

What caused EU's geopolitical irrelevance in the Ukrainian drama?¹

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25 February 2022

Postscript by Ingo Piepers

Introduction

In the Constitutional and Institutional Toolkit for Establishing the Federal United States of Europe², titled '*The Evolution of State Systems after System Crises*,' I discussed a very interesting study by Ingo Piepers³.



Piepers - at the time commander of the Dutch part of the United Nations Rapid Reaction Force to end the war in Bosnia (1992-1995) – uses a number of sciences to investigate and explain why and how wars arise. In his research he also establishes a relationship between war, war dynamics and state formation.

The essence is that after four systemic wars between 1480 and 1945, each time a new European state system developed. Piepers sketches the inevitability of a fifth system war - or system crisis. In this growth and development process, which also has its own dynamics and momentum, it imposes on societal and political

developments.

The following quote from Piepers is relevant in this context (p. 208):

"A systemic war is a fundamental change and is not limited to war activity in a limited sense; there is war activity combined with alliance building and a political negotiation process, in which agreements are made between great powers about spheres of influence and the rules of play for a new international order. A system war is therefore also about values. It is actually better to talk about a system crisis instead of a system war."

According to his calculations, another comprehensive systemic crisis, combined with acts of war, will occur around 2020 - two years earlier or later. This systemic crisis will lead to a completely new European and global system of states. That transition will take about seventeen years.

¹ This article is a continuation of a discourse between Leo Klinkers and Ingo Piepers in Europe Today Magazine, titled 'The European State System at a Crossroads'

(<https://www.europe-today.eu/2022/02/19/the-european-state-system-at-a-crossroads/>).

² See Chapter 2: <https://www.faeu.eu/wp-content/uploads/Constitutional-Toolkit.pdf>.

³ Ingo Piepers, 'The inevitability of a new world war', Prometheus Publishers Amsterdam 2020. This book is a continuation of Piepers' PhD thesis 'Dynamics and development of the international system: a complexity perspective' (2006), 'Warning. Patterns in War Dynamics Reveal Disturbing Developments' (2016) and from his study 'On the Thermodynamics of War and Social Evolution' (2019).

Well, due to the invasion of Ukraine and the inevitable intervention of many countries to control this drama, the pieces of Pieper's scientific analysis seem to be falling into place: the fifth comprehensive systemic crisis appears to have begun. It is quite conceivable that the war conflict in Eastern Europe will be a reason for China to conquer Taiwan, for Israel to overrun Palestine, for Iran and North Korea to harass the USA, for belligerents in the Horn of Africa and in the Sub-Sahara to step up the fighting, for countries like Cuba, Venezuela, and Nicaragua (with Putin's promised military and financial support) to sow unrest and division in America's backyard. The interconnections and agreements between involved countries can evolve from local and regional conflicts into a new world war.

The causes of EU's global irrelevance

The question now is: why is it that after seventy years of European cooperation the EU could not prevent that Ukrainian drama?

The present crisis has everything to do with EU's irrelevance on the world stage. Its geopolitical irrelevance comes from an accumulation of wrong political decisions on how post-war Europe should unite. Only by knowing the main wrong political decisions can one understand why the EU could not play a significant role in preventing the conflict in Eastern Europe. Let alone that it is now able to solve it.

In the above-mentioned Toolkit, I supplemented Piepers' insights with an analysis of a) how Europe's intergovernmental operating system came into being after the last systemic crisis - WWII -, b) what mistakes were made at the time, and c) why the European Union had come to the end of its political life cycle by 2020. The EU suffers from an identity crisis, the final stage before a system collapses because it consumes more energy than it stores in order to survive and renew. Therefore, exhausted as the EU is by ongoing internal conflicts and watching helplessly as the geopolitical world shifts, the EU cannot play a role in the Ukraine drama, except issuing sanctions whose impact cannot be measured, except in the EU's own economy.

The most significant wrong decisions

Very briefly, I outline some of the wrong political decisions that have caused the EU to evolve into an impotent organization.

1. Truman – Eisenhower – De Gaulle

In 1945, President Harry Truman asked the leader of the Allied Forces, Dwight Eisenhower, to stay in Europe to establish a common European defence force. This initiative failed. Such a construction would require a federal approach for Europe; based on a federal constitution. Although De Gaulle was in favour of closer cooperation between the European countries, he rejected a federal Europe. With this view, he continued earlier (during the interbellum) attempts by the French Foreign Minister Aristide Briand to pursue an economic policy together with his German colleague Gustav Stresemann. This intergovernmental cooperation obviously could not prevent WWII. Hitler waltzed over it, as Putin is doing now.

NATO was founded in 1949, with US President Harry Truman as an important initiator. In 1951, Eisenhower became the first commander in chief of NATO forces in Europe. He wrote in 1951, to the US Secretary of Defence: *'There is no real solution to the European problem until a United States of Europe is definitively established'*⁴

France's opposition to a federal Europe laid the groundwork for a totally wrong foundation for European integration, based on a (necessarily) increasing number of treaties between member states. That ill-considered approach underscores the primacy of nation-state interests, not of shared common European interests. It continued the nation-state anarchy (causing many wars from 1480 until 1945) in a new form: treaty-based anarchy - causing not surprisingly complications within the EU. At the expense of the only purpose for which the EU was established, namely, to look after common European interests. Including at least a common European foreign policy and a common European defence force.

2. The wrong approach of the Union of European Federalists

Between 1946 and 1950, feverish negotiations took place. Starting point: the Ventotene Manifesto (1941-1944) by Altiero Spinelli. Spinelli – by Mussolini banned to the island of Ventotene - foresaw that a safe and prosperous Europe could only be guaranteed by establishing a federal Europe according to the methodology of the Philadelphia Convention of 1787, which led to the first federal constitution and thus to the USA.

As early as 1946, Spinelli was thwarted by his own federalist movement - the Union of European Federalists. Under the influence of the newly founded treaty-based United Nations, the UEF opted for federalisation via undemocratic and ineffective treaties instead of a democratic federal constitution. The UEF still holds to this doctrine today, even though after 70 years it is clear that this view has not led and will never lead to a democratic federal Europe based on a federal constitution. Nor of a democratic and effective UN.

Both institutions appear to be incapable to act as soon as their member states - in flagrant violation of treaties - go to war with impunity or otherwise violate human rights. The reason: the treaty-based construction of the UN and the EU. This non-capability manifests itself *à fortiori* when a non-EU member state such as Russia attacks Ukraine. No own strength, no own strategy, no own capabilities.

3. Churchill's wrong choice

Churchill's famous speech at the University of Zurich in September 1946 could not stop that process. Worse still, Churchill argued fervently for the creation of a federal Europe, but without the UK. England - so he said - was satisfied with having the Commonwealth, a confederal system by which England connected its colonies and dominions. That the confederal system of the thirteen former colonies in America (after their independence in 1776) led to a successful federal state in 1787 was apparently not a lesson for him. The price of this blunder is now clear: the Commonwealth, like the EU, is on the verge of collapse. The most important British

⁴ Bas Kromhout, 'Hoe de Amerikanen de Europese Unie pushten' (How the Americans pushed the European Union)., Historisch Nieuwsblad 11/2012.

former colonies (Canada, Australia, India, Malaysia) have chosen the status of independent federal states after 1946. They had understood the lesson of 1787. One by one, countries still belonging to the Commonwealth decide to no longer see the British Queen as their head of state.

With his stature, Churchill could and should have stopped the wrong idea of 'federalisation by treaty'. He could and should have continued the long tradition with which British federalist movements in the 18th century, and after the Treaty of Versailles (1919) led by Philip Kerr (Lord Lothian), strived for a federal Europe. After De Gaulle, Churchill was the second nation-state-oriented European politician who did not grasp that the security and prosperity of Europe - as well as its geopolitical significance - could only be guaranteed by a democratic federal constitution of, by and for the people of Europe, aimed exclusively at looking after common European interests.

4. The wrong Schuman Declaration 1950

With the founding of the Council of Europe in 1948 - attended by all the leading politicians, scientists, and artists of the time - a political and societal basis was created to guide the pursuit of greater unity in Europe along a treaty-like path. This culminated in the Schuman Declaration of 1950. Schuman – the French Foreign Minister - argued passionately (like Churchill) for a federal Europe but considered its design and organization a responsibility of government leaders, and that it had to be based on a treaty. This led in 1951 to the establishment of the European Coal and Steel Community, a cooperation between six countries to coordinate coal and steel policy so that none of them could gain supremacy over it and thus not be able to misuse it to forge weapons for war again. This system slowly expanded into today's European Union of twenty-seven Member States.

This made Schuman - and with him his advisor Jean Monnet – respectively the third and fourth leading politician in the period 1945-1950 to show limited understanding of the fundamental requirements for the creation of an effective European federation, or at least to lay the right foundation for it.

As President of the Federal Alliance of European Federalists, I think it is important to point out these fundamental construction errors, right from the start of the organization of European cooperation. This erroneous foundation has created a series of major problems and has caused the European Union to come to a screeching halt. With the current intergovernmental treaty-based organization and approach, the European Union is not able to adequately safeguard the interests of its inhabitants and Member States. Nor of its neighbours. That is clear.

Other politicians should have known better too but have failed to tackle the fundamental issues with the foundation of the EU that were already evident at an early stage. That shouldn't have happened, but apparently it was the easiest solution.

The wrong starting points for and approach to the Convention on the Future of Europe 2001-2003, and the Conference on the Future of the European Union 2021-2022

Around 2000, people were beginning to understand that the EU-treaty system was creaking and squeaking on all sides. Consequently, a federalist upheaval arose. Former French President Valéry Giscard d'Estaing was given the task to prepare a federal constitution within three years. This however became a debacle, leading instead to a 'Constitutional Treaty', a non-existent legal phenomenon. Because of this, the core problem was not tackled, but rather magnified: a document is either a constitution or a treaty. A constitutional treaty is the same as a pregnant man. Regretfully, politicians can always get away with legal fantasies by calling such a construction a 'sui generis' phenomenon.

Between 2003 and 2007, through intergovernmental deliberations, all references to a federal Europe were removed from that document, it seems in an effort to disguise all kinds of inconsistencies in that way.

In 2009 this led to the Lisbon Treaty (in fact consisting of two treaties). Because of its numerous flaws, one can justifiably call that treaty the worst legal document ever written in the history of Europe. The flaws of this unfortunate treaty and its inevitable practical consequences after 20 years, the European Union ultimately deemed it necessary to organize a new conference with the purpose to review the EU treaty system. Incidentally, and that is a cause for great concern, without any reference to a possible federal outcome. At least, that was the initial intention of its organizers. That Conference is now taking place, but it turns out that there is also talk about a federal Europe, however – and that is not only astonishing but also disturbing – still based on a treaty-based approach. The Conference's end product will be subject to intergovernmental consultation in 2022, and the final decisions regarding this new proposal - a 'new' Europe - will then be taken by the non-elected, intergovernmental European Council. This cannot and should not be the intention, also because it is essentially in conflict with the values and norms that the European Union claims to safeguard and promote.

The outcome of that decision is thus regretfully a foregone conclusion: it seems yet another recasting of the treaty system without any prospect of a democratic federal constitution. The European Council will never decide to step down.

Finally

The current crisis - the Russian attack on the Ukraine, and the changes in the European security architecture that Putin is trying to impose on Europe - confront Europe with its fundamental shortcomings, which have everything to do with what I have just discussed. Europe is facing an existential crisis.

Piepers' research shows that the next growth spurt is now impending in Europe, and from the growth and development perspective that his research has uncovered, a fully-fledged federation is a logical next step.

This crisis will contribute to the necessary awareness and urgency, I hope, to accelerate the progress towards a fully-fledged European federation, capable of safeguarding its values and interests. There is no alternative if that is Europe's ambition.

Specifically, this means, that a federal European system must be established, thus striking the right balance between the individual identities of European societies and states, as we know them, and should cherish them, and challenges that are tackled much more effectively and efficiently with a federation. These are some of the consequences; a federal Europe must be established based on a democratic federal constitution:

- o without the unelected and therefore undemocratic European Council,
- o without dual mandates and thus incompatible political functions,
- o without nation-state anarchy of member states disregarding treaty obligations when it suits them,
- o without parliamentarians elected on a nation-state basis,
- o without a legal basis that makes a mockery of standards of correct legislation,

But

- o with a legal basis that guarantees the sovereignty of the member states with a correct democratic federal constitution⁵, promoting security and prosperity,
- o with an excellent vertical separation of powers, leading to shared sovereignty of both member states and a federal body that only looks after a limited set of common interests,
- o with a transnationally elected European Parliament in which the principles of the trias politica and the checks and balances are perfectly regulated,
- o with a two-chamber parliament: the House of the Citizens and the House of the States, together the European Congress,
- o with a normal government headed by a President who can match those of America, China, and Russia,
- o with a European foreign policy and a European defence force,
- o and thus, with a growing geopolitical significance that can prevent a drama like that of the Ukraine. And thus, put off the next comprehensive systemic crisis by at least a few centuries.

The science of correct constitutional lawmaking and the application of correct federal organizational principles must be leading to produce the best results for Europe and its population.

Postscript by Ingo Piepers

In addition to this analysis, I would like to point out the important and well-timed initiative of the President of the Federalist Alliance of European Federalists, Leo Klinkers, to put forward a concrete proposal for a European Constitution, which will - if implemented - result in a well-functioning European Federation. What is important is that this process - the creation of a Constitution - itself, in terms of approach, also

⁵ With its own Citizens' Convention, the Federal Alliance of European Federalists is drafting a ten-article federal constitution between October 2021 and June 2022. For more information see https://www.faef.eu/en_gb/#tve-jump-17aed3a8d10.

looks for openness and involvement of the European population. As may be expected.

The crisis that Europe - the world - is now confronted with requires effective cooperation in all policy areas, to ensure unity of purpose, and also the efficient use of all kinds of resources.

The impact of this crisis will be huge, and Europe will be confronted with multiple crisis that require an integral approach, including a refugee crisis, possibly a significant economic set-back, also resulting in significant social consequences, security challenges, etc. etc.

The United States once again plays out of necessity an important role for Europe, and comes to Europe's aid; of course, also to safeguard its own interests. In essence, this is an embarrassment.

The United States will rightly expect from Europe that they are better and more able to handle their own interests and business.

Although Europe is still of great importance to the United States, we must not lose sight of the fact that Asia is now much more important for the US. It will now not be 'Europe First', as was the case during the Second World War, but 'Asia First', if this crisis further escalates.

It is now time for Europe to finally join forces in full, there is no alternative, if we are to safeguard our interests, values, and unique identity.

It won't happen by itself, but a federation is within reach: But at least, the European Constitution, which is now being developed under the direction of the FAEF, can and should serve as a guideline to achieve the Europe we now all urgently need.