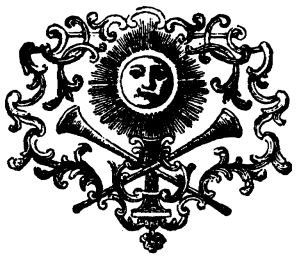
THE FEDERALIST

a political review

To look for a continuation of harmony between a number of independent unconnected sovereignties situated in the same neighbourhood, would be to disregard the uniform course of human events and to set at defiance the accumulated experience of ages.

Hamilton, The Federalist



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THE FEDERALIST

a political review

Editor: **Francesco Rossolillo**

The Federalist was founded in 1959 by Mario Albertini together with a group of members of the Movimento Federalista Europeo and is now published in English and Italian. The review is based on the principles of federalism, on the rejection of any exclusive concept of the nation and on the hypothesis that the supranational era of the history of mankind has begun. The primary value *The Federalist* aims to serve is peace.

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The Road to Peace

In situations of extreme tension, and particularly in the build-up to a war, the systematic twisting of information is a strategic ploy routinely employed by both parties in the conflict. It is thus easy to lose one's way in the web of lies and propagandistic statements that results from this, a web that is rendered daily more intricate and less transparent by governments seeking to win consensus and establish alliances and by the mass media channels that, consciously or unconsciously, are at their service.

In particular, it is impossible to establish how many and what weapons of mass destruction Iraq is hiding, not least because it is impossible to prove the non-existence of such weapons. Saddam Hussein is without doubt a dictator. Equally certain is the fact that he attacked Kuwait in 1990, and that he has, in the past, had chemical weapons at his disposal, using them against Iranian troops during the Iraq-Iran war of the 1980s, a conflict that he entered into with America's support. But what is also beyond doubt is that Iraq is a country that has been brought to its knees by war, that has a population split into three branches, over two of which the government has lost practically all control, that has been reduced to a state of poverty and starvation by years of embargo, and that is subjected to continuous reconnaissance flights and inspections on the ground — in short, a country that is not in a position to conceal anything more than a modest arsenal.

That is not to say that the Iraqi regime, which still has a firm grip on the city-dwelling Sunnite part of its population, could not, with its back against the wall, and forced to resort to desperate measures, constitute a real danger to the world's largest power and to its satellites. And this danger extends both to the stage of the conflict itself, during which the regime could easily resort to urban guerrilla warfare and set fire to its oil wells, and to the territories of the United States and the countries of Europe.

Saddam's regime enjoys widespread sympathy in the Arab world and in the greater Muslim world, whose diaspora now numbers many millions of people, resident above all in the United States and in Europe. These are,

for the most part, people who have emigrated in pursuit of nothing more than work and a decent life. But in their midst there are also militants and highly trained terrorists, individuals whose potential for aggression the United States can do nothing to neutralise, and whose fanaticism would be exacerbated by the wave of anti-Americanism that an attack on Iraq would inevitably trigger. These people are perfectly capable, even with modest means, of sowing panic among the populations of their host countries and of lowering their morale. Leaving aside for a moment the strong opposition and sham consensus it is generating in different quarters, the United States' venture will, in any case, be extremely difficult. The USA is preparing to wage a war that cannot be won. Iraq can be destroyed, but not transformed into a US satellite. Thanks to the spread of modern means of communication, public opinion has, in Arab countries, taken shape and become a force that the respective regimes are no longer able to control. And this force of public opinion (which thus includes that which has grown up even within formally pro-American regimes, such as those of Saudi Arabia and Egypt, and beyond the Arab world, in Pakistan) is already so imbued with rampant anti-Americanism that any American line-towing puppet who might be put, by force, at the helm of the country in place of Saddam Hussein will be considered a traitor, obliging the United States and their satellites to turn Iraq, for a very long time to come, into an out-and-out protectorate (creating a situation similar to that which is currently taking shape in Afghanistan). The region's pro-American regimes would thus find themselves in great danger, and the task of controlling this area, as it sinks into greater and greater turmoil, would fall exclusively to the military power of America and its satellites.

The prospect facing the Middle East is that of a destructive war, with the enormous sacrifice in terms of human lives and resources that all wars entail, yet without the same being justifiable either as a necessary means of guaranteeing United States' security, or as an action likely to further hopes of creating a more stable and progressive balance of power in this region, in which, on the contrary, tension and the fragility of political relations would only grow. Now is certainly not the time to be spouting, for the umpteenth time, the tired and abused slogans of a pacifist movement that has always existed but always been defeated. But rejection of naïve pacifism certainly does not equate with a willingness to espouse any war. And what we must realise today is that we are faced with the prospect of a senseless war, whose effects will only aggravate the conditions that triggered it in the first place. It is a war that will only render

international relations increasingly tense and shaky and deepen the economic crisis, already serious, that the whole world is currently going through.

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Just what is it that is inciting the United States to war? It is certainly not the bellicose character of its leaders, even though there can be no denying that American politicians have adopted a tone and style that, for brusqueness and arrogance, are entirely without precedent in the recent history of the Western world. This is a phenomenon that would certainly have been less marked had the obscure events leading up to the election of Bush had another outcome. Individuals with a make-up different from that of Bush, Rumsfeld, Wolfowitz and Condoleezza Rice would certainly have adopted attitudes that were, superficially at least, more flexible, and America's predominance would have been presented to the world in a less arrogant fashion. But even Gore, and the personalities he would have chosen as his collaborators, would, before long, have opted for the militaristic and unilateralist road. We have to acknowledge that what we are witnessing is a degeneration of American politics itself, both domestic and foreign. This degeneration, attributable to a series of objective factors and having nothing to do with the political leanings of whoever is leading the country, is effectively relegating to minority status that, albeit still significant, section of the American population (intellectuals, politicians and ordinary citizens) who are alarmed by the current trend.

Neither can it realistically be argued that what really underlies America's determination to wage war on Iraq is some plan to gain control of the country's oil: most of this is already sold to US oil companies, and in any case a plan of this kind would never be worth the frightening costs of a war. The United States' basic concern is actually a different one, i.e., the need to reaffirm its strength, on which the consensus of its citizens depends, and to restore an image that has been profoundly damaged by the attack on the Twin Towers and by its proven inability to capture Osama bin Laden, to dismantle the al-Qaeda network, and to find a solution to the Israeli-Palestinian conflict. Iraq, among various possibilities, has emerged as America's number one target because of its territory, which, flat and prevalently desert land, is best suited to a war that needs to be concluded rapidly and in victory. The United States' lengthy and costly preparation for this conflict and its objective (the overthrowing and

possibly the death of Saddam Hussein) prefigure a campaign that all hope will be brief (if it really cannot be avoided), but that will have to be spectacular, and thus highly destructive — and this is the reason why this reaffirmation of America's strength is likely to have such terribly serious consequences.

In truth, it is the global power relations of the post-Cold War era that are at the root of the American government's need of a war. As a result of the collapse of the Soviet Union and the persistent weakness of the Russian federation, of China's failure to be, for the moment, anything more than an embryonic world power, and of the total absence of Europe in world affairs, the United States has been left as the only global power on the world stage. Its hegemony covers the globe, and within the sphere of its influence it has had to assume responsibility for guaranteeing some form of order, however precarious.

* * *

But, exceptional circumstances apart, a stable and progressive hegemony should not need to have recourse to military intervention. Its main instruments should be economic cooperation and a development policy that has the hegemonic power as its hub, an arrangement that benefits, in terms of production and wealth, both the countries that fall within its sphere of influence, and the hegemonic power itself, given that, with the growth of trade, more wealth for one means more wealth for all. Examples of this kind of hegemony are the British Empire of the nineteenth century and the United States of the post-World War II era. Both of these, thanks to their strong industrial system and balance of payments surplus, were in a position to act as a virtual international central bank and as an engine driving the entire world economy, or a considerable part of it. But in the nineteenth century, as in the middle of the twentieth, the world was a much smaller place than it is now; Great Britain, to a considerable degree, shared its responsibilities with the states of mainland Europe and with the United States, while America had its load lightened by the Soviet Union, even though relations between the two superpowers were hostile. Today, however, the United States is entirely alone, and too weak to fulfil the same role, since the responsibilities it faces are out of all proportion with its size and wealth. One need only think of its current account deficits, which amount to 460 billion dollars (the equivalent of around 4.8% of its GDP), to which can be added a budget deficit of 304 billion dollars (the equivalent of 3.1% of the GDP),

which, according to the New York Times, is rapidly rising towards the 400 billion dollar mark, figures that, moreover do not include the enormous extra burden that will be generated by the war and by the estimated costs of a missile defence system.

In these conditions, the world's only superpower is, objectively, left with no alternative but to attempt to cover up its political decline with shows of military strength, shows into which it pours all its energies. This strategy is resulting in the replacement, wherever and whenever possible, of a hegemony exercised through development aid and reciprocity of interests with one that is exercised through dominion, which is to say, with imperialism. And this imperialism necessarily brings to the fore arrogant and authoritarian individuals, whose position is boosted by a popular nationalism that is, in turn, fuelled by the growing insecurity of the population. Meanwhile, in the rest of the world, resentment towards the United States is increasing, and it is a sentiment that the supine obedience of leaders who are tied to the USA by economic and power interests, but whose views diverge increasingly from the inclinations and mood of public opinion in their own countries, certainly does nothing to abate.

* * *

Who will meet the enormous costs of the war and of the reconstruction that will be necessary in its wake? In part, of course, the United States. And while the United States will no doubt attempt to offload onto its satellites a considerable part of the economic burden generated by the conflict, the problem of how to fund this war is likely to prove far more difficult to solve than at the time of the first Gulf War. On that occasion, the Europeans, the more moderate Arab states, and Japan all played an active role in the military operations, or funded the same through contributions that covered 80% of the overall costs. Given the general unpopularity of this war, however, there is likely to be little, if any, of this kind of cost sharing. The United States will thus be obliged to find more indirect ways of making the Europeans (and the Japanese) pay for the rebuilding of what they themselves will have destroyed. In actual fact, as a result of Wall Street's pivotal role in the international financial markets, Europe has, for years now (and thus irrespective of this war), been transferring wealth to the United States, and this in payment of a military presence whose purpose is no longer to defend Europe, but rather to guarantee America's hegemony over it. As long as Wall Street continued to boom, this transfer of wealth came about through the Europeans'

purchase, at higher and higher prices, of American securities, and thus through the injection of fresh money from the Old Continent into the American production system. When Wall Street plummeted, it continued through the Europeans' selling back, to the Americans, of these same securities, this time at much lower prices. It is possible to put a similar slant on the increasing weakness of the dollar, given that it heavily penalises European (and Japanese) exports, but favours American exports. Thus, the Americans will be able to take advantage of their privileged position as the hub of the world economy in order to pay for the war in paper money, in other words, by exporting inflation. This war is, in any case, bound to be a disaster for the economies of the European nations, which will not be able to duck their obligation to help fund the rebuilding of Iraq.

* * *

The problem of Iraq has exposed, more dramatically than ever before, the extreme instability of today's world equilibrium. It is both a manifestation of the degeneration of current international relations and a factor aggravating the contradictions inherent in the same. By attacking Saddam, the Americans will emphasise the purely military nature of their leadership and reinforce authoritarian tendencies at home, they will boost the number and the strength of their enemies, and they will render more remote any prospect of creating a more stable and peaceful world order. And yet the consequences of the Americans' backing down now would not be much different. Having made these hefty preparations for war, such a move would seriously undermine the credibility of their government in the eyes both of the rest of the world and of US public opinion. Whichever scenario emerges, it is clear that the United States has no plan that might bring new order to the region, and even if it did have a plan, the fact that it stemmed from a power now universally perceived as the enemy of the Arab world would, from the outset, render it impossible to implement.

The Iraqi crisis has, with equal force, also laid bare the lack of substance of the United Nations. The US government has had the effrontery to declare that the United Nations Organisation enjoys a certain legitimacy only when it complies with American policy, and that it is devoid of all legitimacy when it opposes the American line, and therefore that its resolutions can be safely violated when violation coincides with the interests of the global hegemonic power. It has thus exploded the myth

— a myth that did have a degree of symbolic value, commensurate with the extent to which it was believed — that the UN wields might of its own and is not just a reflection of existing global power relations.

Finally, the American position, despite encountering the almost total opposition of public opinion in Europe, has revealed, in the Old Continent, a clear contraposition between the governments that have accepted unreservedly their subordination to the United States and those that have sought to retain a measure of independence. It is, in this regard, important to note that France and Germany (around which are clustered a small nucleus of other countries) are, in fact, carrying out, albeit in a still imperfect and ineffective manner, what might be deemed a virtual European foreign policy. But there are two conditions that must be fulfilled before this virtual policy can be transformed into a real policy: first, this nucleus, or core, of countries striving for European independence must do more than just say no to war; they must develop, since they have the means to do it, a development programme for the whole of the Middle East, whose main aim is to promote unity in the region — an endeavour along the lines of the United States' promotion of the Marshall Plan and encouragement of European unity after the end of the Second World War. Second, the countries making up this core will have to be bound together by a tie stronger than a weak and ineffective relationship of cooperation; what is needed is an out-and-out federal tie, that is to say, the creation of a new state at the heart of Europe, which has the capacity to take decisions and mobilise resources. If these countries do indeed prove able to take this step, then the arrogance of the American government will ultimately have served a useful purpose. If, on the other hand, they fail to take it, then their policy will amount to nothing more than a series of declarations of intent issued by a weak and impotent alliance destined quickly to crumble, and the deplorable position of the 8+10, faced with the uncomfortable friendship of a huge power and the false positions of a wavering alliance, will gain strength within the political class and public opinion alike. If this happens, the process of European unification will have come to its end.

* * *

The states that form the heart of Europe today are unable to rise to their responsibilities because they lack the power they need to do so. On the other hand, the United States is a power in decline, not strong enough to take sole responsibility for the world order. We find ourselves, moreover, in a situation in which, with Russia still having a long way to go before

it recovers, and China before it acquires, the capacity to play a pivotal role in the global equilibrium, and Europe rendered powerless by division, only the United States is broaching the problem of guaranteeing the world some order, albeit a precarious order and one for which the price is repeated conflicts and regional crises.

Blame for this American imperialism, and indeed for the very degeneration of domestic American politics, should not be laid at the door of the United States, which is merely exercising its hegemony, but rather at that of the Europeans who, despite having the capacity, through political union, to break free from the shackles of American domination, remain divided and thus fail to do so. There is after all, in the whole history of mankind, no instance of a hegemonic power deciding voluntarily to reduce the sphere of its dominion, even though it might, in the medium term, have been in its interests to do so. Throughout history, hegemonic powers have reduced their sphere of influence only when forced to do so by the emergence of a rival force, which, by taking away a share of their influence, has relieved them of some of their responsibilities, and allowed them to exercise the influence that is left to them in a manner more coherent with their interests and with those of their allies.

European political unity — which today means the birth, around France and Germany, of a genuine federal core, made up initially of the six founder members of the European Community together with any other countries that may wish to follow their lead — is now the only direction that can be followed if the world is to be set on the road towards a new, more peaceful and more stable global equilibrium. It is only through political unity of their continent that the Europeans can be allowed to know again the dignity that derives from feeling part of a state that has the capacity, entirely independently, to take decisions in its own interests, while also respecting and promoting those of the rest of the world, and the Americans to recover the dignity that derives from their membership of a great democratic state, whose vocation is to spread, beyond its own confines and through peaceful means, its belief in the free coexistence of peoples. It is out of the question that this objective might be reached soon enough to prevent the folly of this imminent war. But it is important to note that the hesitant first step that, thanks to the position of the French, German and Belgian governments, has now been taken in this direction has at least caused the American government some embarrassment and given encouragement to the overwhelming majority of European public opinion that is opposed to the war. Thanks to their close geographical proximity and economic interdependence, Europe and the

Arab world tend to be pushed towards the establishment of closer cooperation, a cooperation that will come about by degrees and that will take time to achieve a mature balance. But the present crisis has made it imperative, without further delay and through a courageous initiative that might serve as an important beacon of unity and independence for the whole of Europe and for the Arab world, to move in this direction.

The Federalist

The Debate over the European Constituent Assembly: A Story of Drafts, Desires and Disappointments

DANIELA PREDA

The earliest plans for a European Constitution date back to the second world war — in particular from quarters close to the Resistance.[1] Among the documents that can be traced to those years, the most comprehensive from the constitutional standpoint are the *Progetto di costituzione federale europea e interna* (Project for a Federal European and internal Constitution), written between the autumn of 1942 and 8 September 1943 by Duccio Galimberti and Antonino Repaci;[2] the *Projet d'une constitution fédérale pour l'Europe* (Project of a Federal Constitution for Europe), formulated between 1943 and 1944 by the Legal Commission of the Paneuropean Conference;[3] the *Rough Draft of a Proposed Constitution for a Federation of Western Europe* by W. Ivor Jennings;[4] the *Draft Constitution for the United States of Europe*, written between 1941 and 1942 by the Constituional Committee of the Europa Union Schweitz;[5] the *Schema di Costituzione dell'Unione federale europea* (Scheme of a Constitution for the Federal Union of Europe) drafted by Mario Alberto Rollier in 1944.[6]

The reaction to these efforts was indifference, and they were scorned as nothing but academic exercises on the part of wishful thinkers.

The second world war, however, did spark a tidal wave of pro-union thinking: organizations and movements spread throughout Europe, resolutions in favour of European unity were presented to a number of national parliaments and adopted by several, the issue was widely debated by politicians and the general public.

Following the turning point marked by the Marshall Plan and the cautious launching of the process of unification, initiatives favouring the calling of a European Constituent Assembly became increasingly bold

and, at the same time, more concrete. There was a widespread determination to voice desires for political unity above and beyond the minimal low-key progress already achieved at the level of sectoral integration.

Though pro-European sentiment had unarguably taken root, many wondered what strategy should best be adopted; what model Europe should strive towards. Federation, along American or Swiss lines? Confederation? Perhaps a form of institutionalized co-operation between states, starting from a handful of sectoral competences? It was not just a matter of what to aim for, but also how to attain it. It goes without saying that the only recognized democratic way of creating a new state was by the constituent method. However, its implementation in a Europe of sovereign states was troublesome.

As the 1950s dawned, governments opted for a functionalist approach to creating Europe, based on a theory of slow, gradual steps. The progressive integration of industrial sectors would hardly hinder the eventual success of the constituent approach, starting from the more advanced purlieus of Europe.

Indeed, a gradual process might foster even greater success, by highlighting the increasingly serious political and institutional deficiencies brought to light by broader integration and a more extensive transfer of power. Even for Jean Monnet, federation was in any case the final leg of European unification, consisting theoretically in a gradual expansion of functions to be handed over to supranational institutions. The question was: what would trigger such a process? Where and how should it be embarked upon?

The issue of the Constituent assembly was destined to come to a head with the birth of the European Community. Between autumn1951 and winter 1952, as the ECSC came into being and negotiations on the European Defence Community wound down, there was a groundswell of support for the creation of a European political community. The newly hatched functionalist process, spreading from sector to sector, offered glimpses of deep contradictions, and supplied increasingly convincing arguments in support of a struggle for European unity.

One prime issue was how to create an effective common army — not just a mere overlap of national armies — before creating the federal state it should serve. Another was how to appoint a specialized authority to create it, since a unified army had ramifications affecting other crucial public sectors such as foreign policy and the national budget. And again: could such specialized authorities remain divided from one another and totally separate without the risk of generating confusion, and worse still,

getting bogged down in inefficiency?

In other words, could the EDC precede the constitutional foundation of a European State? These are the issues that Altiero Spinelli quite righly raised in a memorandum to Alcide De Gasperi in August 1951.[7]

Having entered into an area as sensitive as defence, functionalist integration needed to deal with the question of political unification, creating the conditions for a smooth transition towards a constitutional approach.

De Gasperi, the Italian premier, took steps to have the draft treaty of the EDC include an article — number 38 — entrusting the provisional Assembly of the EDC with the task of drafting a project for the Statute of the European political community, at the same defining the principles which should inspire the Assembly in the course of its inquiry: "*l'organisation de caractère définitif qui prendra la place de la présente organisation provisoire* — the article stated — *devrait avoir une structure fédérale ou confédérale. Elle devra comprendre notamment une Assemblée bicamérale et un pouvoir exécutif*."[8]

Since it was expected that the process would be a lengthy one, time was of the essence, and in the spring of 1952, the forces in favour of a united Europe weighed up the possibility of bringing forward the calling of the Constituent Assembly. In May, Spaak — who had earlier reached an understanding with Jean Monnet — proposed giving the task of drafting the project for a European Constitution, pursuant to art. 38, to the ECSC Assembly (suitably enlarged to include the members of the EDC), which was soon to meet as the ratifications of the Schuman Plan were about to be completed.

The proposal to bring forward the Assembly was immediately welcomed at the highest levels, leading to a Franco-Italian government initiative that was discussed and approved on 9 September by the six ECSC Foreign Ministers meeting in Luxemburg.

On 10 September, Adenauer formally requested that the ECSC Council — at its maiden meeting — draw up a Constitution of the European political community. Three days later, the Assembly agreed to the governments' request and went to work, naming itself the *ad hoc* Assembly. In the space of only a few months, the European Constituent Assembly had become a reality and Europe found itself — albeit only fleetingly — on the brink of unification.

What just months earlier had seemed a pipe dream was now not only within reach, but could not materialize fast enough. There was a need to deal promptly with new challenges, the most demanding undoubtedly

being the need to create a supra-national political authority, uniting not thirteen former British colonies, or a handful of cantons, as in the case of the United States or Switzerland, but the great sovereign national states of the modern era. So as the project advanced at the government level, the Movements were taking action not just to ensure the successful fulfilment of the task at hand, but also to prepare to deal with the new challenges lying ahead, proposing themselves as a viable force driving government action.

In March 1952, Altiero Spinelli pushed for the creation of a *Comité d'Etudes pour la Constitution Européenne* (CECE) — Committee for the Study of a European Constitution, of which Paul-Henri Spaak became the Chairman and Fernand Dehousse the secretary. The aim of the group was to explore the problems raised by the political unification of Europe, and draw up plans for a European Constitution which — given the novelty of the subject and the little time available — would have provided valuable support to the "official" constituent assembly. The results achieved by the CECE, also aided by a group of Harvard University experts led by Karl Friedrich and Robert R. Bowie,[9] were published in the form of nine resolutions in November 1952.[10] That same month, the *Travaux préparatoires* were also published, which contained the minutes of the CECE proceedings.[11] There is evidence of close links between the CECE and the *ad hoc* Assembly: Paul-Henri Spaak chaired both bodies; Fernand Dehousse was secretary of the CECE and rapporteur for the Political Institutions subcommittee[12] of the *ad hoc* Assembly (chaired by Paul-Henri Teitgen), and also a member of the latter's *Groupe de Travail*; Lodovico Benvenuti was a distinguished member of the CECE and a rapporteur for the Attributions subcommittee in the *ad hoc* Assembly chaired by the Dutchman Blaisse.

The *ad hoc* Assembly went straight to work under the guidance of chairman Paul-Henri Spaak, and six months later, within the deadline that had been set for 10 March 1953, the draft statute of the European Political Community had been unanimously approved, except for five abstentions.

The document was a weighty one, consisting of a preamble and 117 articles divided into six sections: the European Community (articles 1-8), its institutions (articles 9-54), attributions (articles 55-89), association (articles 90-93); temporary provisions (articles 94-99), general provisions (articles 100-117), plus two protocols: one on privileges and immunities and another on links with the Council of Europe.

Though the draft was not explicitly federalist, it nevertheless proposed very progressive solutions. The Community was supranational in

nature and was declared to be indissoluble; it was a legal entity that incorporated the European Coal and Steel Community and the EDC, it exercised powers conferred to it in respect of the statute or additional acts, in close co-operation with national organizations — through the governments of the latter — and with international organizations that shared similar aims. The exercise of its duties was entrusted to five institutions: a Parliament, a European Executive Council, a Council of National Ministers, a Court of Justice, an Economic and Social Council.

The Parliament had the authority to vote on legislation and budgets, as well as to submit recommendations and proposals to the other institutions, and to exercise control functions as conferred by the statute.

The Parliament shared power to initiate and draft legislation with the executive Council. It consisted of two Houses, with equal attributions: the lower House, or House of the Peoples, whose Deputies were directly elected by the peoples of the Community, and the upper House or Senate, whose Senators represented national Parliaments. Both voted individually, without subordination to any imperative mandate. The members of Parliament were elected for a five year term by direct universal suffrage. A Community law would establish the principles of the electoral system.

The senators were also elected for a five year term by their national parliaments, following a procedure put in place by the individual member states. As to the distribution of seats in the lower House and Senate, a weighted system was envisaged. For the lower House, a minimum and maximum number of members was set (12 and 70, respectively), with equal representation for the "big three," except for the symbolic number of 7 supplementary seats for France, so that its Overseas Territories could be represented, and an equal number of seats for the Netherlands and Belgium. The seats in the upper House were assigned as follows: France, Germany and Italy: 21; the Netherlands and Belgium: 10; Luxembourg: 4.

The Executive Council exercised functions of government. Its president, the representative of the Community abroad, was elected by the Senate by absolute majority and in turn, appointed the other Council members — never including more than two members having the same nationality.

If censured by three fifths of the lower House, or given a vote of no confidence by the Senate, the President, with the entire Council, was obliged to step down. In the latter case the "constructive" clause of the vote of confidence, obliged those who presented the motion of censure to name the new president. The Executive Council exercised the functions

of government set out for the ECSC High Authority and the EDC Commissariat by their respective treaties, and all the functions of government envisaged by the statutes and laws of the Community. It could take decisions (binding), formulate recommendations (binding in terms of the aim, but not of the means for pursuing it), or issue opinions (non binding).

The aim of the Council of Ministers was to harmonize the action of the European Executive Council and that of the governments of the member states. It consisted of government representatives (one per State) who, in turn and for a period of three months, presided over it. It gave its opinion in conformity with a qualified majority, or in more important cases, with a unanimous vote, for all the acts of the High Authority and the Commissariat envisaged by the Treaties of the ECSC and the EDC. The Court alone, which was comprised of 15 members chosen from a dual list of the Executive Council with the approval of the Senate, appointed for a renewable term of 9 years, ensured respect of the law in the interpretation and application of the statute, the community laws and rules of enactment, and could also be invested with arbitration functions.

The economic and social Committee, lastly, whose composition, competence and operation were regulated by a community law, exercised consultative functions for the Executive Council and Parliament.

The Community institutions were given over the competences of the ECSC and the EDC, in addition to several new ones. As regards international relations, the Community could sign international treaties and accords, or comply with them insofar as their responsibilities allowed, send or receive ambassadors, and ensure that the foreign policies of the member states were coordinated. As regards finance, the Assembly decided to empower the Community to impose taxes on citizens and member states, buy and sell property and assets, and borrow money (subject to the Parliament's approval).

The contributions of the states were fixed by the Council of ministers, by unanimous vote, on the proposal of the Executive Council. The procedures for setting the basis, rates and conditions for direct tax liability were to be set out by the Executive Council and submitted to Parliament for its approval. The Community budget, proposed by the Executive Council, was voted annually by Parliament. The Community was also given the task of gradually forging a common market, i.e. the free movement of goods, services, people and capital. The Community also had other powers, such as the power to support member states, on their request, or on its own initiative, to ensure respect of the democratic liberties; to set up its own administrative system independent of that of

the member states.

The statute approved by the *ad hoc* Assembly then went to the attention of the national governments, but the fate of the political Community — necessarily influenced by the ups and downs of the EDC — was becoming more and more uncertain. After shuffling along for months, and staging countless Summit meetings (Strasburg, 9 March; Paris, 12 May; Paris again, 22 June; Baden Baden 7 August), the ministers handed over the project to a Conference of experts (Rome, 22 September-9 October), who had neither the competence nor the power to draft a European Constitution. The Statute was drastically amended and gradually came to lose many of its federal characteristics. By the time the Hague Summit was held on 20 November, the Ministers realized it would be impossible to achieve significant results in an historic context that was no longer pressing for unification, but they were reluctant to put a sudden end to the proceedings and did not wish to shoulder responsibility for failure, so they decided to entrust a Commission with the task of further exploring the issue. Essentially, they lacked the courage to ring the death knell for the Political Community. The Commission dragged on meeting after meeting until late June, when someone came up with the idea of adjourning the proceedings "with the maximum caution and without noise," by simply neglecting to set a date for resuming discussions after the summer break. With the collapse of the EDC, even the plan of a Statute for the Political Community was abandoned indefinitely.

However, quite apart from the failure of the initiative, the constitutional experience of the European Political Community that stemmed from the functionalist project of the EDC, for the first time in the process of European unification, actually merged two parallel strategies for achieving European unity, functionalism and constitutionalism; on this basis the first attempt to create a federal European state took place.

* * *

In August 1954, the unification process ground to a halt. However, the expectations and real needs that had led to the venture of building a European community had not vanished. Europe's governments could not turn a deaf ear to those pleas for long. This is largely what contributed to the "European revival" launched in Messina, in June 1955. Without the experience of the Political Community, it would be hard to explain the speed with which national governments signed the Treaties of Rome on 25 March 1957, and put them into effect on 1 January 1958. Many of the

aims indicated by the Community's founding treaty, to be implemented during a transition period of 12 years, had already been proposed and studied by the *ad hoc* Assembly and subsequent conferences of representatives of national Foreign Ministers. These include the gradual reduction and eventual abolition of customs duties and quotas; the setting of a uniform external customs tariff for all member states; the free movement of goods, capitals and people; the harmonization of economic and social policies.

Though the project for economic integration drafted by the *ad hoc* Assembly was part of a more general political design, the focus of Messina meeting was unquestionably on the former, with the latter viewed only as part of a broader historical perspective.[13] In other words, integration in the period 1952-54 was pursued both horizontally and vertically, but after the so-called "European revival", convergence was discarded as an option, political unity set aside and all eyes were on the enlargement of European competences. Functionalism became the winning approach, on the assumption that it could eventually lead to political integration. The institution of supranational bodies was seen not as an aim or self-evident premise, but rather a need which the governments of the six countries had decided to fulfil insofar as the mechanism of the common market required it.

The return of De Gaulle to power in France in May 1958 caused another strategy for European integration to surface — confederation.[14] The early success of the Common Market, Europe's desire to lift its dependence on the United States in the new competitive world arena, raised the issue of extending the Community's competence to include foreign policy and defence. De Gaulle believed that economic integration could be framed in a broader political project, in which the national states would play a role and shoulder responsibilities. On 5 September 1960, at a press conference, De Gaulle launched a project for a true confederation, with institutionalized meetings of Heads of Government, and a secretariat to prepare their decisions. He also foresaw a popular referendum and took the initiative of calling a Summit meeting of the Community's Heads of State and Government and foreign Ministers in Paris (10-11 February 1961) and Bad Godesberg (18 July of the same year), who accepted the principle of political union and appointed a Commission chaired by Christian Fouchet to draft a preliminary statute. The first draft treaty to emerge out of this initiative was announced on 2 November 1961.[15] The project immediately met with harsh criticism and eventually failed. On 18 January 1962, the Commission presented a new and revised

version of the Fouchet Plan, but this too was rejected by France's five partners, who in turn put together their own project and a series of new plans (the Segni plan, 17 April 1962; the Spaak plan, 9 September 1963; the Schroeder plan, 4 November 1963; the Saragat plan, 29 November 1963).

The political aspects of integration were fated to be placed on the back burner, even in their intergovernmental form, in the illusion, so well illustrated in the mid-Sixties by the figure and actions of the President of the European Commission — that economic integration would inevitably lead to political integration.

The unsuccessful attempts to achieve economic and monetary Union in the early '70s unquestionably played a major role in convincing the new French president, Valery Giscard d'Estaing, to try a different approach, which led to the declaration of the Paris Summit of 9-10 December 1974, calling for the direct election by universal suffrage of the European Parliament starting in 1978, and recognizing the principle that such a Parliament must be associated with the construction of a European Union. The commitment went hand in hand with two decisions: to strengthen political co-operation by institutionalizing the Summit meetings (thereafter taking the name of the European Council) and a limitation in the practice of unanimous decision-making by the Council. The Belgian Premier Leo Tindemans was appointed to draft a summary report on European Union by the end of 1975, consulting "governments and institutions representing public opinion in the Community."[16] A debate over the European Union was being opened for the very first time, involving all the relevant political and social forces.

The Tindemans Report was presented to the European Council on 29 December 1975, and made public on 6 January of the following year. It did not deal convincingly with the issue of political integration, let alone fuel a rebirth of the constituent process. Though it acknowledged that the direct election of the European Parliament would have implied a strengthening of the Community's powers, the Report still failed to take a definite stance on the Parliament's competences, especially in the legislative arena, and merely expressed the hope that small steps would be taken in a general context characterized by extreme caution.

Most of the small steps take by governments to overcome the crisis were within the framework of the traditional intergovernmental approach. However, the direct election of the European Parliament, which some regarded to be of little account since it would be virtually powerless, was seen by others as a promising way out of the *impasse*. An elected

parliament — buoyed by a legitimacy that only the vote can afford — might even dare to propose bold new actions. The notion that an elected European Parliament could speed up the unification process was widespread among the Movements and the politicians. In his speech to the congress organized by the European Movement in Brussels in 1976, Willy Brandt invited the European Parliament to come out into the open and commit to a trial of strength, since the national governments were presumably not going to serve up Europe on a silver platter. "The Parliament", he stated, "must be 'the voice of Europe'... It must therefore consider itself as Europe's permanent constituent assembly."[17]

Again with the helping hand of Altiero Spinelli, the Parliament would promote initiatives of major significance for the construction of the European Community, becoming a backdrop for possible convergence between governments and Movements.

Despite the virtual failure of the Tindemans initiative, once elected the European Parliament immediately displayed a certain verve, wielding to the full what limited powers it had been conferred. For instance, rejecting by a large majority the Community budget in December 1979; regularly expressing its opinion on proposals for regulations and directives that the Commission submitted to the Council; tackling the major community and international policy issues; putting forward proposals for the functioning of Community institutions. However, these actions were all destined to be in vain, since they were unable to modify the situation from the institutional standpoint, manifestly revealing the Parliament to be subordinate to the other supranational bodies.

The focal point were the institutions. Europe needed to be united on issues such as defence and security, free international trade, monetary stability, North-South relations and so on. Yet her institutions were bleakly inadequate, serving only to adopt initiatives that individual member states put forward claiming to express the common view of all the others, and intergovernmental agreements hammered out with great effort in the areas of political and monetary co-operation.

The Community continued to lack an adequate and effective capacity for action, the reason being that its decision-making process, unsupported by democratic consensus, was inadequate and ineffective. Spinelli and the Movements for European unity responded to the problem of the democratic transformation of the Community with a new initiative.

Whilst the government initiative to "relaunch" the Community promoted by the Germany's Genscher and Italy's Colombo turned out to be "pie in the sky,"[18] Altiero Spinelli realized the institutional limitations

paralyzing the Community and preventing Parliament from performing its day to day control activities, and decided to ask the members of the European Parliament to support a constituent assembly, which he actually mentioned for the first time on 21 May 1980 in an important address in Strasburg.

On 25 June, in a well documented move, Spinelli followed up that first insight by addressing a letter to his colleagues proposing to join forces and bring about a reform of the Community institutions, embarking on the action that in the space of a few months, would lead to the official constitution in Strasburg of the "Crocodile Club." What followed thereafter, in a chain reaction, was the creation at the European Parliament in June 1982, of an Institutional Affairs Commission chaired by Mauro Ferri, and with Spinelli as the Rapporteur, with the task of preparing a draft reform of the Treaties;[19] the draft Treaty instituting the European Union; the approval of the draft by the majority of the European Parliament in the session dated 14 February 1984.

The project transformed the European Council into a joint Presidency of the Union, and the Commission of the Community into a real political Executive, but in defining and limiting it, gave the European Parliament true legislative and budgetary power, to be shared with the Council. The project gave the Union the full spectrum of economic competences and the power to gradually create monetary union; it envisaged a confederate management of European foreign and security policy until a new treaty devolved full competence to the Union. The project thus recognized the existence of an array of issues that would be handled by the European Council with the co-operation method, but on the one hand prevented the intergovernmental method from entering into the arena of common action, and on the other paved the way for co-operation to escalate into to common action.

Once the approval of the European Parliament had been reached, a mechanism was triggered that would soon cause the breakdown of the project. In June 1984, at the Fontainebleau meeting of Heads of Government, the European Council decided to appoint a committee of their personal representatives to draft proposals for institutional reforms with a view to the eventual creation of the European Union; the chairman was the Irishman James Dooge.

The Report of the Dooge Committee was presented to the European Council in Brussels in March 1985. It proposed calling an intergovernmental conference to draft a project for a Treaty of the European Union "inspired" by the European Parliament project. The latter was thus to all

effects and purposes placed on the sidelines. At the Milan Council meeting of 1985, the Heads of State and Government decided to call a Conference of representatives of the Community governments to formulate institutional reform proposals aimed at improving institutional efficiency, creating an internal market and integrating political co-operation in the framework of Community activities. The European Parliament was left out of the proceedings, just as it had been left on the sidelines by the *ad hoc* Assembly called to draft the EPC Statute.

The Conference, which closed with the European Council meeting in Luxemburg on 2-3 December 1985, gave rise to the Single European Act, which in turn relaunched the prospects of and Economic Union and a Monetary Union.

With the Single European Act, the competences of the Commission were broadened and at the same time the principle of subsidiarity was introduced; the principle of harmonization in some areas was replaced by that of mutual recognition; the foundations of economic and monetary Union — the EMS and the ECU — and the four fundamental policies (social, regional, research and development and environmental) acquired regulatory and contractual dignity; article 30, title three, institutionalized European co-operation in foreign policy matters, codifying the informal procedures for relations between member states with a series of appropriate mechanisms. Article 2 gave responsibility for political co-operation to a new body, the European Council; comprised of Heads of State and Governments, this top-level supra-national body had been created in the field in the 1970s, and now also included a member of the Commission. The Presidency of the European Community also acquired for political co-operation and management responsibilities. The Foreign Ministers of the member states and a member of the Commission met once a year, but could also deal with EPC issues in the framework of the EC Council. The Single European Act also called for the creation of a Political Committee (comprised of the European foreign Ministers' political directors) and a group of European correspondents. This Committee, whose similarity with the Fouchet plans is inescapable, was to steer the EPC and draft discussions between the Ministers.[20] The Single European Act associated the Commission and the European Parliament with European Political Co-operation, which, however, remained largely the responsibility of the European Council. The Act did not set out the aims of the EPC, which co-operation only in intergovernmental matters, i.e. common stances in conferences and international organizations; but there was always the risk of a deadlock whenever one state expressed a different opinion to the

others on individual issues. Thus a mixed system — based on integration and co-operation — came into being.

* * *

Commenting before Parliament on the decision-making of the member states' governments, Spinelli stated in January 1986: "Honourable colleagues, when we voted on the draft Treaty for the Union, I reminded you of Hemingway's story of the old fisherman who hooks and boats a giant marlin, only to lose it to the sharks; when he returns to port all that is left are the bones. We are also retuning to port, with nothing left but the marlin's bones. But this does not mean that the Parliament should resign itself, or give up. We must prepare ourselves to go out into the open sea once again, better equipped this time to catch the marlin and protect it from the sharks."[21]

Embittered by the outcome of the Luxemburg Conference, but never resigned, in early February 1986[22] Spinelli presented the Institutional Commission with the guidelines of a new strategy for creating a European Union, albeit initially limited to the economic and monetary sectors. At the heart of the proposal was the need to recognize the European Parliament's right-duty to take on the role of the Union's Constituent Assembly. After harshly criticizing the method of intergovernmental conferences, which he claimed was utterly unsuitable for achieving any progress whatsoever towards a united Europe, Spinelli set out the four steps of the new strategy: the European Parliament would draft a constituent mandate to be given to the Parliament itself, prior to the 1989 elections; the mandate would then go to the governments which would call a consultative referendum in their respective countries; if the referendums were successful, the governments would undertake to submit the Constitution to ratification by their states; the Constituent Assembly would be elected in June 1989.[23]

This new approach was supported by Jacques Delors, who in the meantime had become a convert to constitutionalism, a conversion whose roots lay in the Single European Act.[24] One of Delors' most trusted men, who would later chair the Delors Committee, was Tommaso Padoa-Schioppa.

After Spinelli passed away in May 1986, the constituent initiative was taken up — albeit with somewhat less determination — by the Belgian Fernand Herman. I find it quite significant that Herman, a distinguished member of the European People's Party and the Federalist Intergroup for

the European Union,[25] was a member of the Institutions Commission created by the European Movement to support the initiative put forward by Spinelli and the Crocodile Club.[26] The 26-member Commission,[27] began its work on 30 April 1981 under president Martin Bangemann, and soon became a valuable dialogue partner of the Institutional Commission of the European Parliament. The Federal Council of the European Movement, chaired in those years by Giuseppe Petrilli, had appointed the Commission to contribute actively to the European institutional proceedings that were being conducted at the time. Herman, had participated in the institutional Commission of the European Movement and concurrently associated with Altiero Spinelli, whose federalist ideas he supported; as a result he stood by Spinelli in the institutional Commission, and took part in the federalist demonstration in Milan on 29 June 1985, alongside a large group of his electors.

Called to sit on the Dooge Committee, Herman then stubbornly but unsuccessfully defended the project for a European Parliament, together with Mauro Ferri, Maurice Faure and the German Rifkind.

Eventually replacing Spinelli as the Rapporteur for the institutional Commission of the European Parliament, as early as March 1986 Herman openly expressed his support for his predecessor's Plan, illustrating Spinelli's strategy for entrusting the constituent mandate to the European Assembly, and suggesting the text of a resolution which the Parliament approved at the plenary session of 14 April, to be submitted subsequently to the national parliaments for adoption on the occasion of the ratification of the Single European Act. The Herman motion committed governments to take all the measures necessary for driving the Community towards the European Union, associating the European Parliament with the reform of the institutions.[28]

At the meeting of 29 October 1986, the institutional Commission of the European Parliament unanimously approved a working document presented by Herman, containing the essential features of the constituent strategy already set out in the Spinelli Plan. Notwithstanding the reservations of several members of the Commission (Nord,[29] Seeler,[30] Sutra), three basic concepts were re-proposed: the project for a European Union was to be drawn up by the European Parliament elected in 1989; it would then be submitted to ratification by the competent national authorities; lastly, it would enter into force even if not unanimously ratified.[31] However, the document ignored Spinelli's recommendations about the direct involvement of European citizens through the organization of national consultative or orientative referendums. Herman, in other words,

neglected the very novelties that might have led to the rebirth of the constituent project. By re-presenting a re-hashed version of the failed Spinelli project, he appeared to be denying defeat and was thus also destined to fail. The new approach was, however, welcomed in Italy, where the European Federalist Movement asked the Senate to ratify the Single European Act on the proviso that a consultative referendum on the European Union also be held concomitantly. According to the indications of the Spinelli Plan, the aim was to confer a constituent mandate upon the European Parliament elected in 1989. The "*referendum d'indirizzo*" or policy referendum was thus held in Italy concomitantly with the European elections of 18 June 1989 and is credited with "quantifying" the percentage of Italian citizens favourable to the European Union: 88%.[32] Spurred by Ludo Diericks, Belgium also embarked on a similar initiative, but did not have the time to implement it.

By the late Eighties, the situation had changed drastically. Europe had been molded by events that had made her stronger: a common market that had thrived for thirty years, tumultuous economic growth that had mended social fractures, eurosocialism and eurocommunism, the collapse of intergovernmental co-operation under the oil shocks, the direct election of the European Parliament, the European Monetary System, the Treaty of Union drafted by the European Parliament. The end of bipolarism, and the dramatic changes brought about by the collapse of communism in central and eastern Europe even further modified the European landscape, driving Europeans faced by the challenge of enlargement to seek new forms of political union.

Just as the EMS had put an end to exchange rate fluctuations, so the Single European Act — however flawed — re-launched the prospects of an economic Union which in turn, could not exist without a single currency and democratic consensus.

Delors was a staunch supporter, who believed that the Maastricht Treaty pave the way for a constituent assembly. The single currency represented a fundamental building block for sovereignty, upon which political integration could grow, just as the earliest attempts to create a European state in the Fifties were built on the vision of a common European army.

Once again, the conditions had been created to merge two separate strategies for reaching the same goal, using a method that might be defined as "constitutional gradualism" towards a common action. Each step on the road to integration must be accompanied by adequate "acts of construction,"[33] as well as increased powers of democratic control and thus, the gradual construction of statehood.

NOTES

[1] There were numerous plans circulating for a federal and confederated constitution in those years. In addition to the ones already mentioned in the text, other noteworthy projects included: Ronald W.J. Mackay, "*The Constitution of the United States of Europe*", in Peace Aims and the New Order, London, Michael Joseph Ltd, 1941; Abraham Weinfeld, in his *Towards a United States of Europe. Proposals for a Basic Structure*, Washington D.C., American Council on Public Affairs, 1942; Leon Van Vassenhove, in *L'Europe helvétique. Etude sur les possibilités d'adapter à l'Europe les institutions de la Confédération suisse*, Neuchâtel, Ed. de la Baconnière, 1943; Hans-Dieter Salinger, in *Die Wiedergeburt von Europa*, published in German under the pseudonym of Hades and later also released in Dutch (Leiden, Brill, 1945). These numerous and largely inaccessible projects were collected by Andrea Chiti-Batelli, in *L'Unione politica europea*, Rome, Senato della Repubblica, 1978, in particular in the three substantial volumes annexed to *Progetti di costituzione per una Unione europea.*

[2] *Il Progetto di costituzione federale europea e interna* (1942-1943) by Duccio Galimberti (Tancredi) and Antonino Repaci; published in A. Repaci, Duccio Galimberti e la Resistenza italiana, Torino, Bottega d'Erasmo, 1971.

[3] *Projet d'une constitution fédérale pour l'Europe*, New York, 25 may 1944. The project was conceived as the future "*base de discussion à l'Assemblée Constituante Européenne élue par les peuples de notre continent*", by the Legal Commission of the Paneuropean Conference that met in New York under the chairmanship of the Spanish ex-Foreign and Justice Minister — Fernando de los Rios — and the Centre d'Étude pour une Fédération européenne d'aprés-guerre of the University of New York directed by Arnold J. Zurcher and da Richard Coudenhove-Kalergi. The first draft of the project was in English: *Draft Constitution of the United States of Europe issued by the Pan-Europa Conference and the Research Seminar for European Federation of New York University*, New York, 25 March 1944. In addition to inclusion in the Chiti-Batelli volume cited above, the draft was also published in Arnold J. Zurcher, *The Struggle to Unite Europe 1940-1958*, New York, New York University Press, 1958, pp. 213-223 (It. trans. *La lotta per l'Europa unita 1940-1958*, Roma, Opere Nuove, 1964).

[4] The *Rough Draft of a Proposed Constitution for a Federation of Western Europe* by W. Ivor Jennings was based on the "Draft Constitution" formulated by A.L. Goodhart and Kenneth C. Wheare and on the "Memorandum on the protection of civil liberties", also by Jennings, presented in 1940 to the Constitutional Research Committee of the Federal Union Research Institute. Established in March 1940, the Constitutional Research Committee was comprised of William Beveridge, Lionel Curtis, A.L. Goodhart, Patrick Ransome, J. Chamberlain, F. Gahan, W. Ivor Jennings, Kenneth C. Wheare. It was published for the first time in Jennings' *A Federation for Western Europe*, Cambridge, Cambridge University Press, 1940 and then again in *Towards the United States of Europe. Studies in the Making of the European Constitution*, edited by Patrick Ransome, London-New York, Lothian Foundation Press, 1991, pp. 136-157.

[5] The project was first published in the journal of the Europa Union, *Europa*, vol. XV, No.7, Basel, July 1948, pp. 3-5 and was later reproduced in English in Walter Lipgens (edited by), *Documents on the History of European Integration*, vol. 1, *Continental Plans for European Union 1939-1945*, Berlin-New York, De Gruyter, 1985, pp. 770-779. The main drafters of the project, which was based on the governing Principles defined in November 1939 and approved by the annual meeting of delegates on 4 February 1940 in Bern, were Wilhelm Hoegner and H.G. Ritzel. The Preamble of the governing Principles

was by Adolf Gasser, while the constitutional part is attributed to Hans Bauer and, to a lesser extent to the Action Committee he directed. Cf. *Il federalismo europeo organizzato in Svizzera 1943-1945*, dissertation by Francesca Pozzoli, University of Pavia, 1995.

[6] Mario Alberto Rollier, "*Schema di Costituzione dell'Unione federale europea*", in Edgardo Monroe (pseudonym of Rollier), *Stati Uniti d'Europa, "Quaderni dell'Italia Libera*", s.l., Partito d'Azione, 1944, pp. 58-65, and in Rollier, *Stati Uniti d'Europa*, Milan, Editoriale Domus, 1950, pp. 69-82.

[7] *Promemoria sul Rapporto provvisorio presentato nel luglio1951 dalla Conferenza per l'organizzazione di una Comunità europea della difesa*, an appendix to Mario Albertini's, "La fondazione dello Stato europeo", in *Il Federalista*, XIX (1977), No. 1. The memo was later republished as an appendix to *Il Parlamento europeo,* Luigi V. Majocchi and Francesco Rossolillo, Naples, Guanda, 1979, pp. 193-216.

[8] *Projet de Traité de la CED*, 14 February 1952, in Ivan Matteo Lombardo papers, now filed with the Historical Archives of the European Communities, Florence.

[9] The experts from Harvard University supplied valuable comparative materials and analytical studies on the functioning of federal systems throughout the world, subsequently included in (It. trans.) *Studi sul federalismo*, edited by Robert R. Bowie and Carl J. Friedrich, Milan, Ed. di Comunità, 1959.

[10] *Brochure* nr. 1 of the Comité d'Études, Brussels, November 1952 (It. trans. *Risoluzioni del Comitato di Studi per la Costituzione europea,* edited by Guido Lucatello, Padua, Cedam, 1954, with comments and introduction by Altiero Spinelli).

[11] *Projet de Statut de la Communauté politique européenne. Travaux préparatoires,* Brussels, November 1952 (It. trans. *Per una Costituzione federale dell'Europa. Lavori preparatori del Comitato di Studi presieduto da P.H. Spaak 1952-1953,* edited by Daniela Preda, Padua, Cedam, 1996).

[12] One of the members of the Political Institutions Subcommittee was also a member of the CSEC, the German Max Becker.

[13] As to the "method" adopted in Messina, reference is made to *Messina quarant'anni dopo. L'attualità del Metodo in vista della Conferenza intergovernativa del 1986,* edited by Luigi V. Majocchi, Bari, Cacucci, 1996.

[14] Indeed, for the General, Europe was comprised of indestructible nations, whose existence and power it would have been pointless to deny.

[15] The treaty was aimed at "establishing a union of states", and consisted of a preamble and a provision. The latter envisaged an indissoluble union based on the respect of the personality of the peoples and member states, and equal rights and obligations. The aims of the treaty were co-operation in the areas of foreign polity (on issues of common interest), science and culture, and defence. Three institutions were proposed: Council, Parliamentary Assembly, Political Commission. The term Council encompassed two groups, heads of state and government of the EEC, and foreign ministers. The Parliamentary Assembly was virtually identical to that envisaged by the Treaties of Rome, to which explicit reference was made. The most original body was the European Political Commission, comprised of high-ranking officials belonging to the foreign affairs administration of each country.

Only the Court of Justice was missing, but this appeared reasonable since there was no question of challenging the sovereignty of the member states. The Council's duties included resolving issues of relevance to it, taking unanimous decisions that the states participating in their adoption would be obliged to complying with, pass the annual budget of the Union, and dealing with amendments to the Treaty. The European Parliamentary Assembly was responsible for resolving matters pertaining to the aims of the Union, and formulating opinions, when requested to do so by the Council. The Political Commission, supported the Council, was responsible for preparing and executing its deliberations, and dealing with budgetary matters. The states were obliged to cooperate with the institutions of the Union and contribute the resources to maintain it. The initiative of revision could be taken only by the member states.

[16] For additional information, see the final communiqué of the European Summit meeting held in Paris on 9-10 December 1974, in *Comunità europee*, XXI (1975), No. 1, pp. 16-18.

[17] Brandt's address to the Congress of Europe organized by the European Movement, Brussels, 5-7 February 1976, in *L'Unità europea*, III (1976), No. 25, pp. 9-12.

[18] The initiative of the German Foreign Minister Hans Dietrich Genscher and Italy's Emilio Colombo, aiming to embark on a reform of the Community (that would ultimately lead to the solemn declaration on the European Union adopted by the European Council of Stuttgart in June 1983) which in point of fact simply proposed extending the method of intergovernmental co-operation to other fields, further narrowing the Commission's autonomy, and maintaining a Parliament lacking any real powers.

[19] One of the members of the institutional Commission was the Italian Ortensio Zecchino.

[20] Another achievement was the creation of an EPC secretariat, dealing exclusively with foreign policy, which was the forerunner of the current Common Foreign and Security Policy Unit in the framework of the general secretariat.

[21] This was the last address Altiero Spinelli made to the European Parliament, on 16 January 1986. It appears in Altiero Spinelli, *Discorsi al Parlamento europeo 1976-1986*, edited by Pier Virgilio Dastoli, Bologna, Il Mulino, 1987, pp. 368-373. The passage cited here is on page 373.

[22] Spinelli had sent the working document to the members of the Institutional Commission of the European Parliament on 24 January 1986.

[23] Cf. Luigi V. Majocchi, *La difficile costruzione dell'unità europea*, Milan, Jaca Book, 1996, pp. 209-222.

[24] Delors had estimated that it would take some 350 directives to create the Single European Act. Since everything depended on achieving a unanimous consensus, it was likely that the Act would never see the light of day unless the necessary institutional reforms were introduced in time.

[25] The Federalist Intergroup at the European Parliament, the successor of the Crocodile Club created by Spinelli in Strasburg in July 1980, was created in 1986 "with the aim of strengthening and making permanent the bonds and commitment of all the innovators in the European Parliament". Cf. "The Declaration of intents of the Federalist Intergroup at the European Parliament", in *L'Unità europea*, XIII (1986), No. 153 (November).

[26] The same can be said of the Spanish socialist Carlos Bru Puron, who had been a committed federalist in Spain for many years, and in the early Eighties was a member, with Herman, of the Institutional Commission of the European Movement; later, the two men also belonged to the Institutional Commission of the European Parliament.

[27] Besides Fernand Herman, the other members of the Commission were: Pierre Bordeaux-Groult, Erwin Guldner of the French Council (OFME); Etienne Boumans, Paula Degroote of the Belgian Council; Carlos Bru-Puron, of the Spanish Council; Anthony Callus, of the Maltese Council; I. Camunas (MLEU); J.L. Cougnon of the Fédération internationale des Maisons d'Europe; Pascal Fontaine of the EPP; Jean-Pierre Gouzy of the Association des journalistes européens; M. Grabitz of the German Council; Sean Healy, Neville Keery of the Irish Council; José Macedo Pereira, Carlos de Pitta e Cunha of the Portuguese Council; Luigi V. Majocchi and Giampiero Orsello of the Italian Council; H.J. Mettler and Alois Riklin of the Swiss Council; John Pinder and Derek Prag of the Brirish Council; Giancarlo Piombino representing the Council of the European Municipalities and

Regions; Ivo Samkalden of the Dutch Council; Wolfgang Wessels of the Institut für Europäische Politik; A. Westerhof representing the Association européenne des Enseignants; the Austrian Max Wratschgo.

[28] The motion stated precisely that it was necessary to acknowledge the institutions of the Community the role attributed to them by democratic principles, in particular participation "with full rights in the preparation and adoption of the constituent act of the European Union." "The Herman motion was approved by the EP on 14 April." in *L'Unità europea*, XIII (1986), No. 146 (April).

[29] Nord suggested awaiting the verification of the Single Act to call upon governments to shoulder their responsibilities and embark on new political and diplomatic negotiations.

[30] Seeler, supported outside the European Parliament above all by the Europa Union, argued that the current Parliament should modify the February 1984 draft taking into account the objections raised by national parliaments and governments, and submit the amended version to the legitimate national authorities.

[31] Provisional agreements would regulate relations with member states of the Community that did not join the Union.

[32] The referendum featured the text of a voter initiative proposed by the MFE. This is the text that Italians were called to vote on: "Do you believe that it is necessary to transform the European Community into a real Union endowed with a government that is responsible to Parliament, appointing the same European Parliament with the task of drafting a constitution to be submitted directly to the ratification of the competent institutions of the member states of the Community?" Cf. the supplement to *L'Unità europea*, XV (1988), No. 169.

[33] Albertini defines "acts of construction" as those innovative actions designed to create new forms of European statehood: by their revolutionary nature, they are extraneous to the normal political process, and are the prerogative of political vanguards. Cf. Mario Albertini, "La stratégie de la lutte pour l'Europe", in *Le Fédéraliste*, VII (1965), No. 3-4. Throughout the history of European integration, these "acts" can be ascribed to the federalist movements that arose from the ashes of the second world war and from such enlightened personalities as Monnet.

Notes

NOTE ON POLITICAL BEHAVIOUR AND MILITANT FEDERALISM

The existence of a movement founded on the voluntary commitment of militants represents a permanent challenge to traditional political behaviours. Hamilton maintained that political institutions bring about good government when they manage to marry interests with duty. This does not apply to the *Movimento Federalista Europeo* (MFE), which exists outside all established political frameworks and struggles neither to win power nor to defend interests. Were it to accept passively the traditional canons of the power struggle, militant federalism would be risking its very existence. If it wants to have a future, the MFE must identify the rules that will allow its militants to go beyond old political behaviours.

Here, the investigation of this topic is divided into two parts. The first is an attempt to outline two alternative types (or models) of political behaviour. The second is a historical profile of the evolution of political behaviour, drawn in the hope that the past might shed some light on the relationship between the new political behaviour and the destiny of humankind which, in the era of its scientific and technological triumph, is running the risk of destroying itself.

* * *

Any analysis of political behaviour in the modern age must necessarily take as a point of reference Machiavelli's *Prince*, which contains a broad description, free from moralistic overtones, of how the prince must behave in order to win, keep and increase his power. The politician must, in Machiavelli's view, be both a "fox and a lion," in other words, he must have the cunning that is necessary in order to deceive opponents, but also

the decisiveness, when necessary, to apply might. Cunning and might, however, are not character traits that the individual can exercise at will, irrespective of the evolution of political institutions and civilisation. For example, the crude means adopted by Cesare Borgia in order to enforce order and domestic peace in Romagna would be intolerable within modern democratic regimes. Ways of conducting politics, while conserving a few stable, basic traits, evolve over time and are conditioned by the political institutions — first of all, the state as the supreme organiser of political life — that have become established in the course of history. This is one of the presuppositions, not always rendered explicit, of federalist action. It was, however, affirmed with great clarity and simplicity by Jean Monnet: "I have never believed that we can change human nature. We can, however, alter the context within which people operate. By giving them the same rules and the same democratic institutions, we can induce men to behave differently amid each other. In the Community, the Europeans thus learn to live together as a single people. We do not form coalitions between states, we unite men."[1]

The problem that we wish to consider here is that of the political behaviour typical of the sovereign nation-state era. It is perhaps useful, in this regard, to compare how Carl Schmitt and Hannah Arendt, both witnesses to European and world history's darkest days, analyse political behaviour. Schmitt argues that the political behaviour generated by the existence of the nation-state is the very essence of politics. Arendt, on the other hand, looks for the roots of political action in what was one of mankind's most fortunate eras — the era of the ancient Greek city-state (*polis*) in which, together with other forms of government, democracy was born. The views of both can be regarded as founded on empirical observations, since mankind has proved capable of developing both a form of politics that resulted in racial hatred and death camps, and one that, through Pericles, Plato and Aristotle, laid the foundations of what we today call civilisation.

Schmitt argues that "the real political distinction, on which political actions and motivations are founded, is the distinction between friend and enemy,"[2] the enemy being the other, the alien. This is, naturally, an extreme concept. Political action is not always accompanied by specific reference to the enemy. But there are instances in which the friend-enemy antithesis emerges with patent clarity. In Schmitt's view, that is the sign that we are faced with genuine political action. Thus, one's adversary in a dispute should not be confused with one's enemy. The enemy is "just a group of men who fight, at least in a virtual sense, which is to say on the basis of real possibility, and who oppose another group of men of their own kind."[3] Since the enemy is identifiable only when armed conflict is a real possibility, this description could not normally, in the absence of a declaration of civil war, be applied to forces that oppose one another while at the same time respecting the legal order of a state. "The concepts of friend, enemy and struggle draw their real significance from the fact that they are specifically bound up with the possibility of real, physical killing. War results from hostility because hostility is the absolute negation of every other being. War is only the extreme realisation of hostility." Obviously, war does not have to be declared in order to condition political behaviour. "War is neither the end and aim, nor even the content of politics, but, ever present as a real possibility, it is the basis of politics and determines in a particular way the thought and actions of man, thereby giving rise to a specific political behaviour."[4]

It is worth remarking that this dichotomy between friend and enemy is useful not only when analysing extreme political situations, but also as a reminder that, in a world of sovereign nation-states, politics, even domestic politics, a sphere which as a rule seems far removed from the eventuality of war, can generate Schmitt's "enemy," that is to say a group of men who must be fought and physically annihilated. Schmitt's analysis can be applied both to foreign and domestic politics. Both Fascist Italy and Nazi Germany provided demonstrations of how, in the Europe of nationalisms, it was the parties with the readiness and determination to have recourse, ahead of the rest, to armed political struggle that managed to seize power, annihilating and suppressing all the other political forces. As instances of terrorism have shown (the Red Brigade group in Italy, ETA in Spain and the Palestinian group Hamas), the friend-enemy dichotomy resurfaces whenever the principle underpinning a state's legitimacy is questioned by a political group. But obviously, the sphere within which this dichotomy is most explicitly applied is that of international politics. Diplomacy, Schmitt is perfectly right, is nothing other than undeclared war, potential war. Indeed, in international politics, the idea of the enemy provides the state with the essential basis for its political alliances and guides its military strategy.

Nevertheless, this friend-enemy dichotomy does not appear able to describe fully what is commonly meant by the word politics. As the experience of liberal-democratic states shows, relations between political parties within states are governed by constitutional regulations and procedures that, excluding recourse to war, keep the struggle for national power within the confines of peaceful models of behaviour. Schmitt

explicitly rejects the idea that this experience can be defined "political." Equally explicitly, he excludes the possibility that political struggle can survive within a world federation, affirming that "a definitively pacified world would be a world in which there would no longer be any distinction between enemy and friend, consequently it would be a world without politics."[5] Clearly, in these instances, Schmitt is identifying politics with "the right to kill." If "the right to kill" is suppressed — as in domestic politics it normally is — then politics, as Schmitt understands it, disappears as well. But this semantic restriction of the term "politics" seems somewhat arbitrary;[6] we therefore need to look for a more exhaustive concept of political behaviour.

From this perspective, Hannah Arendt's research into the origins of political behaviour is illuminating, because it describes a set of human behaviours that proved able to emerge only when violence in relations between men belonging to the same community was dispensed with. Hannah Arendt's investigation, totally excluding the friend-enemy dichotomy from the field of political activity, is poles apart from that of Schmitt. It also sheds some light on mankind's potential to achieve moral, intellectual, artistic and scientific development in a situation — a world federation — in which war is dispensed with definitively. What happened in ancient Greece can happen again, on a larger scale.

The Greek *polis* was not a simple aggregation of different tribes, but rather an entirely new form of community life: by eliminating the perpetual state of rivalry that existed between different tribes and phatries, it made a new form of cohabitation possible, a form that, in modern terminology, might be defined civil. It marked the start of civilisation. In addition to private, family life, a second form of social life, a second nature, manifested itself within the individual: the individual became a *bios politikos*, or political being. The new characteristic shown by political man was his ability to found his action (*praxis*) on thought and debate, and it was a characteristic that set him apart from all other living beings. According to Thucydides, Pericles addressed his fellow citizens thus: "We Athenians judge, or at least properly ponder, various questions in the belief that it is not discussion that is detrimental to action, but rather failure to become informed, through discussion, prior to acting."[7] Politics is a sort of community life in which, in Arendt's view, persuasion holds sway over command and violence. The Greeks viewed violent relations as pre-political, necessary only in clashes between barbarians, that is to say between peoples who, for different reasons, could not be considered part of the *polis* or of Hellas. Basically, Arendt argues, "in the experience

of the *polis*, which not without justification has been called the most talkative of all bodies politic, and even more in the political philosophy which sprang from it, action and speech separated and became more and more independent activities."[8]

Here, there is no need to examine Arendt's views in any greater depth. Nevertheless, it is worth noting that the modern state shares several characteristics with the *polis*. The progressive centralisation of power and monopolisation of physical force made it possible to reduce to a minimum the level of violence in society, between individuals, factions, fiefdoms and cities. In the modern state, which is the guarantor of civil peace, the arts and sciences (particularly natural sciences) have been able to flourish, allowing technology and economic activities to develop remarkably, in a way never possible either in the ancient world or in the Middle Ages. The peculiarity of the modern state seems therefore to be, to return to the ideas discussed above, that it allows the formation of a political community in which action can be founded on debate and on scientific knowledge. It is within the democratic state that the organisation of political life most closely resembles the model indicated by Hannah Arendt.

The two approaches to politics, whose fundamental aspects we have outlined, and which for the sake of brevity can be called the friend-enemy model and the debate model, are clearly linked with the traditional concept of political realism, in which politics is taken to mean the struggle for power. Anyone involved in politics knows that, if he wants to achieve the objectives or ideals he is fighting for, he must also win enough power to be able to realise those objectives and ideals. To look for means is thus the fundamental task of the professional politician. If, in order to carry out a certain policy (a space exploration programme or a war, for example), a certain amount of financial resources are needed, then the task carried out by the professional politician will differ according to the political regime within which he is operating. In a democratic state, where the "right to kill" has, in domestic politics at least, been got rid of, the consensus of the population and of the parliamentary majority has to be obtained. In an authoritarian or totalitarian regime, the dictator can have recourse to violence too, in order to achieve his ends. The resources needed in order to put his policy into practice can be obtained through physical intimidation, requisitions, and so on (one need only think of Stalin's policy towards the kulaks at the time of the first five-year plan).

At this point, it is worth remarking that the machiavellian saying, "the end justifies the means," invoked in order to legitimise political actions

contrary to moral behaviour, is based on two assumptions. The first is glaringly obvious: he who wants the end also wants the means. Politicians will sometimes cover in a veil of hypocrisy the need to have recourse to certain means (such as a new tax) in order to implement a given policy. Stating that means and ends are linked in a relationship of necessity serves to mask the possible crafty or fraudulent nature of the proposal. At the same time, the machiavellian saying is also used to justify the use of censurable means (for example, spying activities can violate human rights, but are crucial to the security of the state). It is this second aspect which needs to be rendered explicit and clarified: not all means are legitimate. The historical evolution of political institutions, in particular the affirmation of democratic regimes, has to a considerable extent been achieved by limiting and restricting the latitude of the means that can be used in the political struggle. Power is always characterised by coercive aspects (command) and consensual aspects (when a decision requires the agreement of everyone, or almost everyone). The tendency in democratic regimes is to regulate strictly the coercive apparatus of a state (its military and police forces) and to entrust it to political power (the government) through peaceful procedures (elections) that guarantee the maximum possible consensus. In autocratic states or dictatorships, power is based almost entirely on force, while the level of consensus is minimal (although not entirely absent, because the citizens, when anarchy or civil war is the only alternative, put up with the tyrant as the lesser of two evils).

The political behaviour within the parties of democratic states is inevitably based on the friend-enemy model, even though the debate model is active and, indeed, in words at least, favoured. In democracies, the political struggle is regulated in such a way that power can, through free and periodic elections, be won without the use of violence. This might induce one to think that the political parties, no longer directly involved in a violent political struggle, ought to be able to break free from the friend-enemy model quite easily. But the reality is more complex. Party leaders are well aware that, if they win an election and find themselves at the head of the government, they will have to regulate international conflicts, possibly through the employment of the armed forces. In a situation in which security is threatened and in which there is a real risk of war, those who appear most able to make this choice are the ones most likely to win power. But even within-party struggles, struggles to win over the majority, are not entirely free from the use of coercive means, even though these are different from the military type. A party can rise to government, beating its opponents, providing it controls a whole

series of power resources indispensable to the success of its endeavour: votes, financial resources, information channels and public offices. The coercive power that a leader exerts over the other members of his party is proportional to his ability to grant them access to the resources of power that stand to be won. If the party wins, the spoils to be shared out, between leaders and followers, will be plenty. It is thus clearly in the follower's interests to carry out diligently the leader's directives. The struggle for power unites and divides. It is a form of psychological violence. He who commands creates a diaphragm between himself and the rest. He who agrees to be commanded renounces, to a certain degree, both his own freedom to criticise and his own motivations. But this coercive power remains, nevertheless, relative. When a state uses its military strength in order to resolve an international dispute with another state (or coalition of states), it is having recourse to absolute coercive power. It is a mortal struggle: defeat could mean the end of the state and of its head of government. Internal coercive power, on the other hand, is relative, because there are various ways in which those over whom it is exercised can work their way free. For example, they might leave the party to form a new rival party, and look for alternative financial resources. Ultimately, then, the friend-enemy model can also be applied in the internal political setting, albeit in ways different from those envisaged by Schmitt.

Could the political parties' method of conducting politics also be adopted within the MFE? One might, indeed, quite reasonably harbour some doubts as to the applicability of this model to a political movement that, controlling no votes, public money, political offices or mass media channels, wields no power in a traditional sense. The MFE wields no power because its priority objective is not to defeat an existing power, but rather to build a new one (a European federal government and, ultimately, a world federal government). There thus exists, within the MFE, no possibility of coercive power. The only power it can wield, wherein the power is commensurate with the degree of consensus, is the power deriving from consensus obtained through discussion, knowledge and conviction. It is therefore essential — if we are to avoid the risk of altering the very nature of a movement founded on voluntary commitment – that clear rules of the game be established in order to ensure that the political action of the MFE is founded on a transparent decision-making process, and on the equal involvement of all its militants in the definition of a strategic line.

* * *

When politics is viewed as an action founded on debate and on scientific knowledge, it becomes easier to understand a phenomenon that is peculiar to the modern era, but still little studied within the sphere of history and the social sciences: i.e., the processes of integration. All we can do in this brief note is draw attention to the most evident links between the eradication of violence from political struggle and the processes of integration (integration both of the individuals within a nation and of the different national peoples) and consider briefly how this relates to the future of organised federalism.

In the western world, the process of civilisation consisted of a gradual centralisation of political power, and a consequent monopolisation of physical force.[9] This process was in part favoured and in part provoked by the evolution of the mode of production, which in Europe was responsible for the progressive breaking down of the commercial barriers between fiefdoms, for the steady development of a cottage industry economy, for encouraging urban development, for favouring the great geographical discoveries, for the growth of markets (in terms both of their geographical size and of the quantity of wealth they produced) and, finally, for the development of modern industrial production. The formation of the modern state would appear to have been the fruit more of a need than a conscious human design (some philosophers, in fact, use the image of an invisible hand in order to explain these phenomena, while others talk of the cunning of reason or of a providential design). But what it is important to underline here is that, in the course of this process — strewn with fierce and often mortal struggles between city factions, noble houses, fiefdoms and rich merchants — there was a progressive drop in the level of violence in society, until a point was reached at which all were able to see that a peaceful and dynamic civil society had come into being, full of intermediate associations that respected the legal order established by the sovereign, under whose command the state's military forces were now gathered. The struggle in civil society between the various political factions, religious sects and economic interests had not ceased, but taken on traits entirely different to those that had characterised it in the past. In short, the end, or the attenuation, of violence in society led to the development of contemporary civilisation, a civilisation that is potentially cosmopolitan because it is founded on the diffusion of scientific knowledge as the basis of the material forces of production.

In the modern state, which quickly took the form of the nation-state, struggles between rival armed groups changed into unarmed antagonism thanks to the acceptance, by the parties involved, of common rules of

behaviour, in particular the freedoms of speech and of association. The parliaments, ancient feudal institutions, took on an entirely new significance, becoming centres in which different factions, interests and parties were able to confront one another without bloodshed, thereby acquiring considerable power before the sovereign and the executive. In this new political climate, there was a reduction in religious conflict too, and a spread everywhere of the spirit of tolerance. Tolerance being the principle on which the lay state, defender of the coexistence of different religious convictions, factions, races and cultures, was built. The increasing sphere of economic activities benefited enormously from the new legal regulation of private property, trade and corporations. In short, what took place might be described as a process of negative integration, in the sense that it consisted in the elimination of the main causes of violent contrasts between individuals, races, economic and political groups. This process led, in many countries, to movements pressing for the introduction of bills of rights and constitutional charters, which sanctioned the birth of the rule of law, i.e., the liberal state.

Thanks to the success of this liberal phase in the building of the modern state and in the unfolding of the Industrial Revolution, a second phase of integration began, which should be defined as positive, in that it was characterised by the need to realise, and by the possibility of creating, the institutions for the first forms of solidarity between citizens and social classes. Initially, the clash between the new working class and the capitalist bourgeoisie assumed violent forms. Marxism and Leninism in fact theorised the need for armed conflict between social classes. But in many European countries, and in the United States, the movement for social solidarity gradually started moving along the lines of parliamentary democracy and of the construction, through peaceful and legal means, of the modern welfare state.

It is important to note that in this long historical process, in the course of which all citizens became integrated within the nation-state, taking an active part in its government, the role played by scientific knowledge assumed, albeit in a conflicting process, a more and more important role. The Industrial Revolution began thanks to the contribution of countless skilled craftsmen, many of them anonymous, who built the first machines, and made it possible to exploit physical energy in place of labour. But without the contribution of advanced scientific research and its technological applications, the Industrial Revolution would not, in the nineteenth and twentieth centuries, have known the massive growth that it did. Ever since the beginning of the modern era, science and technology

have been developed jointly by the state and the market, working in close cooperation. Scientific discovery is the fruit of individual genius, and knowledge is destined, in the long term, to become part of mankind's common heritage. But in the short term, national governments and enterprises do everything they can to use it to their own advantage, preventing other governments and other enterprises from gaining access to the political and economic power to be derived from the exploitation of technological progress.

Although the relationship between science, democracy and economic development would, at first glance, appear evident, other factors have, until now, always obscured it, because power politics, war, and the exploitation of science to military ends have allowed governments of all kinds, including dictatorships, to turn scientific knowledge to their own advantage. A second factor, another to which the social sciences have given little consideration, is the size of the state. Throughout the nineteenth century, Europe was the leader in the field of scientific innovation and in the application of the same to the economy. But at the start of the twentieth century, it began to be outstripped by the United States. And ever since the end of World War II, the Old Continent has been unable, despite the western European states' return to democracy, to bridge the technological gap separating it from the USA. Today, that gap seems unbridgeable. The explanation for Europe's falling behind has to be sought in its division into nation-states, a situation that has prevented its full economic exploitation of the European market and hindered its promotion of avant-garde technological research. If Europe's technological backwardness can be put down to the size of the state, in other countries this backwardness must be attributed to the form of government. Huge countries rich in natural resources, like the USSR, and that had non democratic regimes, did at times manage to rival the USA (one can cite the success of the Sputnik in the 1950s). But as soon as information technologies had developed enough to be applicable on a large scale by companies and by individual consumers, the technological gap between the USA and the USSR widened until it, too, finally became unbridgeable. Information technology renders transparent the relationship between civil liberties, democracy and scientific-technological progress, and this was one of the reasons why a political process democratising communism was begun in the USSR, even though the outcome was unhappy.

The process of international integration seems to follow only partially the path proper of the process of national integration. International

integration, insofar as it is possible to draw useful lessons from contemporary history, has its material basis in the international spread of production methods based on scientific and technological knowledge. Indeed, poor countries might hope to become less poor, or even rich, on their adoption of the latest methods of production and technologies. Thus they become drawn into the world's production and trade system, whose rate of development is, however, determined by the countries at the head of the procession. This process of social and economic integration does not require a centralised power, as was the case in the earlier phase of national integration. The diffusion, on a world scale, of the material bases created by the process of western civilisation is founded solely on an attenuation and a reduction of armed conflicts. Yet this diffusion is capable of giving rise to new conflicts between cultures and civilisations. International integration distributes, albeit unequally, wellbeing and wealth throughout a politically fragmented world. It is easy to see how, at this initial stage of integration, national governments can be seen both as a unifying factor, through the promotion of intergovernmental cooperation, and as a factor of division when co-operation threatens to undermine national sovereignty.

The political phase of international integration begins when a group of nation-states recognises openly the need to found, on the basis of an explicit peaceful agreement, a community of destiny. This peaceful agreement does not necessarily have to take the form, immediately, of a federal pact. A process of negative integration at supranational level could emerge, based on confederal institutions. This is what, so far, has been seen in Europe. After the Second World War, the process of European integration was started thanks to the Franco-German reconciliation, which made the building of the European Community possible. However, in spite of the creation of monetary union, European integration has still not managed to go beyond this negative stage. The building of a Europe based on solidarity — positive integration — requires a European tax system, a European development and scientific research policy, a European defence policy and a European federal government.

At world level, the *détente* between the superpowers in the 1980s seemed to herald a phase of peace and reform of the United Nations, along the lines of the Community model (Gorbaciov had already outlined a programme for controlled disarmament and for the first policies of cooperation for sustainable development). But the disintegration of the USSR brought to a sharp end the progress made along this particular road, a road that the United States are no longer able, by themselves, to travel.

On the contrary, the United States, both as a result of and in order to justify its unipolar global predominance, seems to feel it has to find an enemy at all costs (rogue states, international terrorism). The United States' foreign policy dilemma is a dilemma that concerns the whole world: America's hegemony is, for the moment, indispensable in order to prevent the world from sliding into a state of anarchy and worldwide war, but it does not attract sufficient consensus to point world politics in the direction of a new order of peace and international justice. The nation-states, following behind this American flagship, are like a convoy of battleships adrift in a stormy sea.

This is one of the reasons why the commercial, financial and social aspects of globalisation — a process of negative integration on a world scale — have prevailed over the capacity of governments (sometimes called governance) to direct this convoy. Globalisation is the fruit of the universal applicability of the science and technology that has been generated by western civilisation. It is, however, only one aspect of western civilisation, a civilisation that cannot, given that imperialism, racism and totalitarianism have all sprung from its bosom, expect to become the cosmopolitan civilisation. These ideological European movements, radically denying the equal dignity of all men, have undermined the bases of human coexistence. The two world wars were not an excrescence of western civilisation, but rather the inevitable product of a culture that has still not managed to understand and to pursue the political unity of humankind. A cosmopolitan civilisation can be built only in the wake of open and peaceful dialogue between different civilisations, a dialogue in which each people will be able to draw freely from the other peoples new lifestyles and new cultural models.

The current political bases of the evolving cosmopolitan civilisation are thus entirely inadequate. They risk producing not more international integration, but wars and irreparable disasters. World politics is unable to govern the globalisation process because it is not able to answer the fundamental question of our times: does mankind have a future? This is the question that, when the nation-states first began using nuclear energy to bellicose ends, several twentieth-century scientists and philosophers, such as Albert Einsten and Bertrand Russell, put to the world's great powers, and to their own contemporaries. Today, science puts a panoply of weapons of mass destruction at the disposal of national governments — not only those of the US superpower and of other lesser powers, but also those of tiny, warmongering states. And the further scientific research advances, the more sophisticated and unpredictable the technologies available to subversive political forces will become. International terrorism can now exploit normal, civil technologies that are every bit as devastating as military ones (as September 11th, 2001 demonstrated). Added to this, the world's population is now putting unacceptable pressure on the planet's environmental resources. The rich countries want to grow richer, while the poor countries quite rightly refuse to accept that they must be for ever condemned to live in conditions of inhumane wretchedness. Both regard nature as a free means of production, to be exploited limitlessly. But to what end? Today, resources, such as water and air, that once seemed unlimited are becoming increasingly scarce and it is easy to see that, unless the course of industrial growth is altered dramatically, mankind will, sooner or later, provoke an environmental catastrophe whose effects will be irreversible. Infinite growth in a finite world is impossible. Man (or at least the early hominids) began his adventure on planet Earth six million years ago. But how long — for how many years, centuries and millennia — can planet Earth, at the present rate of growth, continue to withstand the frenetic destruction of its resources? The question posed by Einstein and Russell is more pertinent now than it has ever been: in the absence of a world federal government, does mankind have a future?

If the MFE really wants to tackle the problem of the human condition, the tragedies and the destiny of mankind, it must take on the task of developing projects and proposals that will force reluctant politicians to address those questions that are vital for the future of the world's citizens. As long the world continues to be split into sovereign nation-states, mankind will remain on course for self-destruction. We need to build a world federation. The need for supranational political action has become urgent and indispensable. Yet political action cannot be based solely on scientific knowledge. A politician who makes no attempt to be wise, drawing lessons from history, philosophy, religion and moral doctrines, will not be equipped to indicate the path that must be travelled in order to plan a rational use of science, technology and economic and environmental resources. This is an extremely difficult collective task that will require the effort of several generations. A vanguard movement cannot fail to view politics as an action founded on debate and on scientific knowledge.

Guido Montani

NOTES

[1] The motto "Nous ne coalisons pas des Etats, nous unissons des hommes" appears on the title-page of Jean Monnet's *Memoires*, Paris, Fayard, 1976.

[2] C. Schmitt, *Begriff des Politischen*, München-Leipzig, Dunker & Humblot, 1932.

[3] *Ibidem.*

[4] *Ibidem.*

[5] *Ibidem.*

[6] Maurice Duverger, for example, maintains that "the first objective of politics is to eliminate violence, to replace bloody conflict with less brutal forms of struggle. Politics begins beyond war, civil or international". (M. Duverger, *Introduction à la politique*, Parigi, Gallimard, 1964, p. 209).

[7] *Histories*, Book II, § 40.

[8] H. Arendt, *The Human Condition*, Chicago, The University of Chicago Press, 1958, p. 26.

[9] Here the expression "process of civilisation" is used in the sense given to it by Norbert Elias (*über den Prozess der Zivilisation. Soziogenetische und psychogenetische Untersuchungen*, Basel, Hans zum Falken, 1939).

WHAT CORE?

That the framework of a fifteen-member, to say nothing of a twenty-five-member, European Union is incompatible with the foundation of a European federal state is both obvious and widely acknowledged. But recognition of this fact can lead to one of two conflicting conclusions: either one can opt to conserve the fifteen-member (and in the near future twenty-five-member) framework, which would imply abandonment of the federal state objective and acceptance of the prospect (quite devoid of any future) of minor adjustments and small-scale reforms; or, one can retain the objective of the federal state, in this case abandoning the idea of the fifteen- or twenty-five-member framework.

Those committed to the struggle to bring about Europe's political unification must inevitably choose the second alternative, which is to say the formation of a federal core. The reasons in favour of this choice are

so obvious that they do not need to be set out again here. What is worth reiterating, on the other hand, is the fact that the strategic choice represented by the federal core objective is by no means based on the certainty that there currently exists, in an adequate number of member states, the real will to form such a core. Indeed, it would be patently false to claim that this is the case. All that can be affirmed with certainty is that some EU member states, regardless of the positions of their respective governments, are more ripe for the European endeavour than others, this greater maturity being attributable to the deeper level of interdependence between them and to their longer history of integration, and that this is reflected both in the receptiveness of public opinion to the federalist message and in the contradictions and ambiguities that emerge among these countries' ruling classes. It is not, therefore, a question of distinguishing between countries whose governments want a European federal state and countries whose governments do not; rather, it is a question of identifying a framework within which there exist the prerequisites for the formation of the will to found a European federal state and within which it makes sense to strive for its birth. Any contribution to the creation of this framework constitutes a step towards the creation of a European federal state.

* * *

The federal core debate is sometimes obscured by a series of misapprehensions and misunderstandings. These are due to the fact that, in the framework of the present Union (and even more so in that of the future Union), there exist not two, but several different degrees of maturation of European consciousness, which are linked to different roles and responsibilities within the process. It is thus crucial to establish how the latter is destined to unfold and to analyse the situation more precisely in order to ensure that the strategic objective of the federal core is clearly understood, since the use of vague terms could easily lead to a dispersion rather than a mobilisation of energies. Indeed, before a political strategy can be developed and executed, the context within which it is to be implemented must be identified with the utmost clarity, as must the interlocutors it will target. This is why it is meaningless to suppose that the objective of a federal core can be pursued without indicating at least initially (allowing for changes of direction along the way) the countries of which it will have to be comprised.

It must be made clear, first of all, that the process will have to have an

engine — a driving force to get it started. This engine must inevitably be the willingness of the two countries that lie at the very heart of Europe and whose reconciliation first set Europe on its journey towards integration. The two countries in question are, of course, France and Germany. Should the will to found the initial core of a European federal state fail to emerge in either or both of these countries, then the process will not even be able to begin.

Should no other country be ready to adhere to this project from the outset, there is no reason why France and Germany could not set it in motion by themselves. And yet this is an unlikely scenario. The countries that will be part of the federal core vanguard must be few enough to guarantee the project sufficient cohesion and a high level of consensus, but at the same time numerous enough to constitute the critical mass needed to impart strength to the process and to guarantee the support of a large population that is ripe for the change. Let it be remembered that, since the very beginning of the process of European unification, France and Germany have attracted the support of another group of tightly knit countries, and any resistance to the idea of a federal core will be far more easily be broken down if, upon its official stipulation, the agreement between France and Germany is strengthened by the adhesion of these countries. Clearly, the countries we are referring to are the six founder members of the ECSC. Thanks to the long history of integration shared by these countries, to the degree of European awareness of their citizens and to the great symbolic value that is attached to their role as pioneers of the process of European integration, they find themselves on the same wavelength, and thus destined to assume this role. It would therefore be meaningless to develop a strategy targeting the governments, politicians and public opinion of France and Germany alone, excluding the other countries that are their natural partners.

Finally, there exists, within the context of the European Union, the group of twelve countries united by their adoption of the single currency. This, too, is a real and distinct group that is characterised by a certain level of interdependence. In view of this, some have been prompted to suggest that the federal core should be made up of the eurozone countries. Indeed, were a federal core to be formed, or were the Six to proclaim in unequivocal terms their irreversible will to found a federal core, many of the eurozone countries, faced with the decision to join it or to remain outside it, would quickly decide to join it. The core would not be a six-country core for very long, but would quickly expand to embrace the other eurozone members, albeit perhaps not all of them and perhaps at different

times.

It cannot be denied that those eurozone countries that are not members of the Six have a much more recent history of integration, that some of them are radically opposed to the concept of a European foreign and security policy, on the grounds that it would undermine their statutory neutrality, and that in some of these countries, membership of the single currency and even membership of the European Union itself are viewed by the general public as decisions based purely on economic considerations. The fact that these countries would rapidly adhere to the project once an irreversible and non negotiable decision to found a federal core had been taken does nothing to attenuate the difference between the decision to join a group that exists (the alternative being to remain outside it) and the decision to contribute to its creation, the latter necessitating absolute clarity of vision and strong political will, as well as the strength to resist the temptation to look for compromises and false solutions. This will cannot be generated in the eurozone countries that are not members of the initial six European member states, and involving them in the negotiations would only suffocate it within the Six.

* * *

It has been said that the identity of the federal core will emerge from a process led by the European Convention or by some other organ (probably a twenty-five-member organ) that will replace the Convention in the wake of its failure. In the simplest scenario envisaged by some of those who believe this to be feasible, the Convention (or possibly its successor), has the capacity to propose, and the IGC to sanction unanimously, the birth of a federal core. This hypothesis rests on the assumption that countries not wishing to join a federal core themselves will nevertheless be willing to allow the others to found one, and that they will be willing to accept it within a European Union that will be much the same, institutionally, as the one we know today. This is impossible. The countries not wishing to join a federal core would not even be in favour of its formation. A state (such as Great Britain) that does not wish to sacrifice its sovereignty in order to join a federal union in which it would, as a member state, nevertheless continue to wield considerable influence is never going to be willing to accept the presence, on its own doorstep, of a large federation over which it exercises no influence and that would considerably curtail the freedom to decide of its own institutions. It is true that, were the federal core to become a reality, there can be no doubting

that it would, as we have said, quickly expand; not only this, by becoming part of the European Union it would also give rise to a two-speed Europe. But for all this to come about, regardless of the will of the other members of the Union, and in some cases against their will, the federal core needs first to be founded.

The most extravagant scenario is that of a more complex procedure in which (once the Convention has approved a design for a federal constitution) it will be ratification of or failure to ratify the constitution that will determine which countries will be included in the federal core. In other words, the latter will be made up of countries that ratify the constitution, possibly through a referendum. But this scenario will never be realised unless the following conditions are created: a) the Convention would have to approve a proper design for federal union (without specifying which countries should be members of it), not an incoherent muddle that actually changes nothing (or more likely aggravates the situation); b) the intergovernmental conference would have to give the design its unanimous approval, yet without pronouncing on its composition; c) at the same time, again unanimously, the intergovernmental conference would have to alter the procedural rules established by the current Treaties, according to which the failure of just one member state to ratify a new treaty modifying the existing ones implies the need to renegotiate it. This rule, in particular, would have to be replaced with another stating that the treaty will come into force only in the countries that have ratified it. Clearly, none of these three conditions are possible.

The idea that a six-member core can be formed within the current fifteen-member (or future twenty-five-member) European framework without the need for a breakaway action on the part of some states is an illusion. Moreover, it is an illusion that cannot hide another harsh and uncomfortable truth, i.e., that the will to found a federal core can only be generated within the context of the Six (or possibly within an even smaller setting were one or more of the governments of Europe's original member-states to refuse to adhere to the project) and that, from this perspective, the European institutions, far from being the driving force behind the process, would actually constitute an obstacle to its initiation and development.

Francesco Rossolillo

CONFRONTING POWER: AN IMPERATIVE FOR FEDERALISTS

In the plenary session of the MFE's supra-national Congress in Lyon (January 1959), approval was given to the "Treaty project for the convocation of a European Constituent Assembly" drafted by a special committee elected by the European People's Congress (EPC) in Turin, in December 1958.

The Treaty opened with the following statement: "The Contracting Parties, fully aware that they are expressing the will of their peoples and determined to establish the foundations of an indissoluble union... have agreed to the following provisions."

Article 1 stated: "With this Treaty the Contracting Parties hereby decide to convoke a European Constituent Assembly with a mandate to draft the Constitution of the United States of Europe."

Pursuant to Article 8 the Treaty would go into effect "on the day it is ratified by all the Contracting Parties or, failing that, three months after its signature, provided it is ratified by at least three states with... a global minimum population of 100 million inhabitants."

Once the Treaty is in effect, the Constituent Assembly — elected by universal suffrage — "shall within 6 months draft the Constitution of the United States of Europe."

Article 4 called for a referendum to be held on the Constitution promulgated by the president of the Constituent Assembly "in those States which approve it by a simple majority of voters, provided there are at least three of such states with a global population of at least 100 million inhabitants."

A cursory interpretation of this phase of the federalist battle and its strategic tools might lead one to consider it comparable to the current situation, in which governments (the Laeken Summit) have appointed an Assembly (the Convention, albeit not directly elected), to draft a constitution. Indeed some would define the strategy of the EPC as still relevant. However, a more alert and objective analysis of what the Movement was asking for then and the documents supporting its request shows that there are significant, if not fundamental differences between that time and the framework within which the MFE majority is operating today.

In reality these differences prove that the alternative strategy, based on an Appeal to the governments of the six founding countries, reflects the basic strategic notion — regardless of the tools or concrete aims characterising the various phases — by which the Movement has consistently

abided, and which defines its role*: to confront power.*

This is the element that sets us apart from what is commonly termed "movementism," i.e. merely laying claim to objectives or values, without specifying the whos, whys, hows and wherefores necessary for achieving them. We also stand clearly apart from generic Europeanists, who applaud any minor adjustment as a sign of victory.

But where do these differences actually lie?

In the first place, it was originally deemed essential for there to be a Treaty between the member countries of the Community, in the awareness that to create a state of states, the latter must clearly demonstrate, through their respective governments, a determination to surrender power and sovereignty. If no such determination is demonstrated, then no other political subject can seize the power to decide.

A Treaty between states wishing to "establish the foundations of their indissoluble union" is far more than a simple international Treaty among sovereign states. It is the fine line that distinguishes union from division. A Treaty such as this cannot be defined in merely legal terms, nor can it be viewed as an act regarding the world order, as argued by Dominique Rousseau in *Le Monde* on 22 October 2002. It is a political act without which there will always be a world order incapable of manifesting the sovereignty of Europe's citizens, and only such a Treaty can give rise to the *constituent mandate* (see article 1 of the Treaty, mentioned above). The fact that the Laeken Summit has entrusted the Convention with the task of drafting a constitution for Europe, without defining it as the constituent act of a new state — without the constituent mandate which we have repeatedly requested in the past — is a clear indication that the determination to surrender national sovereignty has not yet manifested itself.

In 1958 Norberto Bobbio, having been elected as a member of the Constitutional Committee of the EPC, made this lucid comment on the "Project of a Treaty for the convocation of a European constituent assembly." In an interview with *Popolo Europeo* he stated: "*Assuming that the aim is to constitute a federal state in Europe, I do not see any other means of achieving it than by an international agreement in which the states undertake to convoke a constituent assembly with the mandate to draft a constitution of the United States of Europe. Therefore, I believe that the Treaty project drafted by the Committee of the European People's Congress is a necessary and decisive step towards reaching this aim. Taking this step is a sign of maturity and down-to-earthness. I remember various Constitution projects of the United States of Europe,*

but they never warranted much attention. What matters is not so much the drafting of a Constitution project, as suggesting the straightest route towards the convocation of a constituent Assembly. If the constituent Assembly is duly convoked, the text of the Constitution will follow on automatically. You have to take one step at a time. The hardest step is the international Treaty for the European constituent Assembly, not the drafting of a constitutional text, which no one will be able to draft better than an Assembly elected for this very purpose."

Even back then (Article 8), it was considered likely that not all countries (and the group was smaller at the time) would agree to creating a European Federation. But what was regarded as indispensable was a manifestation of the determination of governments (at least some, if not all) to form an "indissoluble union" under the terms of the Treaty. And this before, not after, an Assembly drafted a Constitution. Failing that, its creation would be a farce, a deception: the mandate could never be constituent in the most genuine sense of the word. Just as the mandate to draft is by no means constituent: it is well seen that it is so utterly generic as to render the drafting of a Constitution to create a federal European state unthinkable. But all this is entirely inevitable: while at least some governments have failed to express their determination to proceed in this direction, there are others which have made no secret of their opposition to federation. This is a widely recognized state of affairs, and ultimately represents the fig leaf of sham Europeanists, who trade on the opposition of others to conceal their own; but not even federalists deduced the consequences of this.

And lastly, Article 4 of the 1959 Treaty points to the referendum as the democratic sanction of the "Constitution of the United States of Europe." In other words, Europe's citizens would be called upon to approve the Constitution and thus also both the creation of a Federal state and the principles enshrined within it. But once again, the true institutional act of the new state coincided with the ratification of the international Treaty with which governments decided to surrender their national sovereignty to that of Europe.

Today the same road must be followed. Without the prior decision of governments — those holding the greatest responsibility, which we must pressure by mobilizing all the forces in the field — the almost certain outcome would give a democratic sanction to a bogus Constitution, a mere list of rights and duties, lacking the power to fulfil or impose them. And Europe's citizens would be deceived in the short term and headed in the long term towards rack and ruin.

Nicoletta Mosconi

THE PANAMA CONGRESS. A FAILED ATTEMPT AT LATIN AMERICAN UNION

In Europe, some have likened the European Convention convened by the Laeken European Council to the famous and fortunate Philadelphia Convention. In truth, given the way its work is proceeding and the results it has so far achieved, the European Convention can more accurately be equated with another, less fortunate precedent: the 1826 Panama Congress, which, likened to the league of city-states seen in Ancient Greece, has also been called the amphictyonic congress. While the United States' experience is documented in a vast body of literature that describes the debate behind the Philadelphia Convention and all that came of it, the Latin American experience is largely overlooked.

It is worth recalling that the Panama Congress came about following the development, between 1810 and 1824 (a period during which the South American troops were still fighting for independence from Spain), of a heated debate over the political and institutional order that the regions being liberated should be given. The territories to be administered, extending from the Pacific to the Atlantic, were truly vast. Furthermore, added to the desperate need for economic reconstruction, there was also the need to convert an entire continent, oppressed for centuries by harsh colonialism, to new rules of democracy and freedom. In the northern part of the American continent, thirteen colonies had rebelled against English dominion and found an answer to their new situation by founding history's first-ever federation: the United States. The question was, could South America reproduce this model?

The supporters of a Latin American federation clashed with those who instead favoured the birth, along the lines of the European model, of a number of nation-states. This latter design frequently served to conceal the interests of the subcontinent's first leaders who were gradually asserting themselves at regional level. Thus it was that, as the fight for freedom from Spain continued, numerous writings were published in support of each of these contrasting positions. As it became clear that the war was destined to signal the end of Spanish rule, which indeed collapsed definitively following the battle of Ayacucho in December 1824, this debate became even more heated.

The contrast between the supporters of a great federal design for Latin America and those who favoured the birth of a number of sovereign states

degenerated to the point at which a number of attacks were mounted, some of which resulted in the physical elimination of the opponent. One of these unlucky protagonists, assassinated in 1824, just a few months before the defeat of the Spanish, was Bernardo Monteagudo, one of the closest associates of Simon Bolívar. Throughout the war against Spain, Bolívar, also known as the *Libertador,* dominated the entire subcontinent's political and military stage, but he also enjoyed the support of several valid advisors, one of whom was the very same Bernardo Monteagudo, a young man and native of Buenos Aires who rose to the rank of colonel during the struggle against the Spanish, and who inspired and supported the design for a Latin American federation subsequently promoted by the *Libertador* in Panama in 1826.

In the political terminology of Bolívar and Monteagudo, the terms federation, confederation and league were often used as synonyms, but what both men had in mind was, essentially, the realisation of a great federation of Latin American states. Monteagudo's *Essay on the need for a general federation of Spanish American states and plan for its realisation*[1], an unfinished work published posthumously, both in Lima and Santiago de Chile in 1825, is a clear example of their thought. Monteagudo's essay was published not only in his honour, but also in support of the idea — pursued wholeheartedly by the most important leader of the war of independence, Simon Bolívar — of a permanent continental congress.

Monteagudo placed Latin America in the context of the balances that were emerging and the struggles that were taking place at world level, reflecting on the hegemonic role played by the European governments and on the Holy Alliance, and referring in unambiguous terms to a contraposition between the world's northern and southern hemispheres. Linking South American union and freedom with a close military alliance that he envisaged extending to Great Britain and the United States, he introduced a discourse utterly new to South America. In 1826, Bolívar went further, writing explicitly of the desirability, in the future, of "a union with the British empire and the birth of a single nation encompassing the entire universe: the federal nation."[2]

Monteagudo put the liberty of South America's nascent free states into the context of a general federation that would give a permanent congress, made up of plenipotentiaries representing the different countries, responsibility for coordinating decisions in the areas of foreign policy and security.

In this design, one can start to see the contradiction that the Latin

American federalists proved unable to overcome: that of fighting for the birth of states that would be independent at local level, but bound by a supranational federal tie. This contradiction was to dog liberal thought in Latin America throughout the XIX century. Many thinkers (del Valle, Bolívar, Miranda, O'Higgins, Bilboa), and Monteagudo too, regarded the birth of independent states as an indispensable step towards the continental federation. But unlike the thirteen colonies in the North, which had tried out limited forms of local self-government, the only form of government that the former Spanish colonies of the South had experienced was that of the distant control, direct or indirect, exercised by the Spanish crown, with all that this implied in terms of the capacity for effective government of such a vast and still largely unexplored territory. This was one of the reasons why the Latin American peoples were felt ill-prepared to espouse a political model, the federal model, which while certainly regarded as perfect, was based on a subdivision of levels of government virtually impossible to reproduce in the institutional vacuum of South America.[3] The existence of this legitimate concern is confirmed by the fact that outside support (in particular the support of Great Britain) was constantly sought for projects of unification, to set against the threatening US policies contained in the Monroe Doctrine of 1823.

While, on the one hand, the model of state born of the French Revolution appealed to many, there was, on the other, a real awareness of the risks inherent in dividing up the subcontinent into numerous states. It was in this setting that, with the struggle for independence from Spain won, South America, in the space of just a few months, gambled away its future, opting for division of the subcontinent into strongly centralised states: a model of state, characterised by the personalisation of politics, by populism and by *caudillism*, which was to remain a constant feature of Latin American history until very recent times.[4]

* * *

Panama, in 1826, saw an attempt by the majority of Latin American states to launch, for the entire continent, a unitary policy in a federal vein. Brazil and Argentina, entirely opposed to the project and about to engage in their own twenty-year war, did not participate.

With the defeat of Spain inevitable, it was Bolívar who, in a letter to the Latin American heads of government dated December 7, 1824[5] solicited this meeting of government-nominated plenipotentiaries. Bolívar

was at the height of his political and military influence and was convinced of his ability to impose a line of action on the entire continent. He organised the congress, but did not attend in person. Instead, he established, with his associates, who were to represent the government of Peru, the points that had to be upheld. The intention was to transform this congress into a permanent assembly, with the resulting union of participating countries following the federal model. Other plans were to establish a permanent army and to affirm the principle of reciprocal aid among member states, recognising the parity of the rights and duties of the members of the union. Finally, moves were to be made as soon as possible to establish a close alliance between the new Union and Great Britain.

As these ideas, which Bolívar reiterated two months prior to the start of the congress in a letter to Gran Colombia delegate Pedro Gual,[6] were taking shape, Bolívar's opponents — the same men who had led the whole of South America to independence — had, for some months, been doing their utmost to sideline him and to make sure that his congress failed. They considered the *Libertador* too influential and too likely to get in the way of their personal ambitions. The death of Monteagudo at the hands of Bolívar's adversaries had already shown the depth and bitterness of their opposition.

The Panama Congress was attended by the plenipotentiaries of Guatemala (corresponding to today's El Salvador, Nicaragua, Costa Rica, Guatemala, Belize and Honduras), Mexico, Gran Colombia (corresponding to today's Panama, Colombia, Venezuela and Ecuador), and Peru, as well as two observers, representatives of the British and Dutch governments. Great Britain in particular, on learning of the congress, had immediately made clear its intention to attend. However, betraying the faith and expectations of those who had counted on British support, Great Britain's action throughout was aimed at sabotaging any unitary initiative.[7] Britain had, in fact, already begun putting considerable political and military pressure on the South American governments in an effort to appropriate strategic ports and to develop its own policy of alliances in South America.[8]

This was the first and the most glaring turnaround, but not the only one. Men who had fought alongside one another throughout a war lasting over twenty years, deciding together on their military and political strategies, now found themselves enemies. Santander, vice-president of Gran Colombia, of his own volition, invited a delegation from the United States, who, for a variety of reasons, did not reach Panama until after the

congress had ended. This act, which had not been agreed upon, created a deep personal and political rift between Bolívar and Santander. Furthermore, the latter instructed his delegate, Pedro Gual (to whom Bolívar had written seeking political support), to oppose any document that made provision for a federal-type formula or that gave the Congress a mandate providing for its transformation into a permanent assembly. Gual himself firmly believed that the congress should fulfil a purely consultative role and, like his vice-president, that it was necessary to create independent states that would be free from any political or institutional ties.

Firm in these beliefs, Gual, starting as early as December 1825, that is to say as soon as the delegation reached Panama, had a series of informal meetings with the Peruvian delegates and supporters of the federalist design, Tutela and Vidaurre. These two, by a combination of pressure and threats, were induced to embrace the Colombian views. Thus, when the Panama Congress opened officially on June 22, 1826, it was already certain that the word federation would not appear and, indeed, that the official documents resulting from the congress would emphasise the need for the birth of free and independent states.

Thus, the delegates from Peru contributed, in the ten sessions of the congress proceedings, to the drawing up of documents so strongly antifederalist that even Gual was prompted to lower their tone. It is worth recalling that Tutela and Vidaurre were later to become the presidents, respectively, of Colombia and Peru, once the latter were proclaimed independent states, and that Santander was named president of Colombia when that region, too, breaking away from Gran Colombia, became an independent state.

The treaty, passed on July 15, 1826, contains two articles that are worth citing here as demonstrations of the clear intention not to create a federation. Article 28 of the final document runs thus: "This Treaty of Perpetual Union, League and Confederation will never interrupt in any way the exercising of sovereignty on the part of each of the republics." The plan to create a permanent, one hundred thousand-strong army under the direct control of the permanent assembly was also rejected, this time by Art. 4, which stated: "The military contingents will come under the direction of and be subject to the orders of the government to whose assistance they have come; it remains clearly understood that auxiliary corps, under the leadership of their natural commanders, must retain the organisation, regulations and discipline of the country to which they belong." Bolívar's idea of a permanent army, which he had advanced in 1825, was thus buried, since it would have raised the question of creating a supranational controlling body.[9]

None of the Latin American countries ever ratified the Treaty drawn up in Panama. Furthermore, the ten years that followed the congress brought the complete disintegration of Gran Colombia and Guatemala, and the emergence of more than twenty sovereign nation-states, which subsequently became caught up in a long series of border conflicts.

The failure of the congress prompted the Bolívar to write, in a letter to a friend dated August 4, 1826, "The Panama Congress, an institution that would have been admirable had it proved more effective, must inevitably be compared to the foolish Greek who, from a rock, thought he could direct a fleet at sea. Its power will amount to nothing more than a shadow and its decrees mere recommendations."[10]

Despite its disastrous outcome, the Panama Congress was cited, by US President Wilson in the speech that opened the first session of the League of Nations,[11] as a model to be followed in the pursuit of peace and harmony among peoples. But world events over the next twenty years, one of the most tragic periods in the history of mankind, demonstrated once again that wherever the model of cooperation between sovereign states prevails, peace and security can never be other than an illusion.

* * *

The story of the Panama Congress induces us to reflect upon the process of European unification, increasingly obstructed and held back by pressure to conserve the national sovereignties.

First of all, it is important to underline the part played by Great Britain, whose role today, as in the case of South America, seems to be to create division rather than unity. It has to be acknowledged that no European federation that includes Great Britain is, at the present time, conceivable.

Second, it is clear that the decision to relinquish national sovereignty can ultimately be taken, through the issuing of a specific mandate, only by the governments involved or by their representatives. Any congress, assembly or convention convened in the absence of a prior and urgent will, on the part of the governments, to found a federation, is destined ultimately to have no more significance and influence than "the foolish Greek" to whom Bolívar referred.

Stefano Spoltore

NOTES

[1] The original title of this work is *Ensayo sobre la necesidad de una federación jeneral entre los estados ispano-americanos y plan de su organización*, Lima and Santiago del Chile, 1825.

[2] A. Scocozza, *Bolívar e la rivoluzione panamericana,* Bari, Dedalo, 1978, anthological section, p. 225.

[3] More on the political thought of Simon Bolívar can be found in S. Spoltore, "Il progetto politico di Simon Bolìvar tra centralismo e federalismo", in *Il Politico*, Pavia, 1983, No. 3; and in G. Montani, *Il Terzo Mondo e l'unità europea*, Naples, Guida, 1979, pp. 45-53.

[4] See G. Germani, *Autoritarismo, fascismo e classi sociali*, Bologna, Il Mulino, 1975, pp. 40-94.

[5] A. Scocozza, *op. cit.*, p. 221.

[6] Letter to Gual dated April 1826, in *Cartas del Libertador*, Caracas, Banco de Venezuela Fundación Lecuna, 1965, Vol. 2, pp. 18-19.

[7] See P. Chaunu, *Storia dell'America latina*, Milan, Garzanti, 1977, p. 87.

[8] For three decades, beginning in 1825, Great Britain staged numerous interventions, sometimes military, particularly in the Rio de la Plata region, triggering the dispute with Argentina over the Malvinas, or Falkland Islands.

[9] For both the text of the treaty and the plan for a permanent army, see I. Lievano, *Bolivarismo y monroismo*, Bogotà, Editorial Revista Colombiana, 1969, pp. 83-84. This lack of success, linked to the failure to create a common army, is reminiscent of the experience of the EDC in Europe.

[10] *Cartas del Libertador, cit.*, vol. V, p. 217.

[11] A. Scocozza, "L'integrazione latino-americana", in *Confronto*, Salerno, 1978, n. 2.

Thirty Years Ago

POLITICAL DECLARATION*

Conscious of the historical necessity and gravity of the task of putting an end to the age of national states in opposition to one another, and of giving rise to a single people of the European nations;

taking into account the extraordinary difficulties deriving from extensive opposition to the unification of isolated states by a national and nationalistic policy into a higher entity, that being a European federalstate;

determined to construct the United States of Europe on the basis of that which has already been acquired in the framework of European unification,

European federalists have decided to set aside their differences and, during the Congress of Nancy of 8-9 April 1972, re-unite their organizations: the *Action Européenne Fédéraliste* (AEF) and the European Federalist Movement (MFE).

They shall organize their future political activity on the basis of the following declaration:

1. European federalists who, after 1945, reacting to the horrors of the second world war and totalitarian regimes, became convinced of the need to create a federal Europe, view with satisfaction, but also with impatience and concern, the results achieved so far.

2. The Council of Europe offers evidence of the possibilities and limitations of cooperation between democratic European states. For the first time, through the creation of the European Coal and Steel Commu-

*This Political Declaration was adopted by the 1st Congress of the European Federalist Union in Brussels on 13-15 April 1973. It sanctioned the birth of a new organization that arose from the fusion of the European Federalist Movement and the *Action européenne des fédéralistes*. The declaration was published in French in *Le Fédéraliste* (XV), 1973.

nity (ECSC), the politics and interests of six states were reduced to a common denominator in a limited field, but with the intention of creating a European Federation. Common institutions were created: the first core of sovereign rights up to that date belonging to the national states was transferred to common institutions.

3. Following the creation of the European economic community and its consequent economic expansion, the importance of the process of European unification in world politics can no longer be disregarded. The enlargement of the European community with the entry of Great Britain, Ireland and Denmark — a community open to all of the continent's democratic states — marks a significant milestone in this evolution. The community must constitute the starting point for writing a new chapter in European history, leading not only to economic and monetary union, but also to the need for political unification, including foreign and defence policy and the democratization of community institutions against the resistance posed by nationalism.

4. The creation of European institutions, which must permit Europe to speak with one voice and act with one will, can no longer be delayed. A new world filled with dangers but also hopes, is arising from the victories of yesterday. Though the United States are still an economic and military superpower, they can no longer function as the regulators of world monetary policy. While irreplaceable in the short term for ensuring European security, there is now uncertainty over the military presence of the United States in Europe. Relations between the United States and the other world superpower, the Soviet Union, and China, are regulated without the involvement of the Europeans. The security of the Mediterranean region, which is of vital importance for Europe from the standpoint of military and energy policy, has become a source of concern. Tensions are growing between the rich industrialized nations and the non-industrialized poor nations. China has entered the world scene as an important actor, though we are as yet unable to measure her strength.

5. Europeans stand divided before this world in turmoil. Divisions hamper the coordinated development of justice and social progress. Though Europeans created the civilized world as we know it and constitute an entity more powerful than the United States and the Soviet Union in terms of numbers, culture and international trade, the status of their international relations, defense, armaments and currency has changed

little over the last century.

6. European governments, often blinded by egotism and entrapped by an outmoded view of their own prestige, refuse to acknowledge that in the world of today the sovereignty of small countries is a pure and simple illusion. They cling to a power whose insubstantiality they refuse to recognize and often limit themselves to bullying communities weaker than themselves. Far from driving historical progress, they are holding it back.

7. European Federation is the only response to the challenge of contemporary history. It is the only realistic design that has been put forward to the European people in the last twenty-five years, and at the same time it is ambitious enough to enable them to reconstruct in peacetime the democratic society to which they aspire. European Federation, created by the free decision of its peoples, will be an example to other peoples and a milestone on the road towards world Federation.

8. The task is immense. It calls for:

an acceleration in economic and social development and a better quality of life in Europe;

a gradual reduction in disparities between different European regions;

the development of European research and technology in order to avert the risk of dependence on other powerful nations;

the creation of a single European currency;

the organization of security in Europe on a community basis as a contribution to world peace and a fairer universal order among peoples;

the establishment of relations on an equal footing with the great powers;

cooperation with developing countries and the provision of more effective community aid to those countries.

9. Such a political action, in Europe and throughout the world, implies something quite unlike agreements between governments that can be revoked at any time, or the powerless phantom of a confederation. It calls for the attribution of limited but real powers to a European federal government, without veto rights.

10. European federalists do not want a unitary, centralized European state.

Anything in the Federal constitution that can be regulated effectively

by a lower authority, starting from the smallest town council to the European government itself, must be attributed to that authority according to the principle of subsidiarity. Only that which must be regulated at a higher level should be attributed to the higher authority.

11. The nations and historic regions of Europe, with their peculiarities, languages, literature and cultural heritage, constitute the beauty and wealth of Europe. They will be protected and nurtured in the European Federation.

12. Every level of federal organization must be founded on democratic and social rights and must envisage the broadest participation of the citizens to regulate their social, economic and political issues at every level. There is no space for dictatorship of any kind in the Federation. A supreme court will administer law.

13. Whatever form the federal government assumes, it must be designated democratically and controlled by a European federal parliament comprised of two Houses, one elected directly and freely by European citizens, and the other representing their states and perhaps also their regions. This goal must be pursued relentlessly until the governments fulfil the commitment they assumed with the Treaties of Rome, and call the election of the European parliament by universal suffrage in all member states.

14. Only the European Federation can fully reconcile democracy with its social content:

acceptable living conditions for the weakest members of society;

equal access to all levels of education and vocational training;

better quality of life starting from public health, livable cities, the protection of the environment.

15. European federalists realize that the creation of a European Federation is a challenging and ambitious task. In day to day politics, they will never cease to propose and demand appropriate measures for achieving this goal. They will resist all plans, often covert, that seek to perpetuate the existence of the sovereign national state. They will strenuously oppose the resistance of governments and their delaying tactics, and demand bold initiatives.

16. It is this Europe — peaceful, free, and capable of ensuring social progress in federal unity — that federalists want. They appeal to all European citizens to join them in the struggle.

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