

Episodes of flaring up European unity in the context of Federalism

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Part 1, The Federalist Papers, January 2017

by Leo Klinkers |

Preliminary remark

Now that Germany is chairing the EU again since 1 July 2020, Angela Merkel is being interviewed by the media. To questions about the conflicts within the EU and its increasing (geopolitical) weakness, she answers with remarks like: "We need to think again about a Constitutional Treaty" and: "It is necessary to adapt the EU treaties again".

This is very serious. There is no such thing as a Constitutional Treaty. Like a pregnant man, it is a linguistic oxymoron: two words that do not match. The fact that she argues for new adaptations of the EU treaties proves that the legal basis of the EU – the Lisbon Treaty – is fundamentally wrong.

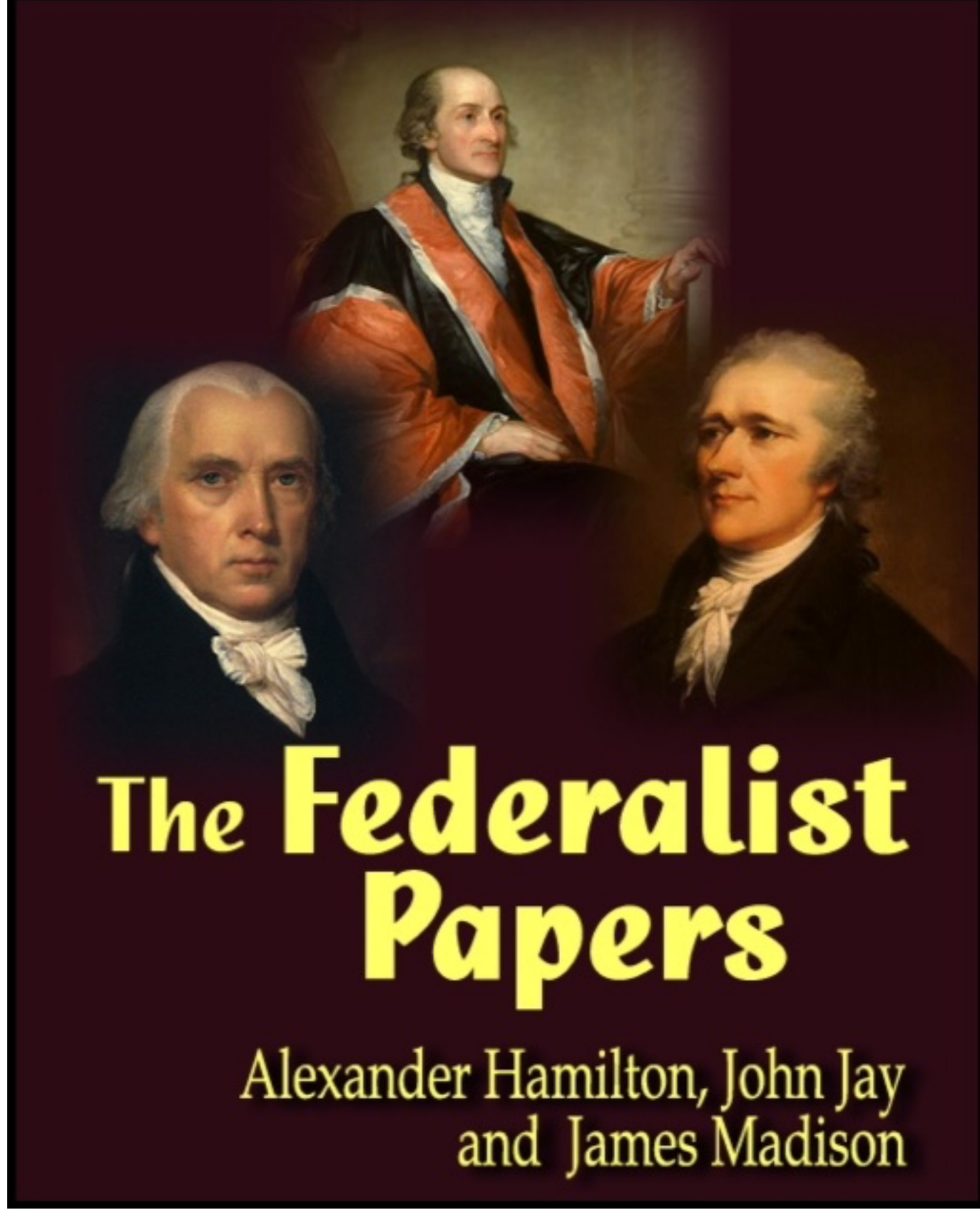
On top of that, the EU plans to launch the Conference on the Future of Europe 2020-2022 soon. Its organization is even more flawed than the Convention on the Future of Europe 2001-2003, which led to the Lisbon Treaty in 2009. It is a legal monster that is causing the collapse of the EU. Only a federal constitution can save Europe.

In the context of a series of essays entitled 'Episodes of flaring up European unity in the context of Federalism', in January 2017 I wrote an essay on brilliant constitutional innovations of the world's first federal constitution, designed by the Philadelphia Convention between May and September 1787. In the famous American Federalist Papers, Alexander Hamilton, James Madison and John Jay explain those innovations. Madison and Hamilton, in particular, explain with merciless criticism the seriousness of the flawed nature of the confederate treaty and why it is precisely this treaty itself that is the cause of the growing conflicts between the thirteen states in America and the inevitable downfall of those states when the people of those states are unwilling to accept the draft federal constitution.

Instead of quietly taking note of what Hamilton and Madison already knew in 1787, namely that with a treaty as an accumulation of national interests you cannot administer statehood without causing serious problems, European leaders continue the path of the big mistakes and they themselves destroy the EU. Hopefully, the essay below, dated January 2017, offers some European federalists the confidence that one day Europe will be okay.

The Federalist Papers

Authors: Alexander Hamilton, James Madison and John Jay (1787-1788)



Introduction

See the Federalist Papers as a doctrine full of renewing insights in the form and content of constructing states, doing justice to the two inalienable rights of people, namely *liberty and happiness*. Therefore, this review is meant to fight the unmistakable catastrophe of the disintegration of the European Union. Not by a plea to adapt again – and in vain – the treaty and the organizational structure of the EU, but through replacing this structure with a federal form of state. Exactly as was done between 1787 and 1789 in America. The facts and arguments of that period are convincingly applicable to the dying lifecycle of the EU. Applicable in the sense: "Please, start learning – at last – what the Americans created at the end of the 18th century, based on the thoughts of European philosophers such as Aristotle, Althusius, Montesquieu and Locke."

Another philosopher should be mentioned here, the famous 17th century Portuguese/Dutch Baruch Spinoza. In his *Ethica* he answers the age-old question "How can I acquire happiness?" by writing: "Use your brains!"

Herbert Tombeur and I have pointed out – in the *European Federalist Papers* (2012-2013) – the notion that the EU will disintegrate. It is the inevitable effect of a system error in the Schuman Plan of May 1950. I elaborate on this error in the Series of four videos about federalization in the Section *Strong with Europe* on the website of the *Strong Learning Academy*. It is remarkable that it took until 2016 before this process of disintegration was mentioned openly in the media and in the European political arena. It is even more remarkable that President Donald Trump – with hardly tempered irony – is speaking about Europe's weakness in terms of its predictable disintegration. Probably aiming at playing the

In order to avoid misunderstandings: I appreciate the European Union as a symbol of the age-old wish to unite Europe. However, its administrating system contains all the mistakes of the *Thick Book of Administrative Mistakes*. It is against that

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Out-of-the-box 3: ratification by the people	>
New 4: the ingenious system of checks and balances	>
New 5: a Constitution of only seven articles, containing only general binding rules	>
Finally	>

Literature

The body of literature about *The Federalist Papers* is enormous. This is a small selection of interesting books and websites.

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- Olthof Jelte, *Patchwork Republic, The Rhetoric of 'We the people' in the United States Constitutional Debates, 1765-1865*,

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VIDEO


 A screenshot of a YouTube video player. The video shows Leo Klinkers, a man with glasses and a dark suit, speaking and holding a pen. In the top left corner of the video frame is a circular logo with the text "EUROPE TODAY" and a stylized globe. The video title "Leo Klinkers Fede..." is visible at the top. A large red play button is centered over the video. The video player interface at the bottom shows a play button, a progress bar at 00:00, a duration of 02:24, a volume icon, and a full-screen icon.

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