tighter Union. She speaks of a Europe whose vocation is “to exercise the responsibilities of a world power.” That means a single foreign policy decided by majority vote, and a mutual defence guarantee. The constitution should enshrine “a European model of society”—meaning more, not less, social legislation. The EU should be given the right to raise its own taxes. It should also have expanded police powers and be able even to intervene to restore public order in a member state, although only (you may be relieved to hear) “in a spirit of solidarity”. All of the above should be decided by majority vote.

Penelope, in short, is an extreme federalist, and many of her suggestions will be binned before the convention ends. But some of her ideas will get through, reflecting the strong federalist presence on the convention floor. The final draft will probably include a commitment to a common defence, the setting of harmonised taxes by majority vote, and expanded powers for an embryonic European police force and prosecutor’s office. Several countries will find some or all of this very hard to take. The British and the Irish are allergic to the idea of tax harmonisation. The Danes have always been wary of the EU's expansion into policing. Neutral countries like Sweden, Finland, Austria and Ireland...
will be alarmed by what they may see as the EU's "militarisation". And whatever the convention suggests on the vexed issue of the balance of power between the European Commission, the Council of Ministers and the European Parliament is bound to distress one country or another.

That could be a big problem. As things stand, any new EU constitution, before it comes into force, will have to be approved unanimously by all 25 countries that will be in the club by 2004. Even if awkward governments succumb to peer pressure and sign up, their electorates may still reject the treaty. Ireland and Denmark are constitutionally bound to have referendums, and their voters have rejected European treaties before.

**Sign up or ship out**

The EU's forward-planners are vexed. How, they ask, can 4m Irish people be allowed to block the adoption of a constitution for 470m Europeans? The threat of an Irish or Danish rejection, they reckon, is heightened by the fact that a no vote will have no tangible consequences for a recalcitrant country. Hence their suggestion, ever so politely put, that any country that fails to ratify should leave the Union. It is not just Penelope who is arguing for this. More significantly, Valéry Giscard d'Estaing, a former French president who is chairing the convention, also favours this "constitutional rupture". The commission's lawyers reckon that the awkward legal requirement for unanimous approval could be circumvented by getting all EU countries to make a "political declaration" that any country that rejects the constitution will agree to leave the club. As one senior commission official explains: "We need to push countries up against the wall and say, 'in or out?'"

Britain, Ireland, Denmark and others will fight hard against being pushed up against this particular wall. But if the commission and Mr Giscard d'Estaing get their constitutional rupture written into the treaty, they may come to regret it. It is precisely the Union's wealthiest and most stable members who are often most attached to their own institutions and most likely to resist having a new European constitution forced down their throats. And it is the poorer and historically less stable countries that are least likely to risk leaving Europe's "rich man's club". The federalists have always been uneasy about letting poor Central Europeans in. How ironic if the EU found itself ushering in new members by the front door while inadvertently pushing some of Europe's richer and older democracies out by the back.