

The political future of Europe: federalism or irrelevance?

Introduction dr. Leo Klinkers, President Federal Alliance of European Federalists (FAEF), for the online debate on Europe of the Asociación Unidad de Ayuda Ciudadana (UdAC), Escuela De Formación Humanística Y Social, on 1 October 2021.

Democracy means that the people rule. This is only possible by organising the representation of the people. We do this by voting for representatives of the people. Two important words play a role in this: Hope and Happiness. The representatives of the people have only one task: to help the people to be happy. And the people hope that they choose the right people to do this.

The way the state is organised can play an important role in this. A well-built federal state thinks and acts from the bottom up, from the people. In other words, from people with a hope for happiness. That is the first characteristic of a federal state.

Taking care of common interests is a second characteristic of a federal state. A federation is only created when countries (but also regions) know that they have to live and work together, but do not want to lose their own sovereignty, language, culture, and traditions. Belgium, Switzerland, Austria, and Germany are examples of this.

A federal body provides a limited and exhaustive list of common interests. These are interests that individual member states can no longer look after on their own. They must be clearly defined in a federal constitution. The federal body has powers only to look after those interests and may not top down affect the internal order of the member states and must therefore respect their sovereignty.

In the European Union it is the other way round. The EU is an operating system based on treaties. It has no parliamentary democracy. It is an administrative oligarchy. With top-down binding directives, the EU controls 27 states as one. Without a constitution to give the EU's actions a democratic basis. The Treaty of Lisbon, as the legal basis of the EU, is the worst legal document ever written in the history of Europe. It is full of systemic errors. The nature of systemic errors is that they slowly but surely erode the system and ultimately cause it to implode.

Some systemic errors. The Lisbon Treaty gives free rein to administrators who can make whatever decisions they want in the interests of the EU without being politically accountable. They have no respect for the principle of subsidiarity. It is full of contradictory articles and exceptions. Member States which feel that certain decisions harm their interests ignore the obligation to comply with the treaties. That is nation-state anarchy. As a result, conflicts within the EU are increasing. They are so serious that they can no longer be resolved politically but are passed on to the courts. That is the last kind of compromise that bad politicians use: letting the courts solve political problems.

At present, the question is: who is actually the boss in the EU? Is the European Court of Justice the boss or can the highest courts of Member States ignore rulings by the European Court in cases that affect the sovereignty of those Member States? This is

not only an issue in the EU's conflicts with Hungary and Poland on issues such as immigration and the breakdown of the rule of law, but also between the Court of Justice and the Federal Supreme Court of Germany.

This marks ever more clearly that the European Union is in the throes of a serious identity crisis. Such a crisis is the final stage before the system collapses. The causes are clear: the Treaty-based intergovernmental operating system is rotten to the core.

But we do not yet know the trigger that will lead to the inevitable collapse of the EU. However, we can speculate about it. In the aftermath of the Covid pandemic, economists expect a new economic crisis, more severe than the one in 2008. If that happens and EU Member States maximize their own nationalistic interests, it will be the end of the EU.

But there is another crisis looming, a moral crisis, which could lead to the collapse of the EU. The President of the European Commission Ursula von der Leyen delivered the State of the Union address on 15 September. The title of her speech was: 'Strengthening the soul of the Union'. A soul? The EU is a technical, bureaucratic, economic union without a soul. Not only without a valid legal basis, but also without a foundation of moral values as the connecting links between hope and happiness. The EU has no political-philosophical basis for values such as justice, freedom, art and culture, necessary sources of inspiration for humane citizenship. Such a basis can only be articulated in the Preamble of a Constitution and that is precisely what the EU lacks.

Robert Schuman, who is always praised as the founder of what is now the EU, already spoke of the need to give Europe a soul in his Schuman Declaration of 9 May 1950. He argued forcefully for the need for a federal Europe but concluded his Declaration with the instruction to government leaders to base that federal Europe on treaties. An unforgivable mistake. Treaties have no soul. Only a constitution has a soul, provided it is well designed: from, by and for the people.

The real State of the Union is a failure to give shape and substance to the moral value of a united Europe in such a way that the EU is able to subdue internal nation-state anarchy, to create commonality within Europe, and to play a meaningful role outside Europe, i.e. in the geopolitical arena, in subduing wars, refugees, diseases, economic inequality, corruption, slavery, racism, poverty, famine, greed and deluding conspiracy theories. Financial and material interests have driven out a sense of values. The Treaty-based EU is not in a position to turn the tide.

This moral failure culminates in the policy towards immigrants: they are pushed back into the sea. How low can one sink morally? People underestimate the psychoanalytical effects of that behaviour. If European governments push immigrants back into the sea, this translates at the grassroots level of society into a strengthening of amoral behaviour. Bad leaders create bad followers.

If a new attack on the EU economic system is to take place, the amoral nature of the EU will activate the poison of nation-state anarchy and thus grow the anti-democratic forces of despotic fascism still present in Europe.

If history has taught us anything, it is that radical change can only come about in the face of serious crisis. And that gives hope. Hope for a new democratic and effective European system of states. That of the United States of Europe. The Member States would regain their sovereignty, the centers of political power would return to the grassroots of societies and common interests could then be effectively looked after in a strong geopolitical position.

But let us make no mistake in hoping that with a federal Europe the value of 'happiness' will be realised. We can only state on scientific grounds that a federal state of Europe, based on a federal constitution, is a much better form of state than the undemocratic, treaty-based, intergovernmental system governed by administrative oligarchs, who lack moral authority and spiritual richness and are not politically accountable for the fact that, with their top-down binding directives, they are crumbling the rich diversity of structures, cultures and traditions of the European Member States into an amorphous mass of people who, even more than now, live their lives in indifference and ignorance. What the EU understands by 'integration' is nothing other than compulsory assimilation: all countries must become similar. Directives are to be incorporated into national law without any awareness that this will lead to national legal constructions that are unenforceable. In a federation, this is out of the question.

But even a federal state is not heaven on earth. Just as a well-built house with a solid foundation is a better home than a tent on a campsite, that good house can also become ruinous if it is managed by the wrong people. Europe faces not only the task of building that federal house, according to standards, but also the perhaps even more difficult task of creating an entirely new generation of parliamentarians. People with knowledge and understanding of the fundamentals of the political office, where true humanity is the basis of political decision-making.

Here lies an immense task for transnational political parties. They must learn the true humanity of the political office. They have the task, but also the opportunity, to reinvent themselves as important gatekeepers for those they send to the European Parliament. The Federal Alliance of European Federalists can provide that knowledge. Among other things, through our Citizens' Convention starting tomorrow, 2 October, with the aim of offering the people of Europe a federal constitution from, by and for the people. It is up to humanists to teach political parties what true humanity is, so that the hope of voters that voting for the right people can make them happy.

In the online Citizens' Convention of the Federal Alliance of European Federalists, federalists, constitutional scholars, politicians and interested citizens will discuss the draft federal constitution for Europe. The draft contains ten articles. That is enough for a democratic and powerful federal Europe. Our goal is to offer a draft of that

constitution, improved by the Convention, to the people of Europe for ratification after May 2022. All sovereignty rests with the people.

Thank you.