

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



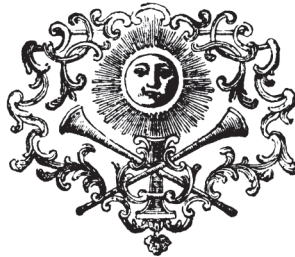
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THE FEDERALIST

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Editor: Giulia 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 Tragedy of Afghanistan

The Conference on the Future of Europe: Europe's Vital Chance to Change, and Shoulder its Responsibilities

The terrible stories and images coming out of Afghanistan in recent weeks are a blot on our conscience as citizens of the Western world, and it would be wrong to imagine that, after all our outpourings of horror, outrage and compassion, we can simply file them away and forget about them. We must be in no doubt that unless we can own this tragedy and organise effective solidarity, we will pay the price with our dignity.

Politically, the withdrawal from Afghanistan descended into such a debacle that it is hard to see how it can ever be recovered from. The effects and implications of the Taliban's astonishing retaking of Afghanistan — after Trump sold them the country, Biden failed even to question the decision, and the Europeans merely looked on — are countless, and are now being discussed extensively by the world's media. In this regard, in addition to the impact on the credibility mainly of the United States, which has been left in tatters, we must list the triumphant return of Islamic radicalism and even the possibility that terrorism might take hold again in places it had supposedly been driven out of; then there is the loss of influence, particularly of the Americans, across the Middle East and Asia, and the tremendous benefits that China, Russia and even Turkey stand to reap. It is, in short, a total disaster, in the face of which it appears ridiculous, offensive even, to be engaging in heated debates over the appropriateness, or otherwise, of entering into dialogue with the Taliban, who meanwhile are engaged in killing, beating, hunting down and capturing anyone who represents an alternative to their medieval worldview. Obviously, the bitter reality of the failures and defeats will drive efforts to understand how best to move in this new scenario; but perhaps we should also be considering and evaluating what outlooks and objectives we now want to adopt and set ourselves, rather than, panicked by our impotence, merely seeking

to distance ourselves as much as we can, in the short term, from the consequences of our mistakes.

As Fukuyama points out, the United States' dramatic internal division is reflected in its foreign policy, which has no real direction. The real work of processing this disaster is something that falls to the United States, not to us Europeans. What we Europeans must do, on the other hand, is work out where we have failed and what we must do, as of now, in order to ensure that, once equipped to assume responsibilities commensurate with our possibilities, we need witness no more of these atrocities.

Right now, it is unquestionably right that we undertake to cushion the blow of this disaster, by doing our utmost to build an international alliance that is geared at containing the spread of violence, and ready to do everything possible to protect Afghan women and help them retain at least a fraction of their hard-won autonomy, as well as save the lives of those Afghan citizens who, having believed in democracy and freedom, now risk death or repression. At the same time, however, it is essential that we immediately embark on charting a course designed to change the situation that is keeping the EU in the state of shameful weakness that currently allows it to be nothing other than an impotent spectator of unfolding tragedies and horrors.

Last Saturday, Sergio Mattarella, President of Italy, addressing the annual Meeting for Friendship Amongst Peoples in Rimini, delivered a timely and powerful warning: "There is an I, a you and a we also for Europe and for its responsibilities, against all narrow-mindedness, against mortifying dullness mixed with hypocrisy (...) which are the result of anti-historical entrenchments and, in reality, self-harming (...). Hence the need to strengthen community sovereignty which alone can integrate and make national sovereignties non-illusory. Community sovereignty is an act of responsibility towards citizens and in the face of a global world that needs the civilisation of Europe and its role of cooperation and peace. (...) The ongoing reflection on the future of Europe allows this. The current Conference must be an opportunity for a broad historical vision and not for dull ordinary management of the contingent".

It is only through building community sovereignty that we can become capable of acting as Europeans, and stop leaving the fate of the world — and our own — in the hands of others. There are precise and urgent steps that the EU must take to this end: it must assign the European Commission new competences and real powers, to be exer-

cised under the control of the European Parliament and the Council, and consequently it must modify its own decision-making mechanisms (abolishing the right of veto) and the procedures for electing European bodies, so that they acquire greater democratic legitimacy. Among the effective powers needing to be created at European level, fiscal power must be the priority, because Europe has to have a means, totally independent of the states, of sourcing own resources on which to rely for implementing its own policies; then there is the power to intervene directly, at macro level at least, in its own fields of competence. As for the question of competences, the European Commission, in addition to its macro-economic role, must immediately be assigned responsibility for migration policy. The Afghan tragedy has presented us with the need to grant asylum — and it is to be hoped that this need will only be temporary — to an educated middle class, as well as the need, albeit not immediate, to manage, in a coherent and civilised way, flows of desperate people fleeing one of the worst regimes imaginable. To hark back to the events of 2015, and even think of implementing stratagems adopted then, which were born of division, and today would also stem from lazy inertia, would be to set out on the road to our own moral ruin. This time, Europe has both the opportunity and the conditions necessary to take a political leap forwards, and it is our responsibility, and ours alone, to ensure that it does so. Impracticable workarounds like Armin Laschet's proposal — in a recent interview he called for the creation, with Poland and the Baltic states, of an intergovernmental vanguard group in the field of foreign and security policy — are entirely off the mark. Yes, a vanguard group certainly has to emerge in Europe, and in the field of foreign and security policy it will initially be inter-governmental in nature; but the point is that it has to be the product of a political project shared by those countries that want to build a federal union and to set the rules for their close coordination in foreign policy in this framework, pending the transfer of this competence, too, to the European institutions.

The tragedy of Afghanistan demands that we, as Europeans, make the political leap that will allow us to shoulder our responsibilities, primarily our moral responsibilities. If we fail, we will be the first to find ourselves with no real future.

The Federalist

Pavia, 23 August 2021

The European Union and the Return of War.

The Urgent Need for a Federal, Sovereign and Democratic Europe

Russia's brutal aggression against Ukraine has opened up a new chapter in European and world history. It marks the definitive end of the liberal order built by the USA following the collapse of the Soviet Union and the end of the Cold War, an order that rested on an ideological belief in the market as the driving force of development and growth that, in turn, would lead to the spread of democracy and the creation of ever closer interdependence between countries, encouraging them to cooperate and thus to overcome the era of geopolitical confrontation.

In the pages of this review, we have often criticised the short-sightedness of this vision, which subordinates politics to the machinery of trade and commerce, and therefore advocates elimination of the central role of state institutions in governance, a stance that diminishes the very concept of citizenship; indeed, while acknowledging and appreciating the merits of globalisation, and recognising the extraordinary role it has played in the development of many countries and regions of the world, we have often pointed out the increasingly evident flaws in this doctrine, together with the fact that it was a system that effectively served the interests of the United States, and helped them to exercise their new global power in the wake of the collapse of the USSR.

All these observations, however, now fall within the realm of historical debate; the present, shaped by the ferocious aggression of Putin's regime in Europe, is forcing us to address new issues: in particular, we need to consider the paradigm shift in terms of security that the new situation demands, not only in continental Europe but also globally, and also the impact that it is bound to have on the process of globalisation, and consequently on the stability of our economies, our societies and ultimately our democracy.

At this stage, no one yet has any clear and definitive answers to offer. Indeed, this issue of our review is being published later than scheduled precisely because we felt it necessary to take a little time to try and formulate some points for reflection. In our view, the only certainty right now is the obvious need to speed up, immediately, the process of EU reform, so as to equip the European political-institutional system to address the current situation, which poses a very grave threat to it. It seems clear to us that the EU must exploit the energy and momentum created by the present emergency in order to advance towards true political unity, as this would give it the ability, authoritativeness and strength necessary to truly act, both internally and on the global stage, and thus to achieve the standing of a continental power. The conclusions of the recent Conference on the Future of Europe must provide the springboard for this transition; indeed, the Conference prompted an important debate in this sense, and it is now the duty of all those involved to turn words into actions.

The present crisis is exposing, even more starkly than previous ones did, the strengths and merits of the European Union, but also its shortcomings and vulnerabilities. The strengths and merits, of course, are the aspects that really enrage Putin: namely, the fact that the EU is a successful, attractive and democratic model that guarantees high levels of well-being, social protection and respect for people's rights, in the name of individual self-determination; and the fact that it is a project that was created to establish peace and overcome nationalism. For the Russian government, the support for the EU model that has grown up on Russia's own doorstep is simply intolerable, given that it challenges the despotic ideas held by Putin's regime, which would overthrow Western values in the name of illiberalism (i.e., of a closed community identity that rejects diversity and individual rights) and regards democracy as a weakness or "vice". That said, the EU still has some very serious flaws and weaknesses; these stem from the fact that, notwithstanding the nature of the project and the federal ambitions from which it originated, it remains, essentially, an international organisation: although it has a single (federal) currency, other key areas — foreign policies, defence and budgetary control — are still managed at national level; the EU lacks competences in all the crucial areas of sovereignty including, despite Schengen and the abolition of interstate borders between most EU member states, the field of home affairs. This situation, in which the states remain "masters of the Treaties", leaves the Europeans politically weak; moreover, nationalism has still not been defeated as we still have

no federal institution able to supersede it both politically and historically, and thus allow the affirmation of a new model of supranational democratic governance of interdependence. As a result of all this, the future of the EU continues to hang in the balance. Even though, in the face of common threats, the EU is now showing that it has the ability to cooperate in order to mount common responses, it remains powerless to act; it carries little weight at international level. Moreover, public opinion in the different countries remains vulnerable to manipulation, and there thus remains the risk of a resurgence of the populist and nationalist forces sympathetic to Putin. This particular weakness could even be enough to bring us down; Putin is well aware of this, and it therefore provides him with a further incentive to persist with his plans.

Europe, if it is to survive as a union, therefore has no choice but to take the essential political-institutional steps (highlighted by the work of the Conference) that will give the European institutions the competences, resources and effective powers they need in order to act in key areas that can be adequately governed only at European level. First of all, the EU needs to have a true foreign policy, the necessary premise for which undoubtedly lies in deeper coordination and cooperation between the national governments, of the kind they have been displaying in response to the war in Ukraine; but to radically increase Europe's influence in the world, this policy must be born as the competence of a true European government, accountable to a reformed EU parliament (meaning the European Parliament plus the Council, the latter transformed into a legislative chamber representing the member states). In other words, the only way to enable the leap from the current intergovernmental system to a truly European one is to create the conditions for the formation of an initial embryo of a European federal government, i.e., for the creation of autonomous and democratic European power able to make budgetary decisions, thanks to direct taxation at European level, and also to implement certain federal policies at European level, thanks to the assignment of certain powers to the European Parliament, which would also be responsible for controlling the new European executive. In this framework, the EU would acquire decision-making powers in other policy areas, too: energy, migration and some aspects of public health. We, as members of the European Federalist Movement (*Movimento federalista europeo*, MFE), have endeavoured to draw up, with the help of a group of highly experienced jurists, an organic proposal that takes the form of a set of specific reforms capable of changing the legal and political nature of the EU and giving it the capacity

to act effectively; the proposed reforms really would create the common European sovereignty on which the true strategic autonomy and independence of our continent depends, even though gradual transfer of competences is envisaged in those areas that necessarily demand longer time frames. The document in question is published in this issue of the review. It is intended as a contribution to the debate and above all to the work of the Convention that, we trust, will be established following the end of the Conference on the Future of Europe and strive to produce incisive reforms, of a substantially constituent nature.

Finally, to conclude this editorial, we must also consider the current and general absence of certainties, a situation that is making it even more urgent to start the creation of a federal political union; we refer to the emergence in recent times of unpredictable scenarios that hang heavily over our future and will have to be faced in the coming years.

The war started by Russia is part of a determined attack on what still remains of America's global hegemony, and the fact that the USA is showing symptoms of a profound internal crisis is undoubtedly one of the factors that triggered it (in this regard, one need only consider the deep polarisation of American society, and the level of consensus still enjoyed by Trump, as well as the latter's attempted coup in January 2021); a further contributory factor is surely the mounting evidence of America's weakness at international level. In this regard, the chaotic US withdrawal from Afghanistan must certainly be seen to have played a role, as must the loss of American influence and control in many areas of the world: we are thinking not only of the power vacuums that have been left behind, which are effectively strengthening the positions of Russia itself (and of other minor regional powers) and favouring the expansion of Chinese influence, as in Africa and the Middle East, but also of America's declining affinity with traditional allies such as Saudi Arabia, India and Pakistan, not to mention South America, which has been distancing itself for some time. All these areas are now clearly more determined to act independently. In this scenario, we are witnessing the emergence of a growing power struggle in which, with ideology proving to be an important tool, much will depend on the strength of consensus that the two opposing systems manage to win and maintain: the West on the one hand, with its liberal, democratic political systems, high GDP per capita, widespread education, and advanced welfare systems; and, on the other, China and Russia, whose regimes are now tending towards totalitarianism (and therefore regressing drastically with respect to the openness that both of these countries had previously started to display).

Despite the strong interdependence created through the globalisation of trade and commerce, we now find ourselves faced with the very real possibility of having to choose to forgo a slice of economic development today — this is already happening in many fields — in order to have, tomorrow, greater autonomy and independence from what is increasingly becoming the “enemy bloc”. If the world does, indeed, move in this direction, which system will prove to be the stronger? Which will be the one better able to withstand the impact, on political consensus, of the economic crisis that their decoupling and abandonment of interdependence will inevitably entail? Which parts of the world will be stronger (taking into account the characteristics of the different societies and the different demographic realities, of course)?

A further consideration is Russia’s unscrupulous use of ideological propaganda, and its manipulation of reality as means of influencing public opinion both at home and abroad. In this way, it aims, in particular, to weaken support for NATO countries, which, especially in Europe, are also finding themselves called upon to break their ties and their interdependence with Russia, and are already having to pay a hefty price for this in the short term. This war is in fact seriously threatening the post-pandemic economic recovery and related ecological transition process, with the result that solidarity between European countries is also likely to become a complex issue once again. In this context, the risk of social disintegration and power grabs by pro-Putin politicians in some European states is terribly real.

At the same time, what new challenges, in security terms, are being thrown up by this new scenario, which, characterised by the aggressive invasion of a sovereign country with the intention of occupying part of its territory and installing a puppet government to control it, takes us straight back to the last century and its two world wars? In this case, the aggressor is using its possession of nuclear weapons, which it claims to be ready to use if directly challenged, as a form of blackmail to prevent NATO forces from entering the conflict in support of the country that has been attacked. That the USA is condemning Putin’s actions in increasingly strong terms is perhaps, in part, an attempt to conceal this new reality, which leaves America less credible and therefore more exposed, also to possible clashes with China in the Pacific area. Defeating Putin in this war, and this also means increasing military support for Ukraine, is absolutely vital — let there be no mistake about this —, also in order to dismantle the narrative that the West can only bluff, since it lacks the will to intervene effectively to defend its friends and its values.

This new scenario that Putin has created through his aggression towards Ukraine is a nightmare for Europe. The EU system was constructed on the basis of a belief in the ideology of the market as a driving force for the development of the international system. We have built, from choice and also for structural reasons linked to the fact that Europe is an area lacking in raw materials, a system of interdependence with countries that now represent a threat, and this leaves us particularly vulnerable. What we have failed to do, on account of our persistent lack of political unity and therefore of a common vision and will to act, is develop an effective partnership policy vis-à-vis those third countries that could have played a crucial role in our development, often leaving them, instead, in the hands of China and Russia. Having entrusted the USA with the management of international relations and of our own security, we have suffered the repercussions of the Americans' changing interests and declining ability to govern the world. As a result, we have become an appendage of a West that now risks committing suicide in a bipolar "West vs Autocracy" conflict; and we have no tools to promote a new order that, while avoiding the aforementioned decoupling, is also able to oppose autocracies and, at the same time, strengthen democracy and the links between countries that have no wish to enter the sphere of influence of the new totalitarianisms.

To change this situation, the EU needs to have the political strength that would allow it to offer countries choosing democracy the chance to share new democratic and supranational international institutions, with which to manage, together, existential challenges ranging from climate change to health; and, in its dealings with autocracies, to leverage the force generated by the advantages of interdependence and the global market in order to maintain relations of a kind that avoid total conflict.

This is why the EU's task now is to rapidly build a political union will allow it to make hefty investments and develop effective and forward-looking European policies in the field of development, in order to drive energy and ecological transition, the development of the digital sector, and the creation of a European foreign and security policy and an autonomous military capability, so that the EU can gradually become a true pillar of NATO, on a par with the USA, and offer international politics a new guide and direction.

In so doing, it must not allow itself to be blocked by the vetoes of opposing countries, which should be free to remain in the single market, retaining all the advantages offered by today's EU, yet without preventing the advance of those member states that now recognise that

the current global situation demands the birth of a European power.

Today, the Europeans must fight with courage and determination to ensure the liberation of Ukraine, and to bring about true and profound reform of the Treaties. It truly is a question of now or never. This is no cliché; it is the reality of the present historical moment and we cannot afford to forget that, even for a second.

Pavia, 20 April 2022

The Federalist

The *Ventotene Manifesto* and the Birth of the Movimento Federalista Europeo within the Italian Resistance*

SERGIO PISTONE

The Italian Resistance, like the resistance movements in Europe generally, stemmed from broad and thorough internal debate on the question of European unity.¹ As their programmes showed, all the anti-fascist political forces (with the exception of the communists) supported the objective of European federation. But the most significant development in this sense was the birth in Italy of the European Federalist Movement (MFE in Italian),² which became the most important of the various movements for European unity that were established in that period. During the Resistance and post-war years, the MFE played a key role, both in Italy and in Europe, in the struggle for European federation, and its contribution to this objective has continued to be crucial to this day. Here, I look back on the essential aspects of the MFE's

* To mark the 80th anniversary of the *Ventotene Manifesto*, we here publish the text of a lecture given by Sergio Pistone at the *Visions of Europe in the Resistance* conference held in Genoa last year, whose proceedings will be published later this year.

¹ See: W. Lipgens, (ed.), *Europa-Föderationspläne der Widerstandsbewegungen 1940-1945*, Munich, Oldenbourg, 1968; Id., *Documents on the History of European Integration, Volume 1, Continental Plans for European Union 1939-1945*, Walter de Gruyter, Berlin - New York, 1985; S. Pistone, (ed.), *L'idea dell'unificazione europea dalla prima alla seconda guerra mondiale*, Turin, Fondazione Luigi Einaudi, 1975; Id., *L'Italia e l'unità europea*, Turin, Loescher, 1982; Federazione Italiana Associazioni Partigiane, *L'idea di Europa nel movimento di liberazione 1940-1945*, Rome, Bonacci, 1986; R. Cinquanta, "Partigiani di tutta Europa, unitevi!" – *L'ideale dell'Europa unita nelle riviste clandestine della Resistenza italiana*, Bologna, Il Mulino, 2020.

² In January 1945, in a freshly liberated Florence, the Associazione Federalisti Europei (European Federalists' Association) was established on the initiative of Paride Baccarini. It was joined by, among others, Piero Calamandrei, Giacomo Devoto and Enzo Enriquez Agnoletti. Just after the end of the war, the AFE was incorporated into the MFE. See: P. Graglia, *Altiero Spinelli*, Bologna, Il Mulino, 2008, pp. 284-293.

establishment and activity during WWII and, in particular, outline its guiding principles.

Our starting point is the drafting, completed in August 1941, of the *Ventotene Manifesto*, which was the founding document of these movements' struggle for Europe's federal unification. The *Schuman Declaration* of May 9, 1950, on the other hand, was the founding document of the process of European unification that evolved on the basis of the European Communities.³

The *Ventotene Manifesto*, whose full title was *For a Free and United Europe. Project for a Manifesto*, was drafted on the Italian island of Ventotene, where around a thousand anti-fascists were detained during the war. Its main author was Altiero Spinelli.⁴ Born in 1907, Spinelli started his political life in the ranks of the Communist Party of Italy. Because of his position as secretary of the youth branch of this party, in 1927 he found himself sentenced to ten years in prison; this was followed by a further period of confinement (first on the island of Ponza and then on Ventotene). He was finally freed in August 1943 after the fall of the fascist regime. After his resignation from the Communist Party in 1937, which followed much tormented reflection on the Soviet state experience, he found himself drawn to European federalism through the writings of Alexander Hamilton⁵ (the most im-

³ See: S. Pistone, *La prospettiva federale della Dichiarazione Schuman*, L'Unità Europea, 35 n. 3 (2010).

⁴ On Altiero Spinelli in general and on the genesis of the *Ventotene Manifesto*, see the following works by Spinelli: *Come ho tentato di diventare saggio*, Bologna, Il Mulino, 2006; *Discorsi al Parlamento europeo 1976-1986*, edited by P.V. Dastoli, Bologna, Il Mulino, 1981; *Diario europeo, 1948-1969*, *Diario europeo, 1970-76*, *Diario europeo, 1976-1986*, edited by E. Paolini, Bologna, Il Mulino, 1989, 1991, 1992; *Il progetto europeo*, Bologna, Il Mulino, 1985; *Una strategia per gli Stati Uniti d'Europa*, edited by S. Pistone, Bologna, Il Mulino, 1989; *L'Europa tra Ovest e Est*, edited by C. Merlini, Bologna, Il Mulino, 1990; *La crisi degli stati nazionali*, edited by L. Levi, Bologna, Il Mulino, 1991; *Il Manifesto di Ventotene*, Bologna, Il Mulino, 1991; *Machiavelli nel secolo XX – Scritti del confino e della clandestinità. 1941-1944*, edited by P. Graglia, Bologna, Il Mulino, 1993; *La rivoluzione federalista. Scritti 1944-1947*, edited by P. Graglia, Bologna, Il Mulino, 1996; *Europa terza forza. Scritti 1947-1954*, edited by P. Graglia, Bologna, Il Mulino, 2000. See in addition: E. Paolini, *Altiero Spinelli. Appunti per una biografia*, Bologna, Il Mulino, 1988; Id. *Altiero Spinelli. Dalla lotta antifascista alla battaglia per la Federazione europea*, Bologna, Il Mulino, 1996; L. Levi, (ed.), *Altiero Spinelli and federalism in Europe and in the world*, Milan, F. Angeli, 1990; L. Angelino, *Le forme dell'Europa. Spinelli o della federazione*, with an introduction by T. Padoa-Schioppa, Genoa, Il Melangolo, 2003; P. Graglia, *Altiero Spinelli, op. cit.*; U. Morelli, (ed.), *Altiero Spinelli: il pensiero e l'azione per la federazione europea*, Milan, Giuffrè, 2010; C. Rognoni Vercelli, P.C. Fontana and D. Preda, (eds.), *Altiero Spinelli, il federalismo europeo e la Resistenza*, Bologna, Il Mulino, 2012.

⁵ See: Alexander Hamilton, John Jay, and James Madison, *The Federalist*, <https://guides.loc.gov/federalist-papers/full-text#TheFederalistPapers>.

portant of the founding fathers of the American federal constitution of 1787) and of contemporary federalists (mainly Luigi Einaudi⁶ and Lionel Robbins⁷), in addition to the works of modern theorists of *raison d'état*,⁸ in particular Hegel, Ranke, Treitschke, Seeley, Max Weber, Meinecke and Fueter). He remained wholly committed to this idea until his death in 1986, when he had been a member of the European Parliament for ten years.

Another important contributor to the *Manifesto* was Ernesto Rossi,⁹ a founder and leading campaigner of the Giustizia e Libertà (Justice and Freedom) movement and later of the Partito d'Azione (Action Party); in 1937 he, too, had already begun reflecting in depth on the idea of a United States of Europe. The text of the *Manifesto* is also the result of an extensive, months-long debate with Eugenio Colorni¹⁰ and his wife Ursula Hirschmann, which also saw the participation of a small group of other captives who went on to sign up to the *Manifesto*, namely Dino

⁶ Spinelli could only read two articles by Einaudi presenting a federalist criticism of the Society of Nations, both written in 1918 in *Il Corriere della Sera*. These articles were later collected in L. Einaudi, *La guerra e l'unità europea*, Milan, Comunità, 1948. See also: S. Pistone, *Le critiche di Einaudi e di Agnelli e Cabiati alla Società delle Nazioni nel 1918*, in S. Pistone, (ed.), *L'idea dell'unificazione europea dalla prima alla seconda guerra mondiale*, op. cit., and U. Morelli, *Contro il mito dello stato sovrano*. Luigi Einaudi e l'unità europea, Milan, F. Angeli, 1990.

⁷ See: L. Robbins, *The Economic Causes of War*, London, Jonathan Cape, 1939; see also: Id. *Economic Planning and International Order*, London, MacMillan, 1937; Id. *The Economic Basis of Class Conflict and Other Essays in Political Economy*, London, MacMillan, 1939; Id., *Economic Aspects of Federation*, in M. Channing-Pearce, (ed.), *Federal Union. A Symposium*, London, Jonathan Cape, 1940; F. Rossolillo, *La scuola federalista inglese*, in S. Pistone, (ed.), *L'idea dell'unificazione europea dalla prima alla seconda guerra mondiale*, op. cit..

⁸ See: S. Pistone, *F. Meinecke e la crisi dello stato nazionale tedesco*, Turin, Giapichelli, 1969; Id., (ed.), *Politica di potenza e imperialismo. L'analisi dell'imperialismo alla luce della dottrina della ragion di stato*, Milan, F. Angeli, 1973; Id., *Ragion di Stato, relazioni internazionali, imperialismo*, Turin, Celid, 1984; Id., *Political Realism, Federalism and the Crisis of World Order*, *The Federalist*, 58 n. 1 (2016); M. Albertini and S. Pistone, *Federalism, Raison d'Etat and Peace*, Pavia, The Altiero Spinelli Institute for Federalist Studies, 2001.

⁹ See: E. Rossi, *Miserie e splendori del confino di polizia. Lettere da Ventotene, 1939-1943*, edited by M. Magini, Milan, Feltrinelli, 1981; G. Armani, *Ernesto Rossi, un democratico ribelle*, Parma, Guanda, 1973; G. Fiori, *Una storia italiana. Vita di Ernesto Rossi*, Turin, Einaudi, 1997; L. Strik Lievers (ed.), *Ernesto Rossi. Economista, federalista, radicale*, Venice, Marsilio, 2001; E. Rossi, *Gli Stati Uniti d'Europa* (1944), anastatic edition edited by S. Pistone, published by Consulta Europea del Consiglio regionale del Piemonte, Turin, Celid, 2004; A. Braga, *Un federalista Giacobino. Ernesto Rossi pioniere degli Stati Uniti d'Europa*, Bologna, Il Mulino, 2001; A. Braga and S. Michelotti, (eds.), *Ernesto Rossi. Un democratico europeo*, Soveria Mannelli, Rubbettino, 2009.

¹⁰ On Eugenio Colorni, who was killed by fascists in May 1944, see: L. Solari, *Eugenio Colorni, ieri e sempre*, Venice, Marsilio, 1980 and F. Zucca (ed.), *Eugenio Colorni federalista*, Manduria, Lacaita, 2011.

Roberto, Enrico Giussani, Giorgio Braccialarghe, Arturo Buleghin and a Slovenian student named Lakar.

Immediately after the drafting of the *Manifesto*, its authors began their efforts to disseminate its ideas in the circles of the European Resistance, thus laying the foundations for the establishment of the MFE, which was seen as the indispensable political tool in the battle for European federation.

The text of the *Manifesto*, written by Rossi on cigarette papers, was smuggled out of Ventotene (hidden in a roast chicken) by Ursula Hirschmann, Ada Rossi (Ernesto's wife) and Spinelli's sisters Fiorella and Gigliola, who all had access to the island. In July 1941, a typed version began to circulate in Rome and Milan. Before long, the text had travelled much further afield. By early 1942, it had reached both Switzerland and France, where it was brought to the attention of Silvio Trentin,¹¹ and by 1943 Germany, where a translation by Ursula Hirschmann was distributed in anti-Nazi circles.

The political work carried out in the two years following the drafting of the *Manifesto*, which from May 1943 was facilitated by the publication of a clandestine review named *L'Unità Europea* (European Unity),¹² resulted in the formal foundation of the MFE movement. This event, which coincided with the forty-five days of Badoglio's government during which Spinelli and Rossi were freed, took place during a clandestine conference held on August 27–28, 1943, at the home of Mario Alberto Rollier in Milan. This conference was attended by Spinelli, Rossi, Colorni, Leone Ginzburg, Ursula Hirschmann, Ada Rossi, Mario Alberto Rollier, Rita Rollier, Gigliola Spinelli, Fiorella Spinelli, Franco Venturi, Guglielmo Jervis, Vindice Cavallera, Manlio Rossi Doria, Vittorio Foa, Enrico Giussani, Dino Roberto, Giorgio Braccialarghe, Arturo Buleghin, Arialdo Banfi, Giangio Banfi, Luisa Usellini, and the architect Ludovico Belgioioso. Two notable absentees were Guglielmo Usellini and Cerilo Spinelli (who, together with Colorni, managed the clandestine printing of *L'Unità Europea*); between the end of July and the beginning of August, the pair had been arrested while distribut-

¹¹ On Trentin see: C. Malandrino, *Critica dello stato-nazione ed Europa nel pensiero federalista di Silvio Trentin*, in C. Rognoni Vercelli, P.G. Fontana and D. Preda, (eds.), *Altiero Spinelli, il federalismo europeo e la Resistenza*, op.cit..

¹² See S. Pistone, *L'Unità Europea, giornale del Movimento Federalista Europeo*, in D. Preda, D. Pasquinucci, L. Tosi, (eds.), *Le riviste e l'integrazione europea*, Padua, Cedam, 2016. The 1943–1954 collection of *L'Unità Europea* was re-published in 2000, in an anastatic edition edited by S. Pistone, by Consulta Europea del Consiglio Regionale del Piemonte, Turin, Celid.

ing flyers urging the people to prepare for war against the Nazis.¹³ The conference ended with the approval of a document that translated the ideas and objectives contained in the *Manifesto*, and in other federalist writings of the period, into programmatic and organisational directives. Moreover, in an important section of the document, which finally closed a debate among federalists that had followed the drafting of the *Manifesto*, it was clearly stated that the MFE was not to be a party, but a movement open to members of all democratic political currents, and strictly independent of the political parties. It is on these foundations that the MFE has always based and developed its political action, from the period of armed Resistance after September 8, 1943, which cost the lives of three of its founders (Eugenio Colorni, Leone Ginzburg and Guglielmo Jervis), right through to the present day. Under the leadership first of Spinelli, until the early 1960s, and then of Mario Albertini, until his death in 1997, the MFE became the most important movement for European unity, making a decisive contribution to the founding (in 1946) and subsequent activity of the Union of European Federalists, the supranational movement that unites all European federalists, and then to the establishment (in 1948) and activity of the European Movement.¹⁴ With unshakeable constancy, the MFE has in fact always pursued the creation of a true European federal state (which should gradually include the whole of Europe) and the convening of a democratically representative European constituent assembly as the irreplaceable means of actually achieving irreversible unification of Europe. Furthermore, thanks to its theoretical contribution to analysis of the problem of European unification, and its ability to mobilise public opinion and the political, economic and social forces interested in European unity, it has also played an undisputed leadership role at supranational level, high-

¹³ On the foundation and history of the MFE, see in particular: M. Albertini, A. Chiti-Batelli, G. Petrilli, *Storia del federalismo europeo*, edited by E. Paolini, Turin, ERI, 1973; L. Levi and S. Pistone, *Trent'anni di vita del MFE*, Milan, F. Angeli, 1973; S. Pistone (ed.), *I movimenti per l'unità europea. 1945-1954*, Milan, Jaca Book, 1992; Id., (ed.), *I movimenti per l'unità europea. 1954-1969*, Pavia, University di Pavia, 1996; Id. *Europeismo*, in *L'eredità del Novecento*, Rome, Istituto dell'Enciclopedia Italiana, 2000; L. Levi and U. Morelli, *L'unificazione europea*, Turin, Celid, 1994; A. Landuyt and D. Preda, (eds.) *I movimenti per l'unità europea. 1970-1986*, Bologna, Il Mulino, 2000; C. Rognoni Vercelli, *Mario Alberto Rollier. Un valdese federalista*, Milan, Jaca Book, 1991; S. Pistone, *Seventy Years of the European Federalist Movement (1943-2013)*, *The Federalist*, 55, n. 1 (2013); S. Pistone, *The Union of European Federalists*, Milan, Giuffrè, 2008; D. Preda (ed.), *Altiero Spinelli e i movimenti per l'unità europea*, Padua, Cedam, 2010.

¹⁴ See P. Caraffini, *Costruire l'Europa dal basso. Il ruolo del Consiglio Italiano del Movimento Europeo (1948-1985)*, Bologna, Il Mulino, 2008.

lighting the importance of building European unity from the bottom up.

To really appreciate the nature this role, it is now necessary to get right to the core of the MFE's guiding principles, which are enshrined in the *Manifesto* and in the other federalist writings of the Italian Resistance.¹⁵ To summarise the innovative aspect of the MFE's message, I would underline, as Norberto Bobbio did very effectively,¹⁶ that thanks to Spinelli's input the idea of European federation was transformed, for the first time, into a concrete political agenda. In other words, an organic link was established between, on the one hand, an extremely lucid and far-reaching theoretical clarification of the reasons why a European federation had to be achieved and, on the other, the precise strategic and organisational directives that were to guide the action of a political movement whose sole objective was, and is, supranational federalism. The solidity of this approach allowed the MFE and the European partners reached by its influence to stand apart from traditional political organisations and exercise real influence on the process of European unification after the war. To grasp this approach adequately, it is necessary to analytically distinguish the theoretical from the strategic-organisational dimension of the ideas contained in the *Manifesto*.

On a theoretical level, the *Manifesto*'s originality lies in its authors' conviction that the creation of a European federation, as the first and irreplaceable historical step on the path to world federation, must be the key political objective of our times, as it is the precondition for avoiding the end of civilisation and a return to barbarism. This conviction was based on three arguments, which are outlined below.

First, this view embraces the fundamental elements of Carlo Ros-

¹⁵ The text of the *Manifesto* referred to here was published clandestinely in Rome in January 1944, together with another two notable writings by Spinelli, *The United States of Europe and the Various Political Currents* (written in the second half of 1942), and *Marxist Politics and Federalist Politics* (written between 1942 and 1943). The volume entitled *Problems of the European Federation* bears the initials A.S. and E.R., and was edited by Eugenio Colorni, who also wrote a quite insightful introduction, but his name does not appear for reasons linked to the clandestine struggle. Spinelli's two writings and Colorni's introduction, quite apart from their intrinsic value, allow us to better understand the originality of the theses contained in the *Manifesto* in relation to the prevailing political ideologies of the time. An anastatic copy of the 1944 volume, published by the Consulta Europea del Consiglio regionale del Piemonte (Turin, Celid, 2000), also contains the speech given by Norberto Bobbio in Milan on October 21, 1973, on the occasion of the 30th anniversary of the foundation of the MFE. The latter text provides an exceptionally clear framing of the theses worked out by the MFE within the political and cultural setting of the Italian Resistance. The 1944 volume was also published in 2006 in an Oscar Mondadori (Milan) series entitled *Il Manifesto di Ventotene*, with a foreword by Tommaso Padoa-Schioppa and an accompanying article by Lucio Levi.

¹⁶ See note 15.

sell's liberal socialism,¹⁷ which seeks a synthesis between the liberal-democratic system (most significantly embodied by the United States of America) and the needs of solidarity and social justice expressed by the various currents of socialism. In essence, it is argued that the best way to make the general interest prevail as a lasting alternative to the unleashing of conflicts between corporative interests (defined "sectional" in the terminology of the time), and therefore to stem the tendency by large masses of people to settle for the apparent stability offered by a totalitarian regime, is to integrate an advanced (especially in the sense of popular participation and local autonomies) liberal-democratic regime with a mixed-economy one. This means attributing to the state and to other public bodies the economic functions necessary to create equal opportunities for all (through the socialisation of monopolies, redistribution of land ownership, creation of a higher education system accessible to the most capable and not just to the wealthiest, compulsory social insurance, etc.), while allowing free competition and the spirit of individual initiative to operate — indeed flourish — in every other field. Obviously, this implies rejection not only of fascist totalitarianism, but also of the communist totalitarian alternative, which sacrifices freedom in the name of social justice. Leaving aside the concrete modalities proposed as means of reconciling freedom and social justice, which of course need to be constantly reviewed in the light of actual historical experience, it is worth noting that this discourse continues to be relevant today. We need only consider that efforts to advance Europe's integration to a condition of full political-democratic unity are often justified on the basis of the need to preserve and strengthen, in the present context of neoliberal globalisation, the originality of the European social model, aimed at reconciling competitiveness, efficiency and solidarity.¹⁸

The second argument, masterfully explained in Colorni's introduction to *Problems of the European Federation*, is that the federalist vision, by overcoming internationalism, supplements the liberal-socialist

¹⁷ See: C. Rosselli, *Socialismo liberale*, edited by J. Rosselli, with a preface by A. Garosci, Turin, Einaudi, 1973; G. Calogero, *Difesa del liberalsocialismo ed altri saggi*, edited by M. Schiavone and D. Cofrancesco, Milan, Marzorati, 1972; P. Graglia, *Unità europea e federalismo. Da "Giustizia e Libertà" ad Altiero Spinelli*, Bologna, Il Mulino, 1996.

¹⁸ See in particular Jacques Delors' White Paper *Growth, Competitiveness, Employment*, Publications Office of the EU, <https://op.europa.eu/en/publication-detail/-/publication/0d563bc1-f17e-48ab-bb2a-9dd9a31d5004>, and G. Borgna, (ed.), *Il modello sociale nella Costituzione europea*, Bologna, Il Mulino, 2004.

model. Internationalism¹⁹ is an attitude embedded in the great ideologies that, from the late eighteenth century on (i.e., from the time of the French Revolution), triggered processes leading to profound structural changes in the modern state. All these ideologies — liberalism, democracy and socialism (in both the social-democratic and the communist versions) — stem, both directly and indirectly, from the emancipatory and universalistic thrust of the Enlightenment. The internationalist component of these ideologies is expressed in their cosmopolitical vision — that is, in their conception of the values of freedom, equality and social justice as universal principles that should be valid for the whole world —, coupled with their espousal of the theory of the primacy of domestic politics. The latter is, essentially, a conception of international relations, of the root causes of war and of the means of achieving peace according to which war depends essentially on certain internal structures of the states. Therefore, it follows that the elimination of war and the establishment of a system of lasting peaceful relations between states can only come from overcoming these internal structures.

The liberal, democratic and socialist ideologies diverge sharply in the internal structures they consider to be at the root of power politics. In concrete terms, liberal thought attributes wars to aristocratic-absolutist political structures and to mercantilist-protectionist economic ones; it thus considers that overcoming such structures through, in the first case, the affirmation of representative governments (on the basis of, then limited, suffrage) and the separation of powers, and, in the second, the development of international trade, is the way to put an end to states' warmongering tendencies. Democratic thought, on the other hand, points the finger at government authoritarianism, and therefore sees peace as the automatic consequence of the establishment of popular sovereignty. Finally, socialist thought regards the exploitation of workers by modern capitalism as the ultimate cause of imperialism and wars, and therefore considers the struggle for social justice as the means of overcoming antagonism between classes, and, at the same time, of establishing peace. These differences aside, the common thread running through all these expressions of the internationalist approach is the belief that a world of liberal, democratic or socialist states, guided by liberal, democratic or socialist ideas, will ultimately eliminate the

¹⁹ On federalist criticism of internationalism see in particular: L. Levi, *L'internationalisme ne suffit pas. Internationalisme marxiste et fédéralisme*, Lyon, Fédérop, 1984; Id., *Internazionalismo*, in *Enciclopedia delle Scienze Sociali*, Rome, Istituto dell'Enciclopedia Italiana, 1996; C. Malandrino, *Federalismo. Storia, idee, modelli*, Rome, Carocci, 1998.

phenomena driving power politics, which are believed to stem from the still incomplete or non-universal realisation of the principles of internal organisation of the state promoted by the said ideologies.

The federalist criticism of internationalism is based on Kant's discourse on perpetual peace,²⁰ which combines lessons of political realism with an element of cosmopolitanism. Kant underlines the existence of an indissoluble link between power politics and the anarchic structure of the society of states that is caused by states' absolute sovereignty, and underlines that international anarchy, by imposing the primacy of security (i.e., the law of *raison d'état*) over any other requirement or consideration, constitutes an obstacle to the full implementation of the principles proclaimed by the great emancipatory ideologies. Hence the federalists' conviction that struggles driven by internationalist ideologies, which fundamentally strive to bring about internal changes, are not sufficient for the purposes of peace building. There exist some international associations — a few at the level of civil society and a few at government level (such as, at one time, the League of Nations, and now the UN) — that federalists consider to be organisational and institutional embodiments of these struggles. The real problem, however, is that the internationalist approach, as a whole, fails to address the real need, which is to pursue the overcoming of international anarchy through federal ties that eliminate absolute state sovereignty.

The third argument concerns the historical topicality of the construction of the European federation, seen as the central problem of the times. In essence, Spinelli, Rossi and Colorni developed the analysis, started by Einaudi in 1918 and taken up by the British federalists in the 1930s, of the crisis of the nation state as the root cause of the evils of their times, and of European federation building as the only way of putting humanity back on a progressive historical course; the conclusions they reached were rigorous and, for the time, highly advanced. The concept of the crisis of the nation state, which is as central to federalist theory as the concept of the crisis of capitalism is to socialist and communist theory, is the common thread underpinning the formulation, with regard to the era of world wars and totalitarianism (and thus ultimately global contemporary history), of an original and autonomous interpretation, different from those proposed by the dominant ideologies — an interpretation that overcomes the limits that make the latter unable to grasp the centrality of the question of the Europe-

²⁰ See: I. Kant, *La pace, la ragione, la storia*, M. Albertini (ed.), Bologna, Il Mulino, 1985.

an federation.²¹ In simple terms, this concept, in Europe, refers to the contradiction — exacerbated by the protectionism rooted in absolute state sovereignty — between the historically outdated dimensions of the sovereign nation states and, on the other hand, the evolution of the industrial mode of production, which, promoting growing transnational interdependence, is creating momentum for the creation of state entities of continental dimensions (and a trend towards the unification of humankind). This contradiction was the root cause of the world wars and of fascist totalitarianism. If, in Kantian terms, wars are, in general, the consequence of international anarchy, then the world wars of the 20th century can be seen, in concrete historical terms, as attempts by the continent's greatest power to impose an imperial, hegemonic solution to the need to overcome, through European unification, the problem of the inadequate size of the nation states, which condemns them to inexorable decline. In this context, fascist totalitarianism constituted the right-wing, anti-democratic response — its leftwing counterpart, communist totalitarianism, failed in advanced Europe and this objectively helped to strengthen fascism — to the situation of economic and social chaos that emerged in those countries in which the general phenomenon of the crisis of the nation state manifested itself most acutely (due in part to the absence of life belts such as the possession of vast and rich colonial empires). Fascist totalitarianism emerged as the indispensable tool for a foreign policy of extreme expansionism, and racism as the ideology that best lent itself to one nation's attempt to establish permanent dominance over the other European nations. The disastrous consequences of the system of absolute national sovereignties showed the federalists that a structural incompatibility now existed between the choices of maintaining that system or developing in the direction of freedom, democracy and social justice. Hence their clear and forceful assertion that the foundation of a European federation was the key political objective, an event that had to take precedence over the struggles for internal renewal of the national state. Hence, too, the belief that failure to start the construction of the European federation in the wake of the defeat of fascism would inevitably allow protectionist nationalisms and endemic conflicts between the nation states to prevail once again, leaving liberal, democratic and socialist conquests structurally precarious and indeed at risk of being erased once and for all by totalitarianism. On the

²¹ See: M. Albertini, *Il federalismo*, Bologna, Il Mulino, 1995; Id., *Nazionalismo e federalismo*, Bologna, Il Mulino, 1999; Id., *Una rivoluzione pacifica. Dalle nazioni all'Europa*, Bologna, Il Mulino, 1999.

basis of these considerations, the federalists identified — and this constitutes the fundamental message of the *Ventotene Manifesto* — a new dividing line between the forces of progress and those of conservation. And this was no longer the traditional line between greater or lesser democracy, or greater or lesser social justice to be realised, that is drawn within states; it was the line dividing the defenders of absolute national sovereignty from those who would overcome this concept through the creation of a European federation.

These theoretical ideas on the priority of the objective of the European federation over those indicated by the internationalist ideologies were accompanied, as previously mentioned, by strategic and organisational reflections that endeavoured to clarify the conditions in which the European federation objective might realistically be pursued, and have a real chance of influencing historical events. On this point, reference must be made to Machiavelli's teaching on the tendency of power to self-preserve.²² Building a European federation means transferring a substantial amount of power from national to supranational institutions. It is therefore natural that the classes holding national political power, even if they belong to internationalist ideological currents, will strive to conserve that power, preferring to move towards international cooperation on confederal bases rather than towards federalism, which implies transfers of sovereignty.

Awareness of this obstacle led to the development of indications for the federalist struggle, which were gradually clarified during the course of the war and in the immediate post-war period. The authors of the writings that we are considering here insist above all on the need to establish an autonomous federalist political force, independent of the national governments and parties, and capable of pushing them to do what they would not do spontaneously. And they clearly state that the federalist force must have the creation of a European federation as its sole purpose and must bring together all those who accept this objective as a priority, regardless of their ideological orientations; it must also have a supranational structure, so as to be able to impose a single programme and the same discipline on all federalists in Europe; and finally, it must be capable of mobilising public opinion.

It is also made clear that national resistance to the creation of the European federation can be overcome only in situations of acute crisis of the structures of national power, and providing a federalist political

²² See: S. Pistone, *Raison d'Etat, Peace and the Federalist Strategy*, The Federalist, 43, n. 1 (2001).

force proves able to step in and exploit the impasse at the level of national politics, imposing support for the federal objective as the key choice needing to be made. On the basis of these general indications, the *Manifesto* also makes it clear that when, after the war, the moment finally comes for a concrete struggle for European federation, the federalists' action must exploit the contradictions that will confront the national governments due to the inadequacy of a European unification policy that fails to tackle the crucial issue of the transfer of sovereignty. In this context, the European Constituent Assembly, as opposed to diplomatic conferences, will emerge as a permanent and unshakeable claim.²³

²³ See: A. Spinelli, *Una strategia per gli Stati Uniti d'Europa*, *op. cit.*, and S. Pistone, *La strategia per la federazione europea*, Piemonteuropa, n. 1-2 (2011).

80 Years of the Ventotene Manifesto and the Future of Europe*

JOSEP BORRELL

Introduction

I was glad to be back in Ventotene in September 2021, on the 80th anniversary of the Manifesto and the 40th edition of the Seminar on Federalism and the World, started by Altiero Spinelli himself. I had been there before, in 2014, to speak at the closing session of this annual international seminar on federalism. This place carries a unique, symbolic meaning for me and for everything I stand for politically: European integration, federalism, anti-fascism, democracy, and international solidarity. It felt good to be back on the island and debate the next steps for Europe's global role with young people from all over Europe.

The summer of 2021 was one of chaos and crises. As the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the Commission, I had to deal constantly with the chaotic withdrawal from Afghanistan, its consequences and implications for Europe's global role. However, we should not forget other crises: Lebanon, Belarus, Haiti, etc.

These days, many politics are based on tribal dynamics. However, for forging the compromises that are necessary in foreign affairs, this is far from helpful. If there is a political tribe to which I belong, then it is the one that fights for a strong Europe as an antidote to nationalism, and as the only way for Europeans to achieve our common goals and defend our European model of solidarity, prosperity, and freedom.

* This essay is based on the speech delivered by the High Representative of the European Union for Foreign Affairs and Security Policy and Vice-President of the European Commission on the island of Ventotene on 29 August 2021, for the opening of the 40th edition of the Seminar on Federalism in Europe and the World.

The Lessons of Afghanistan

To highlight the next steps for Europe's global role, we need to first look at the dramatic situation in Afghanistan and the lessons it provides for Europe, as it is not only a catastrophe for the Afghans, but also a severe blow to the West, and a game-changer for global politics.

So far, Europe had been focusing exclusively on the urgency of evacuations. But we need to analyse other challenges too:

- What will happen to those who stay in Afghanistan? This question applies notably to women and girls, who lack the most basic rights.
- Which lessons can be drawn from the situation, that could allow the EU to improve its capacity in state-building?
- What are the implications for Europe's ability to act in the field of security?
- What are the consequences for European policy options on Afghanistan, including the question to which extent we deal with the Taliban?

The international intervention in Afghanistan was a “just” war. A clear *casus-belli*, with an agreed UN mandate. It quickly achieved the initial aim of pushing back Al Qaeda and unseating the Taliban government. It then morphed into something broader, essentially a state-building exercise, pouring in billions in civilian and military aid and exporting our models of thought and organisation.

We did not lose Afghanistan in the last few weeks. We lost it during the preceding twenty years. Our failure was due to a lack of functional politics, not a lack of resources. We proved better at technical and measurable things, like building schools or stabilising a currency, than at helping create state structures and local ownership.

Therefore, the first lesson learned should be that one cannot win peace by waging war, no matter how bright and powerful your counter-insurgency strategy is. Only functional politics can win peace, grounded in local legitimacy, economic opportunities, and a favourable regional context. No amount of external assistance can ever substitute for a domestically agreed political settlement.

Europeans, who are deeply engaged in other theatres –the Sahel for example – must learn this from the Afghan tragedy and avoid repeating it in the future.

The second lesson concerns transatlantic relations, burden-sharing, and Europe's capacity to think and act in strategic terms.

Afghanistan was the first case in which NATO's Article 5 was in-

voked. Europeans provided a strong military commitment (1000 casualties) and an economic aid programme of over €1 billion a year. However, in the end, the timing and modalities of the withdrawal were set in Washington. Consequently, Europeans found themselves depending on US choices, in the immediate sense of organising evacuations out of Kabul airport, but also in a broader sense.

Therefore, Afghanistan must be our wake-up call. Europeans must invest more in their security capacities. The US openly states that it does not want to be engaged in “other people’s wars”. And, rightly, it does not want to do everything alone, neither in Europe’s neighbourhood, nor beyond it. The EU needs the means to be able to act as a global security provider, wherever possible with partners, but also alone if needed.

Concerning the regional context and our policy options, China, Russia, Iran, but also Pakistan, India, and Turkey will all re-position themselves in Afghanistan, with a direct impact on the regional context and our policy options. The EU should not let others be the sole interlocutors of Afghanistan after the withdrawal. We must reframe our engagement.

Moreover, whatever happens in Afghanistan will continue to affect Europe and the countries in between, in terms of drugs, terrorism, and illegal migration. Also, in terms of opportunities. Afghanistan might be the world’s seventh poorest country, but it has many resources, including vast reserves of lithium, which are vital for the economic development of Afghanistan, but also for the world’s energy transition.

Since we failed in keeping the Taliban out of power, we will have to deal with them. Of course, this must be subject to clear conditions on their behaviour, notably the respect for human rights. Beyond the question who has the power, the EU must continue supporting the Afghan people, especially minorities, women and girls. Therefore, the European Commission has already decided to quadruple its humanitarian aid to €200 million.

Building a Stronger Eu Foreign Policy. Lessons from the Ventotene Manifesto

If we zoom out from Afghanistan, it becomes clear that strengthening Europe’s foreign policy is the most urgent task the EU faces. But it is also the area where the obstacles are the greatest. The idea that Europeans can only be effective in the world by acting together has an

intrinsic plausibility. Indeed, the famous Ventotene Manifesto of 1941 already called for a *single* EU foreign and defence policy. Already 80 years ago, Spinelli was right about this (as about many other things).

By the way, European citizens have called for a stronger EU foreign policy for decades. For many years, large and stable majorities have been asking for this. In recent years, the figures have further gone up (to over 70 per cent according to the latest Eurobarometer).

Citizens understand very well that in a world of superpowers throwing their weight around, in a world of big trends and big threats, there is no hope in making an impact if each country acts alone. This is obvious and yet, making EU foreign policy effective remains work in progress.

The reason is that European citizens are ahead of national governments. Governments are the main decision-makers — and in foreign policy, for the European Union, that has led to the rule of unanimity.

In other areas, as it is well-known, we have transferred competencies to the community-level and agreed to take decisions by qualified majority vote. Moreover, there are also major national interests at stake in these areas, for example the single market, but also energy and climate targets. These are no less “sensitive” policy areas than foreign policy.

However, for these areas, we have collectively decided that it is better to avoid the paralysis and the delays that come with unanimity, and that we would empower common institutions with clear mandates and resources.

In foreign and security policy, we do not have, nor do we even work for, a *single* EU foreign policy as Spinelli called for, but a *common* one. It is a bit like the Balladur plan when we were preparing the monetary Union.

However, it is worth noting that we decided to go for a *single* currency with a *single* monetary policy managed by the ECB. Or that we have a *single* trade policy managed by the Commission, based on mandates and approvals adopted by qualified majority vote. Typically, these policies work reasonably well: we can take decisions fast to defend common European values and interests.

However, we have a great diversity of views inside the EU of 27 on international issues. We do not have a common strategic culture. Therefore, it is no surprise that we often take a long time to take a decision. Or that we excel in issuing statements where we “monitor a situation” or “express our concerns” but don’t specify what actions we will take if our concerns are not listened to — which is all too often the case.

I know very well that it is difficult to change things in the EU, espe-

cially on *how* we organise ourselves. However, during the Conference on the Future of Europe, we should be ready to have an open debate, without taboos. And we should discuss how we can give ourselves the institutional means to build the credible foreign policy our citizens are asking for.

In the mid-1980s, the Cecchini Report on the cost of non-Europe, which paved the way to the Single Market, was established through qualified majority vote. We now need to calculate the cost of non-Europe in foreign policy and draw the consequences.

Europe's Assets and the Recent Progress

The EU is still far from the goal that Spinelli set 80 years ago. However, we have made progress, and there is a lot of potential. We remain the world's biggest market. Voluntarily, companies worldwide, follow EU rules to have access to the largest group of affluent customers (the so-called "Brussels Effect"). We have the world's largest Official Development Assistance (ODA) budget. We deploy 17 civilian and military operations on three continents. Europe has three times more diplomats as the US or China. However, here also lies the rub: these are national diplomats, responding to their respective national Ministries of Foreign Affairs (MFA) who, in turn answer to national parliaments and national debates. It is therefore less obvious to state that Europe is three times as powerful as the US or China.

Europe's main problem is self-imposed, namely: fragmentation. Fragmentation between policy areas, where policy is made in silos; and among member states, where debates and choices are driven by national considerations. The good news is that if something is self-imposed, you can change it yourself. You do not need outside approval.

We should guard against a psychology of European weakness, a sense of inevitable decline and irrelevance. We have many levers and a strong legitimacy, thanks to our strong multilateral credentials.

It might be too slow, but we are still making progress. Ideas, like that Europeans need to "learn the language of power" and develop their "strategic autonomy" are now more commonly understood and driving decision making. We are developing a "strategic compass" with the member states to create a shared threat perception and common security and defence priorities at 27.

We have also adopted a global sanctions regime to go after the worst human rights abuses, wherever these take place. Even if the abusers reside in China and if countersanctions are to be expected.

In addition, we launched two Common Security and Defence Policy (CSDP) operations that show that Europeans are ready to take risks and become security providers.

We have assets and good experiences. We need to draw on these to promote our values and interests in the post-pandemic world.

The Post-Pandemic World and the Three Top Priorities

It is hard to summarise the outlook for our post-pandemic world, but I see five main trends: none of them is fully new, but they have all been accelerated by the crisis.

Firstly, there is an unprecedented competition between states, shaping a world of competitive nationalism, power politics, and zero-sum games.

Secondly, our world is becoming more *multi-polar* than *multilateral*. The strategic competition between the United States and China often paralyses the United Nations Security Council, the World Trade Organization and the World Health Organization.

Thirdly, although we have almost stopped travelling as individuals, globalisation continues. Interdependence is increasingly conflictual, and soft power tools are weaponised: vaccines, data, and technology standards are all instruments of political competition.

Fourthly, some countries follow “a logic of empires”, arguing in terms of “historical rights” and “zones of influence” rather than adhering to agreed rules and local consent.

Finally, the world is becoming less free, and democracy is under attack: both at home and abroad. We face a real battle of narratives.

The obvious conclusion is that these trends are unfavourable to the European Union. We prefer a predictable world of rules-based multilateralism, with people and countries free to shape their own destinies. Therefore, we have to see these five trends as a call to action.

In the future, three mega challenges will determine the EU’s future role in this post-pandemic world:

1. How Do We Deal with a More “Crowded” Neighbourhood?

The EU’s neighbourhood has become “crowded” and competitive, with Russia, Turkey and others employing hybrid tactics. At the same time, we know that the people in the neighbourhood want more from Europe, delivered faster and better. The European model of democracy, solidarity, freedoms, and fundamental rights remains extremely attractive and powerful. We must continue to work with anyone who shares our vision.

That means maintaining our commitments with the Western Balkans and keeping the whole region on a European path, including reviving the Serbia-Kosovo dialogue. That means supporting Ukraine when it faces Russian aggression while its reform agenda brings the country closer to the EU. That means continuing to put pressure on the regime in Belarus for the oppression of its citizens. That means supporting Libya and its new national unity government. That also means doing all we can to prevent a catastrophe in Lebanon due to the political stalemate. The list goes on.

The agenda is vast, but the EU needs to step up when it comes to its neighbourhood, East and South, both by demanding more and by offering more.

2. The EU's Position in Its Strategic Triangle with the US and China.

The second mega challenge is how to steer the EU's course in the strategic triangle of the US, China and the EU — and how to mix elements of cooperation and competition into a coherent strategy.

Growing Chinese influence, built on centralisation at home and assertiveness abroad, is recognisable everywhere, and cooperation with China is getting more difficult. This is in part due to the EU's link between market access and human rights. However, with 25 per cent of all global growth in 2021 expected to come from China, economic cooperation remains essential.

The strategic competition between the US and China will shape the world for decades to come, and the EU needs to steer a clear course. It is crucial to keep in mind that the EU and the US have a shared history, and that our political systems are the product of the Enlightenment, even if our interests are not always identical.

The relations between the EU and China are to a large extent about doing our homework regarding investment screening, foreign subsidies, 5G, procurement, anti-coercion instruments and developing an Indo-Pacific strategy.

3. How Do We Ensure Effective Action on Global Challenges, Especially the Climate Crisis and the Regulation of Technology?

Even faced with a crisis of multilateralism, we need to revitalise it to deliver on the big issues. Climate change and technology are two exemplary tests for the multilateral system.

The recent report of the Intergovernmental Panel on Climate Change (IPCC) was yet another alarm bell saying we face a real climate crisis.

Freak weather is not something that will happen in the future, it is already happening today. Sicily registered an absolute record of 48,6° Celsius in the summer of 2021. Global warming is happening twice as fast in the Arctic. We are moving past all sorts of “tipping points”. A world that has heated 3°C by 2100 — which is the current trajectory — is radically different from one with 1°C or 2°C warming.

COP26 in Glasgow in November 2021 could be considered as the last moment to halt runaway climate change, but this will require a radical acceleration of global efforts. Climate change is also a geopolitical issue. It will create new security threats and shifts in global power.

On the other hand, multilateralism also needs to deliver on technology, specifically on standard-setting for Artificial Intelligence, data, autonomous weapons, cloud services, and surveillance. We should wonder who will set the rules and on what basis and values.

Throughout history, control over technology has determined who runs the world. But can we continue to rely on the “Brussels effect” if none of the Big Tech companies is European? Europeans need to work hard to help setting the rules for the future.

A Ventotene Manifesto for the 21st Century

In conclusion, eighty years on, it may be time for a new Ventotene Manifesto. One that focuses not just on the critique of nation-states as the source of wars and international anarchy but that highlights their limitations to address the big transnational challenges of our time, such as pandemics, climate change, migration, and digital transition, among others. All these challenges are global in nature, and there are no national answers to them. In addition to equipping our European Union with the powers it needs, we also need to forge a reformed global governance, with clear rules, and above all with effective means to enforce them.

Too often, we see internationally agreed rules being flouted with impunity. Too often, countries are pushing self-serving approaches and are getting away with it. Too often, we hear the siren songs of nationalism where strong men (they are mostly men) offer simple solutions. In too many cases, the existing system is unable to deliver effective action.

Therefore, I call for the discussion of a new Ventotene Manifesto, offering concrete solutions to the pressing problems of today’s unstable world. One that is ambitious and bold, with a sharp sense of urgency. But one that is also deeply practical and modern, to solve the problems that define our age and that of our (grand) children.

A European Foreign, Security and Defence Policy and Europe's Role in the World*

SERGIO PISTONE

Those who coherently support the idea of European integration have always recognised that the achievement of complete unification requires the adoption of a true common European foreign, security and defence policy. This is because Europe's effective and irreversible unification depends on its ability to establish a federal state with the capacity not only to create solidarity-driven economic unity (by using appropriate economic policy instruments, including a single currency and supranational fiscal capacity), but also to act on the international stage.

Having recalled this, I herein focus on the fact that the European Union (EU) today faces major challenges — real existential threats to its security — that make it imperative to seriously address, at last and without further delay, the problem of its ability to act at international level. I begin by attempting to clarify, briefly, the nature of these challenges.

The Crisis of the Global Order.

It is, in my view, very clear that the unprecedented web of existential challenges now facing humankind has had the crucial effect of globalising [so to speak] the “unite or perish”¹ choice that was at the root of the start of the process of European integration after the Second World War. Broadly speaking, the current situation facing the EU and the world can be broken down into three challenges.

— The first concerns the field of security in the strict sense and comprises the following aspects: the resumption of the arms race (following

* Translation of a presentation given at the conference entitled *Chi ha paura del “Leviatano europeo”*; *globalizzazione, euroscetticismo e crisi della democrazia nel mondo*, Varese, Italy, 14-15 April, 2021.

¹ This phrase was used by French foreign minister Aristide Briand in 1929 when presenting the first proposal for European unity to come from a national government.

its easing after the end of the Cold War), which has led to a proliferation of weapons of mass destruction (WMD) that now also include cyber-weapons; the multiplication of wars (especially civil wars) related to the backwardness and chronic instability of entire world regions (particularly the Middle East and Africa) as well as to the phenomenon of failed states; the scourge of terrorism and international crime. It is important, at this point, to highlight the link between the current situation of widespread and extremely dangerous unrest and the end of the bipolar world order that marked the start of the transition towards today's multipolar system, in which there are no powers capable of exercising a stabilising leadership role. By contrast, the old bipolar system, being founded on the two superpowers' hegemony over much of the rest of the world, guaranteed a situation of relative stability.²

— Moving on from these purely security issues, the nature of the second challenge is economic and social. It, too, has multiple aspects: the now chronic global economic and financial crisis that is fuelling growing tensions the world over; the growing gaps between different parts of the world, exacerbated by situations of chronic instability and by environmental imbalances, which are generating massive migratory flows that, among other things, risk seriously jeopardising the process of European integration; and the monetary chaos associated with recourse to competitive devaluations, which is having retrograde effects on the global market. The fundamental problem to highlight in this regard is that globalisation is ungoverned. In fact, although a strongly integrated global economic system has taken shape and allowed great progress to be made — billions of people, in China and India in particular, are gradually attaining Western-level standards of living —, this system is flawed by the very serious problems mentioned above, not to mention the pressing need for greater digitisation, which is a huge problem. Essentially, while society and the economy are assuming global dimensions, political institutions, due to the incompleteness of European unification and the serious inadequacies of the global economic organisations, remain predominantly national in size and scope.³

— The third challenge is the environmental crisis, whose most dan-

² See S. Pistone, *Political Realism, Federalism and the Crisis of the World Order*, *The Federalist*, 58, Single Issue, (2016), p. 16, and Id., *Political Realism*, *The Federalist*, 62, Single Issue, (2020), p. 76. Also, U. Morelli, *Power Politics. The European Union and the International System*, *The Federalist*, 62, Single Issue, (2020), p. 44.

³ See A. Padoa-Schioppa and A. Iozzo, *Globalizzazione e Unione Europea: sfide e strategie – Profili istituzionali del Green Deal*, Policy Paper n. 42 of the Centro Studi sul Federalismo, Turin. <http://www.csfederalismo.it/it/publicazioni/policy-paper/1463-globalizzazione-e-unione-europea-sfide-e-strategie-profil-istituzionali-del-green-deal>

gerous manifestation is global heating, although the increasingly catastrophic spread of diseases linked to disruption of biodiversity is a further aspect. It is now clear that without urgent and radical steps to promote environmentally sustainable methods of production and lifestyles, the possibility of human life on our planet will start to look seriously in jeopardy. Once again, the real problem is a lack of governance, in this case of global interdependence.

These existential challenges make it desperately urgent to start a process geared at changing the way the world is organised internationally — a process of gradual but effective strengthening and democratisation of the current system of international organisation at world level, pursued with the aim of achieving peaceful and democratic unification of humankind. Because they are, indeed, challenges that concern the world as a whole, and as such can be properly addressed only through peaceful global cooperation. For this reason, the key problem to be solved has to be the transformation of the multipolar world order (now emerging in the aftermath of the bipolar era and, more recently, the decline of US hegemony) from a conflictual system into one built on cooperation. A crucial way to pursue this objective would be to endow the UN with more powers, not only in the field of military security but also in the socio-economic and environmental fields. Its fundamental governing body should be a Security Council whose seats should be filled and decisions taken (on a majority basis) not by the main Allied countries that emerged victorious at the end of WWII, and were given the power of veto, but rather by regional groupings of states — still to take shape and become stably established — alongside the larger states that already constitute macro-regions. This formula would allow all states, many through their regional unions, to contribute to governing the world. The aforementioned Security Council should be flanked by a universal parliamentary assembly — this would initially have to be made up of representatives of the parliaments of the regional unions and of the aforementioned larger (macro-regional states) —, thereby ensuring that all peoples, too, have a say in governing the world.⁴

It falls to the EU to play a key role in pursuing this vision.⁵ To

⁴ See L. Levi, *Crisi dello stato e governo del mondo*, Turin, Giappichelli, 2005.

⁵ It should be recalled that the Schuman Declaration highlighted world peace as the horizon towards which European unification is destined to move. See S. Pistone, *The Federal Prospect of Federalism in the Schuman Declaration*, *The Federalist*, 42 n. 2 (2000), p. 113. See also Id., *L'unificazione europea e la pace nel mondo*, in *L'Unione Europea e le sfide del XXI secolo*, edited by U. Morelli, Turin, Celid, 2000, and A. Padoa Schioppa, *Sfide planetarie, come affrontarle*, *Il Federalista*, 62 n. 3 (2020), p. 233.

understand this, it is sufficient to remember that Europe itself was constructed precisely with a view to promoting a fairer, more peaceful and more environmentally sustainable world. Essentially, Europe, in its international action, has long sought to act as a “civil power”, in other words, one that seeks to overcome power politics in favour of organised and peaceful international cooperation. With humanity’s very survival at stake, there can today be no denying that the world as a whole is now confronted with the need to overcome the system of sovereign states (also known as the Westphalian system after the 1684 peace agreement that marked the end of the Thirty Years War and constituted a key moment in the formal establishment of an international system based on absolute state sovereignty). The irreversible historical crisis of this system (due to the deepening interdependence between states and the increasing destructiveness of war) is the key to understanding the contradictory developments of our age, in which power politics and national self-interest coexist, in a complex and precarious balance, with an increasingly strong need to overcome them. It is worth pointing out that, in this context, the EU’s need to work towards the overcoming of power politics and, therefore, absolute sovereignty, is particularly pressing and deep seated.

First of all, European integration — an ambitious process of unification among sovereign states that began after the catastrophe of two world wars — constitutes the first significant response to the historical crisis of the Westphalian system. Second, it is crucial that the EU succeed in exporting its experience, because unless progress can be made towards a fairer and more peaceful world, the whole European way of life (liberal democracy, the welfare state, human rights, environmental awareness, low military spending) will be in jeopardy, and with it the very process of European integration. A further point to bear in mind is that Europe’s position as the world’s leading commercial power implies a particularly profound level of interdependence with the rest of the world, and therefore makes it vital for the EU to pursue a global economic system that is not only better governed and more balanced, but also socially and ecologically more sustainable. Indeed, in formally setting out what it envisages as its international role — specifically, in the Treaties establishing European unification, and in the 2003 declaration by Xavier Solana, EU High Representative for CFSP, on *a secure Europe in a better world* (a concept subsequently reiterated in European strategy doctrine) —, the EU does not focus solely on European interests and European security, but stresses the objective of world peace, to

be achieved through solidarity, the rule of law, the liberal-democratic system, the globalisation of human rights, regional integrations, and multilateralism as opposed to unilateralism. The EU's programmatic inclinations are concretely reflected in the leadership that the EU, in spite of its still incomplete unification, shows in areas such as development and food aid, peace missions and the pursuit of human rights, as well as in its key involvement in initiatives like the International Criminal Court and its commitment to the fight against global heating.⁶

Having said all this, it is obvious that Europe could realise its natural vocation immeasurably more effectively if, in addition to its economic power, it could manage to become, through a truly common foreign, security and defence policy, a fully-fledged global player, unrestrained by national vetoes. A single example encapsulates this point: were the EU, as a single entity, to be given a seat on the UN Security Council (in place of France), this would be the first step towards achieving regionalisation of this organisation; in other words, it would finally kick-start the strategic process that is needed to make the UN stronger and more democratic.

Specific Threats to European Security.

The urgent need to federalise European foreign, security and defence policy derives not only from the challenges faced by the world as a whole, but also from two very real threats to European security originating from regions lying on its borders.

The situation of the Middle East and Africa constitutes the most serious danger. For decades, European security has been threatened by the chronic instability of these regions, which is reflected in a number of phenomena: civil wars, religious antagonism, the Israeli-Palestinian conflict, the potential for international wars with incalculably ruinous consequences, failed states, terrorism, increasing and out-of-control migratory flows, and the dangers to energy supplies (including the great Saharan solar energy project).

Clearly, Europe must do everything possible (even deploying military forces on the ground) to help bring stability to the Middle East and Africa. But it must be equally clear that this considerable endeavour, to be effective, has to be part of the great plan for pacifying, integrating and democratising these regions that the advocates of European unification (including Altiero Spinelli)⁷ have been proposing for decades,

⁶ Cf. A. Majocchi, *Carbon pricing. La nuova fiscalità europea e i cambiamenti climatici*, Bologna, Il Mulino, 2020.

⁷ See A. Spinelli, *PCI che fare?*, Turin, Einaudi, 1978.

taking as their historical model the great Marshall Plan for the pacification, integration and democratisation of Europe that the United States launched in the aftermath of the Second World War.

The necessary plan to stabilise the regions to the east and south of the Mediterranean must include three key elements: a conference on security and cooperation in the Middle East, including Iran (to promote disarmament, confidence-building measures, nuclear-free zones, and cooperation in the technological, environmental and human rights fields); a particularly strong commitment to overcoming the phenomenon of failed states — a term that, to a greater or lesser extent, describes the condition of all the region's states —, which means creating functioning state institutions as the essential prerequisite for a genuinely democratic evolution; the launch of processes designed to lead to regional integration along the lines of European integration.

The player best placed to pursue this great plan is the EU, working in collaboration with the United States, and ideally Russia, as well as with progressive forces in the area. Clearly, the EU, on account of its experience of regional integration-pacification (a model for other similar processes), its geographical position, its solemnly declared foreign policy objectives, and its political and economic resources, is called upon to play a decisive role. In short, the EU must assume leadership of the peace and stabilisation policy for the Middle East and Africa. And that means undertaking to allocate to it, for a very long time to come, enormous economic and security resources, comparable to those poured by the Americans into the Marshall Plan, and, as such, incomparably greater than the EU's useful, but clearly inadequate, efforts to date.

To be equal to this vitally important task in the regions to the east and south of the Mediterranean, the EU must first solve the problem of its own weakness on the international stage, which is an effect of the limitations due to its confederal structure that prevent it from acting effectively in the fields of foreign, security, defence and finance policy, and of its associated lack of democratic legitimacy.

The other threat on the EU's doorstep is constituted by the neo-imperial tendencies being displayed by Russia. In this regard, the fundamental challenge is to stabilise Russia, by favouring its economic and social progress — this will entail overcoming the country's overwhelming dependence on fuel exports and deepening its integration with the economies of Europe and the Western world in general — and, consequently, its evolution towards a more democratic political model. Essentially, it means creating the conditions for eradicating the neo-im-

perial tendencies that clearly stem from Russia's socio-economic backwardness and authoritarian regime.

The route to go down, therefore, is not the one chosen by America. Indeed, the USA, opting for what amounts to a policy of isolation and encirclement (in particular through enlargement of NATO), is effectively pursuing Russia's disintegration, which would be a geopolitical catastrophe. Instead, the EU, rejecting the American line, should support the Moscow-led Eurasian Economic Union project, which offers the possibility of fruitful cooperation arrangements, in the commercial, production and technological fields, between the economies of the area. Such agreements have progressive potential, as they could allow these countries to reach the economies of scale and the political dimensions they need in order to be able to develop and acquire political weight, which is fundamental in a world in which regional groupings are destined to become the main positive and constructive forces in international politics. The EU should also work to promote Ukraine's evolution into a federal-type state that might act as a bridge between the EU and the Eurasian Economic Union. All this is part of the prospect of building a "European Common Home" within which NATO, OSCE and the Council of Europe could be merged.⁸

To conduct this policy, which would be a valid response to the threat to European security linked to Russian instability, the EU — it must be reiterated — must seriously endeavour to federalise its foreign, security and defence policy in order to become independent (no longer reliant on the US for protection), and therefore able to pursue the great European Common Home project, and at the same time capable of putting a stop to Russia's neo-imperial tendencies.

The Nature of the European Defence System.

I have tried, herein, to set out the fundamental reasons that make it essential to move to federal governance of Europe's international relations and, in this context, have shown that the EU is structurally placed to act as a civil power. From these considerations, we can draw clear some conclusions regarding the nature of a future European defence system.⁹

— Let us consider, first of all, the guiding principles involved. The

⁸ See S. Pistone, *Considerazioni orientative sul tema della Casa Comune Europea*, *PiemontEuropa*, 34, n. 1-2 (2009).

⁹ Cf. S. Pistone, *Gli obiettivi della politica estera europea e la natura del suo sistema difensivo*, *Eurobull*, 29/6/2019 and D. Moro, *Verso la difesa europea. L'Europa e il nuovo ordine mondiale*, Bologna, Il Mulino, 2019.

fundamental task before us today, in terms of security, is to build an international police force as an instrument of state building, an objective that also requires action in the field of development aid, the creation of administrative structures, and so on. From this perspective, the creation of a European army — the national armies would become national guards⁵ — must be understood, from its conception, to be part of efforts to strengthen the UN, at the disposal of which Europe's security forces would have to be placed. This choice would have to be formally rooted in the Constitution of a European political union, which, in addition to highlighting peace as the guiding principle of European foreign policy, would also have to include specific and formal undertakings to limit sovereignty in favour of the UN and to involve Europe's armed forces in international policing duties.

— These guiding principles have concrete implications for Europe, in terms of its efforts to achieve military mobility, unification of its armed forces, fully integrated with peace corps, and the capacity for long-term deployment of troops and resources in the Middle East and Africa (in the framework of the policy to stabilise these regions with a view to promoting the formation of integrated regional groupings). Compulsory civil service for young people (to be done at local, national or supranational level) should also be introduced as a key aspect of Europe's international role.

— With regard to WMD, European policy will have to include a strategy that not only combats their proliferation, but also pursues their elimination. There will also have to be an undertaking to transfer to a reformed and strengthened UN the arms of this kind that the political union would necessarily inherit from the national armies.

— Whenever the question of European defence is raised, it is always argued that huge costs would be involved, making the proposal incompatible with the maintenance of a welfare state. However, this argument fails to take into account the fact that the sheer scale of American military spending (taken as benchmark) is a result of the USA's position as the world's strongest superpower, a position that has driven it to seek a largely hegemonic solution to the problem of global governance. In actual fact, implementing the kind of peace policy that a federal Europe would be equipped to pursue would not push up overall expenditure. To appreciate this point, one need only consider the enormous waste that is generated by the current national-level organisation of military spending in Europe, by the lack of standardisation of equipment, and by the dispersion and overlapping of research activities. Because of this waste,

Europe, to match the USA's military capability, would need to spend five or six times the amount the Americans do. Instead, the creation of a European federal armed forces would allow enormous savings and, therefore, a military capability equal to the security and peacekeeping role Europe is called upon to play. In fact, rather than increasing current level of overall expenditure, it could well decrease it. Moreover, as a significant potential collateral effect, this solution would probably free up resources that could be channelled into development cooperation and efforts to stabilise the troubled areas around the world, particularly those on Europe's doorstep.

Notes

EUROPE AND AFRICA IN THE FACE OF CHANGE

The world, as part of a radical process of change and redefinition, is currently undergoing a rapid and profound structural transformation that is altering both the distribution of political power and international balances.

The phenomena responsible for triggering this change, or which characterise it, fall into three main categories: i) social and demographic; ii) economic; iii) political and institutional. Of course, the value of categorising processes of change in this way is purely analytical, as doing so can help us to understand the issues at hand. In reality, however, these three categories are not just strictly interdependent, but also closely intertwined.

The *World Population Prospects 2019* research report, prepared by the Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat, contains estimates and projections useful for evaluating the social and demographic trends that will characterise the evolution of the world over the coming decades. It highlights dynamics that need to be taken into account in order to allow responsible political planning within a broad and comprehensive framework.¹

According to the report, several general global population trends can be identified. First of all, the world's population is continuing to grow, albeit at a declining pace; second, it is growing older, partly due to increased longevity. These general trends generate crucial effects and challenges that differ depending on the context. In some countries, sus-

¹ Department of Economic and Social Affairs of the United Nations, *2019 Revision of World Population Prospects*, <https://population.un.org/wpp/>.

tained low fertility or emigration is leading to decreasing population sizes. In others, declining fertility “is creating demographic conditions favourable for accelerated economic growth”. Finally, the report confirms “the the ongoing global increase in longevity and the narrowing gap between rich and poor countries, while also pointing to significant disparities in survival that persist across countries and regions.”²

My aim here is to examine some of the data contained in the report in relation to: three important indices, two time points (2020 and 2050), and two macro-regions whose destinies are conditioned by their close interdependence, i.e., Europe and Africa. What changes will these three decades bring? What processes do we need to identify, understand and then govern?

The first index to be evaluated is the total fertility rate, which is the average number of births per woman.

For the period 2020–2025, the report gives this as 1.62 in Europe, as opposed to an average of 4.16 births per woman in Africa. For the period 2045–2050, the European figure remains substantially unchanged (1.72), whereas for Africa it shows a significant reduction (3.07).

The second index to consider is the *potential support ratio*, which is the number of people aged 25–64 years for every person aged 65 or older; in other words, the number of working age people potentially supporting each non-working individual. In Europe, this ratio was 2.9:1 in 2020, whereas Africa had 10.5 working-age people per individual over 65. Thirty years on, in 2050, the European ratio is expected to fall to 1.7:1; the African one, too, is expected to decline, while nevertheless remaining high: an average of 7.6 people of working age for every person aged 65 or over. The third important index that can help to give us an idea of these two continents’ prospects for social and demographic change is the percentage of the total population aged 65 or over. In 2020, it was 19.1 per cent in Europe, but is projected to rise to a mean of 28.1 per cent by 2050, while the corresponding percentages for sub-Saharan Africa are 3.5 per cent and 5.7 per cent respectively.

What outlook emerges from consideration of the data offered by these indices and from diachronic comparison of these two regions?

What the data tell us is that Europe, over the three decades in question, will see an increase in the elderly, non-productive, dependent section of the population. There will be a drop in the *potential support*

² Department of Economic and Social Affairs of the United Nations, *World Population Prospects 2019, Highlights*, https://population.un.org/wpp/Publications/Files/WPP2019_Highlights.pdf.

ratio, in other words, a fall in the ratio of working-age to retirement-age people; birth rates, on the other hand, will remain stable. All this translates into an increasing dependent population and a shrinking productive one.

The picture is radically different in Africa, where fertility rates in particular, currently very high, are destined to decrease. Accordingly, African society, especially in the sub-Saharan part of the region, looks set to become characterised by a largely working-age population with a smaller proportion of children. As the document explains: “In most of sub-Saharan Africa, (...) recent reductions in fertility mean that the population at working ages (25 to 64 years) is growing faster than in other age groups, providing an opportunity for accelerated economic growth known as the ‘demographic dividend’.”² This term refers to the potential economic growth that can derive from changes in a country’s population structure: when fertility rates decline, the working-age population increases in proportion to the young, dependent segment. With more members of the workforce and fewer dependent minors, a political community finds itself with a window of opportunity for stimulating and possibly achieving rapid economic growth.³

As a first consideration, it can be noted that, against a backdrop of several general trends (global ageing, slowing global population growth, falling fertility rates), different regional patterns emerge.

A second consideration concerns the interdependence between the processes of change mentioned at the start of this piece. Africa, more specifically sub-Saharan Africa, has a demographic dividend that harbours the potential for economic growth. As such, it provides an example of how processes of social and demographic change can stimulate processes of economic change. However, the link between these processes is neither certain nor definitive. The latter can follow the former if — and only if — trends of social change are adequately governed, in other words, only if the right investments are made and strategic social and economic policies are implemented. And this brings us on to the third category of phenomena and processes of change, namely those of an institutional and political nature.

When reflecting upon the question of social and economic potential, there is, in fact, also a political aspect that needs to be considered. Many African states are fragile structures: regimes with low governance ca-

³ For a more detailed explanation of the “demographic dividend” concept, see the *Demographic dividend* section of the United Nations Population Fund (UNFPA), website: <https://www.unfpa.org/demographic-dividend>.

capacity, sometimes flanked by non-institutional power structures that wield considerable influence (economic, social and organisational). African society has a problematic relationship with the state, and unless steps are taken to resolve this, it will remain complicated, if not impossible, to invest in the continent's economic and production potential.

This consideration is a premise for solving a second problem: Africa's fragmentation. At present, the continent's states show very little political convergence in terms of social and economic development, and the various political regimes often have very different structures. How can a politically fragmented continent with fragile structures of state possibly govern and positively express the development potential inherent in the demographic dividend?

The aim of these general remarks has been to pave the way for the presentation of an idea, namely that two political leaps will have to be made before this continent's potential can be realised: there will need to be a quality leap in terms of state structures, and this will have to be followed by a transition to a supranational political system, because the African countries' currently low level of interdependence leaves scope for interference by third countries, ready to exploit the continent's differences to their own advantage.

At this point, I believe it is easy to see why the destinies of Europe and Africa can be considered intertwined: Europe is a politically stable and, it is to be hoped, an increasingly integrated continent, yet it is old in demographic terms and harbours no unexpressed economic potential. Africa, on the other hand, is a young continent with enormous latent economic potential; however, it lacks a strong political structure and a homogeneous and resilient social fabric.

It is, I believe, in the face of three specific challenges that these two continents (on account of the complementarity of their strengths and weaknesses, as well as their geographical proximity) find their destinies intertwined. The first is a social challenge, today primarily consisting of the migration crisis. The second is economic: the challenge of promoting the realisation of Africa's economic potential, while helping it to pursue conscious resource management. The third and final challenge is political, and it concerns the African Union, an international organisation that recently took a hugely important step, adopting the treaty establishing the African Continental Free Trade Area (AfCFTA), which is the largest such area in the world, including 54 of Africa's 55 states. Inspired by the European Union, this organisation is following in the EU's footsteps and replicating its institutional framework. The Europe-

an Union is the most advanced attempt to bring about a profound process of transformation of the global political structure, and thus to address the inability of the nation-state model to withstand the challenges of global interdependence. It is the highest expression of a process of integration that is also being pursued in other parts of the world: we need only think of the of the aforementioned African Union, of Mercosur, and of ASEAN. Arguably, were Europe to completely abandon the objective of political integration, leaving the European project confined to the narrower framework of economic integration, it is likely that Africa would follow suit.

Africa's capacity to govern these processes of change and to express its economic and social potential therefore depends, in part, on Europe's ability to be a stimulating partner, able to show how to establish a federal political union. And the route it maps out cannot fail to include the crucial matter of creating a European fiscal capacity, meaning the power to collect resources and spend them in the general interest of the political community. Because this is the only route that can lead to an embryonic form of shared sovereignty at European level, whose realisation will require strong democratic control exercised by an institution representing the citizens of Europe: the federal parliament. For all this to materialise, the European Union must strive to overcome the impasse that sometimes seems to force regional integration processes to remain within a purely economic framework, never allowing them to enter a fully political dimension. Alone, the economic solution is a mere palliative, which will cease to be effective as the interdependencies between social change, economic evolution and politics begin throwing up critical problems that can no longer be resolved.

Andrea Apollonio

RUSSIA AND CHINA UNITED IN PURSUIT OF A NEW WORLD ORDER

In the winter of 2013-14, the Ukrainian president refused to sign an Association Agreement with the EU, his government preferring, instead, to begin negotiating what was seen as a more attractive economic and financial agreement with Moscow. That decision opened up a split in the country between those in support of association with the EU and those in favour of an agreement with Russia. At that point, the rich Donbas region, which has a largely Russian ethnic population, declared its independence, with Russia's full support. This marked the start of a war, never openly declared, between the regular Ukrainian army and the country's separatist forces — a war that, over the past eight years, has killed over 14,000 people, mainly civilians, and led over 1,500,000 citizens to flee the region, around 900,000 making for Russia. Moscow's subsequent decision, in 2014, to "take back" Crimea, absorbing it into the Russian Federation through a referendum, further exacerbated the tensions with Ukraine and the Western world. On that occasion, Russia was targeted by a series of economic and financial sanctions proposed by the US government (under Obama) and supported by the EU.

In January 2022, the crisis in Ukraine flared up again dramatically as a result of Russia's determination to prevent Ukraine from joining NATO, with Moscow prepared to resort to whatever means necessary in order to achieve this end. Indeed, Russia considers it absolutely vital to oppose the enlargement of NATO to countries that were once allies or satellites of the USSR.¹ In recent years, the USA has invited the governments of Moldova and Georgia to apply for membership of NATO, while other nations, most recently Ukraine, have submitted requests directly. All these are nations that were formerly an integral part of the territory of the USSR. Moreover, it is worth remembering that Finland (a nation that has always declared itself neutral) is now also consider-

¹ On the crisis in Ukraine and the politics of Putin, cf.: S. Spoltore, *Ukraine Caught Between East and West*, *The Federalist*, 56 (2014), p. 55, <https://www.thefederalist.eu/site/index.php/en/essays/2041-ukraine-caught-between-east-and-west>, and Id., *La sfida della Russia*, *Il Federalista*, 60 n. 1 (2018), p. 35, <https://www.thefederalist.eu/site/index.php/it/note/2370-la-sfida-della-russia>.

ing applying to the US government² to become a member. Were these countries indeed to become members of the alliance, Russia would find itself with NATO troops and bases situated right on its borders; in this scenario, it would no longer be able to count on the presence of the buffer states that have represented, since the end of WWII (or the Great Patriotic War to use the Russian, and previously Soviet, term), a boundary that, in Moscow's thinking, must remain an insurmountable limit. In actual fact, this limit has already been violated, when Estonia and Latvia joined NATO in 2004, but back then, Putin was still defining the new order of his country; also, in the wake of more than a decade of deep internal crises, Russia was weak in terms of its foreign policy capabilities.

The years immediately following the collapse of the Soviet Union were the most agonising for Russia; during that period the need to define a new order based on a new internal balance of power took precedence over all other issues. It took more than a decade to redefine the borders of the new Russia after the breakup of the USSR, which had resulted in the birth of thirteen new independent republics whose borders needed to be established and among which the treasury of Soviet Union's central bank, as well as its nuclear and traditional arsenals, had to be divided. This is a period that saw Russia, in the wake of secessionist struggles in Ossetia and Chechnya, also engaged in thwarting attempted coups and bloodily quelling new secessionist conflicts in the Caucasus. All these issues overlapped with the internal power struggle in Moscow that, after the departure of Gorbachev and Yeltsin's rise and fall, finally culminated in the rise of Vladimir Putin.

By the outbreak of the Ukrainian crisis of 2013-14, Russia's internal situation had stabilised. It now had a clearly defined power structure and Moscow was able to exercise its foreign policy with newfound authoritativeness. The Russian government's response to the sanctions imposed by the West was to initiate increasingly close and binding agreements with China in the economic, energy and military fields, something that a few years earlier would have been quite unthinkable.

The international situation, too, had changed dramatically. Russia's difficult years coincided with China's evolution into a major economic power able to wield — then, and even more so today — huge political

² Requests to join NATO must be submitted to the government of the USA, which subsequently forwards them to the NATO in Brussels for approval by all the member states (this approval must be unanimous). On Finland's possible accession to NATO cf.: A. Lombardi, *La Finlandia sfida Putin: "Pronti a valutare l'adesione alla NATO"*, La Repubblica, 2 January 2022.

and military influence in vast regions of Asia and Africa. Furthermore, the West's widespread practice of relocating industrial activities to China has, over time, given China the power to control the manufacture of entire product lines, used the world over. Thus, in addition to the military strength at its disposal, China can also leverage its considerable industrial strength; it can even go so far as to wage economic wars by reducing (or increasing, in line with its own interests) the sale and export of certain goods, in the automotive and IT sectors for example, on which European industry depends.

The Movement Towards a New Balance of Power: Russia and China as Foreign Policy Allies.

Political instability in the 1990s, resulting from the dissolution of the USSR, led China to set up, in 1996, the Shanghai Five, an organisation comprising, in addition to China, the Russian Federation and three young ex-Soviet republics with which China borders: Kazakhstan, Tajikistan and Kyrgyzstan. Its main objective was to foster cooperation in the economic, political and military fields in order to counter separatism and terrorism in Central Asia. Over the years, the organisation grew — in 2001 it was re-founded as the Shanghai Cooperation Organisation (SCO) whose members also include Uzbekistan, India and Pakistan —, and today it also seeks to mediate in disputes between its members states.³

This organisation created a new and direct channel of communication between Beijing and Moscow. Mindful of Russia's experiences, China's main desire was to ensure territorial unity at its borders, in order to avoid the emergence of separatist pressures of various sources: political, ethnic or religious (in addition to historical in the case of Tibet).

These same years saw the Americans assuming a leadership role at world level, even though this often left them in real difficulty, given that they found themselves having to operate, militarily, from the Middle East to Africa, and even in Europe (in the former Yugoslavia). This is not the place to list the world's various hot spots and crises in the years leading up to and immediately after the turn of the century; what should be noted, however, is that while the USA was trying to act on all the various fronts, in some cases with the Europeans in tow, Russia was in the process of achieving internal stability and China was growing as an economic power, securing membership of the WTO in 2001 and at the

³ Cf. P. Pizzolo, *Il Kazakistan, la Russia e il nuovo grande gioco in Asia centrale*, Affari Internazionali, 14 January 2022, .

same time embarking on a major modernisation of its armed forces.

At this point, Putin's Russia and China were ready to pursue, in concert, the objective of opposing the United States as the world's only superpower. And in this general context, the European Union played a mere spectator role, at most lending passive support to American policies or to NATO military decisions.

The crisis in Ukraine had the effect of strengthening the agreement between Moscow and Beijing, which, without ever requiring a formal *ad hoc* treaty, has expanded into the military field over the years. China has guaranteed Russia help in all international fora, by supporting Russia's arguments over Ukraine; echoing Russia, it has also recently argued that talk of NATO enlargement to Ukraine amounts to a provocation by the West that only creates new tensions. Such help has been readily reciprocated: Moscow for its part defends China's right to control atolls in the waters of the South China Sea;⁴ moreover — and this is seen as even more important by Beijing —, the Russian government supports China's claim to sovereignty over Taiwan, and also agrees that China has the right to impose its laws on Hong Kong.

Beijing and Moscow's common views and mutual support in the field of foreign policy have been more evident than ever in these first months of 2022, giving rise to a situation, characterised by acutely challenging fronts (Ukraine and Taiwan) and the presence of two major powers ready to support each other, that is creating grave problems for the Western world, the USA in particular. The United States' difficulties, which had already emerged during the Obama presidency and became worse under Trump, are aggravated by the European Union's inability to act. The EU is indeed a victim of its own weaknesses: it depends heavily on Russia for energy supplies and on China for high-tech industrial products. Furthermore, having no European power able to pursue a single foreign and defence policy, and no European energy and industrial policy, the EU has to face the fact that it is too weak and insubstantial to be a credible force.

This lack of substance puts the European Union in the position of having to support the political choices of the USA, albeit passively and often in a confused and contradictory way.⁵

The US and the EU thus find themselves struggling with their difficulties in the face of a Russia and China increasingly bound together

⁴ Cf. S. Spoltore, *L'Oceano della discordia*, Il Federalista, 57 n. 3 (2015), p. 204, <https://www.thefederalist.eu/site/index.php/it/note/1476-loceano-della-discordia>.

⁵ D. Teurtie, *Gli europei fuori gioco*, Le Monde diplomatique Il Manifesto, February 2022.

by coinciding interests. If the EU, on the one hand, has proved unable to independently manage, at its own borders, the conflict that has been going on in Ukraine for the last nine years, having to rely on NATO for support, the United States, on the other, seems to be in increasing difficulty in the Pacific area, the South China Sea in particular. Whereas diplomatic channels are open in Europe, in an effort to prevent the Ukrainian crisis from degenerating into open warfare, in the Pacific area Beijing has issued a very specific and definite challenge: Taiwan must be back under Chinese sovereignty by 2050.⁶

Ever since the start of the Ukrainian crisis, Russia and China have been conducting joint military and naval exercises in waters around the world. The first was in 2015, in the Mediterranean, followed by others in the Baltic Sea, the Sea of Japan and the South China Sea (in this latter case, also involving marines to simulate an island conquest). Finally, in January this year, ships from the Russian and Chinese fleets were joined by Iranian ships off the Gulf of Oman,⁷ giving rise to alarm in the entire Arab world, and beyond, given the possible implications of this military collaboration in the context of the already difficult Middle Eastern situation.

What is more, Russia is granting Chinese military and civil engineers use of its bases in the Arctic area with a view to the construction of common ports and the joint drilling of possible new oil or gas wells.⁸ Forecasts suggest that by 2050, as an effect of the melting of sea ice, merchant ships sailing from the Pacific to Northern Europe will be able to use the Arctic shipping route for six months a year as opposed to the current three. This route will thus become increasingly strategic for commercial shipping, being less expensive and quicker than those that

⁶ Declaration by Xi Jinping, addressing the National People's Congress, Agenzia AGI, 9 October 2021; *L'ascia di Xi Jinping su Taiwan: la Cina realizzerà la riunificazione, chiunque cerchi di dividere il paese non farà una bella fine*, La Stampa, 9 October 2021.

⁷ *Golfo Persico. Mosca si addestra con Teheran e Pechino nell'antipirateria*, <https://www.agcnews.eu/golfo-persico-mosca-si-addestra-con-teheran-e-pechino-nellantipirateria/>, 29 August 2021. Furthermore, last summer, the Chinese foreign minister Wang Yi visited Tehran and subsequently Ankara to make deals in the energy and military fields.

⁸ E. Comelli, *Patto Russia-Cina nel nome del gas: alle olimpiadi di Pechino nasce l'asse contro la NATO*, *Quotidiano Nazionale*, 5 February 2022, <https://www.quotidiano.net/esteri/patto-russia-cina-nel-nome-del-gas-a-pechino-nasce-lasse-contro-la-nato-1.7328041>. The economic partnership agreed on the occasion of the opening of the Olympic Games in Beijing, in addition to renewing these countries' alliance in the Arctic region, valid for 25 years, also saw the signing of a supply agreement that saw Russia undertaking to supply, over 10 years, 100 million tons of oil to China through Kazakhstan, where in January 2022, Russian troops intervened to restore order after popular protests threatened to topple the pro-Russian government.

pass through the Panama Canal. For these two countries, having control of the Arctic region, and friendly ports along its coasts, will be of great strategic value, allowing them not only to exploit the area's natural wealth, but also to control its traffic, commercial and otherwise.⁹ This situation provides a further illustration of the ability of these two powers to develop long-term strategies. And their sharing of interests is a cause for great concern in the USA; after all, were the crises in Europe and in the Pacific to explode simultaneously, as the result of a clear agreement in this sense between Moscow and Beijing, America would not be able to manage the two fronts at the same time. In particular, even with the possible support of military aid under recent international agreements, namely the QUAD alliance of the USA, Japan, Australia and India, and the AUKUS one between the USA, the UK and Australia, a crisis in the Pacific, specifically in the waters of the South China Sea, would very likely see the USA roundly defeated.

Such an outcome, which would naturally entail the annexation of Taiwan to China, was even envisaged by the head of U.S. Strategic Command, speaking at a US congressional hearing in April 2021.¹⁰

Taiwan can be considered the false conscience of the world: only 14 states recognise it as a sovereign state, while all the rest merely have commercial dealings with it.¹¹ This is the result of a veto imposed by Beijing, which will not engage in diplomatic relations with any state that refuses to recognise the People's Republic of China as one and indivisible, and that Taiwan is *just* a rebel province. The world, fearful of the consequences of breaking off relations with China, lacks the courage to acknowledge Taiwan's right to exist as an independent state. The United States, having decided, in 1972, in response to a request from the Chinese government, to accept the "one China" principle (Nixon was US president at the time), bears particular responsibility in this regard.

In Ukraine and along the coasts of Taiwan we are now witnessing continuous tests of strength by Russia and China, as they jointly attempt

⁹ L. Rossi, *Russia e Cina nell'Artico: una relazione ambigua*, Affari Internazionali, October 2020, <https://www.affarinternazionali.it/archivio-affarinternazionali/2020/10/russia-e-cina-nellartico-una-relazione-ambigua/>, and R. Tani, *La Russia si mostra sempre più assertiva nel teatro artico*, Panorama Difesa, n. 397, June 2020.

¹⁰ Admiral Charles Richard, head of U.S. Strategic Command, answered questions in the course of the hearing. Cf.: *E' di nuovo tempo di "pensare all'impensabile"*, Panorama Difesa, n. 414, January 2022, <http://www.edaiperiodici.it/panorama-difesa/numeri/dettaglio/pd-gennaio-2022>.

¹¹ The countries that recognize Taiwan as a state are: Belize, Vatican City, Guatemala, Haiti, Honduras, Marshall Islands, Nauru, Palau, Paraguay, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Eswatini and Tuvalu.

to test the reactions of the West and verify its ability to respond. There can be no other explanation for the continual joint naval exercises or the repeated violations of Taiwanese airspace by Chinese fighters.¹² The situation in the Pacific is further complicated by instability in the waters of the Yellow Sea and the Sea of Japan that, linked to repeated threats from North Korea, has prompted Japan, a close ally of the USA, to modify its constitutional charter to allow an increase in military spending and provision for the construction of aircraft carriers.¹³ These are waters overseen by important Russian and Chinese military ports.

Conclusion.

The collapse of the USSR left entire continents destabilised, and in the face of this global reality, the United States proved unable, by itself, to guarantee a new order that would ensure peace and stability. Some of the blame for this lies, very clearly, with Europe, which failed to initiate a different policy, a policy of proximity, towards the new Russia. Thus, the United States, with Europe's acquiescence, continued to see Russia as a potential enemy needing to be opposed. In short, instead of grasping the nature of the new circumstances created by the collapse of the Soviet system, the West, by strengthening NATO's presence in Eastern Europe, continued to work to undermine Russia. In this way, and also as a result of Europe's expansion towards countries formerly in the Soviet orbit of influence, a great opportunity to foster new relations between the European Union and Russia was wasted. But, how could a European Union without a government and foreign policy of its own possibly have acted otherwise? The EU's eastwards expansion reflected the fear of Russia harboured by countries that had long been subjugated by their powerful neighbour. For these countries, EU membership was a guarantee that they would get help in developing their economies and establishing their young democracies, while NATO membership gave them guarantees in terms of military security.

While this scenario was taking shape in Europe, in the Far East, China was emerging as a new power — economic initially, but now also military. All the contradictions and weaknesses of the EU in the economic sphere are reflected in the absence of a European industrial and energy policy. The relocation of many production activities to China has enabled the Chinese to use the economy as a fully fledged

¹² Incursions by Chinese fighters numbered 380 in 2020, rising to over 600 in 2021.

¹³ C. Martorello, *Il rinnovato concetto di potere navale in Asia*, Panorama Difesa, n. 400, October 2020, p. 54.

political tool, as the European Commission itself, underlining Europe's dependence on China in strategic sectors, has admitted.¹⁴ The European governments, which should be stung into action by awareness of their weakness, need to seek forward-looking solutions, so as not to have to witness, as we are doing, European industry struggling to procure both finished products and raw materials. In fact, were confirmation needed that international trade has shifted away from the Atlantic to the Pacific area, one need only consider that most raw materials currently go to China and the other countries of the Far East that, today, together constitute the industrial powerhouse of the world.

As the USA, Russia and China remind us every day, the real problem for today's world, desperately in need of a balance able to overcome hegemonic ambitions, is the open confrontation between three major continental powers. Equally clear is the absence, or marginality, in this situation of a fourth continental player, as has been underlined by the European Commission itself, as well as by President Macron and Chancellor Scholz in recent public declarations. At this point, what remains to be done, as an ancient Latin saying goes, is turn words into deeds, by making the radical choices that will give the European Union the federal structure it needs in order to exercise its sovereignty.

The next few months will therefore be decisive, depending on the decisions that will be reached by the European Council on the basis of the proposals advanced by European citizens through the Conference on the Future of Europe. These proposals include clear ideas aimed at abolishing the right of veto, granting the EU fiscal and budgetary powers, and giving the European Parliament greater powers to define foreign policy objectives. All are vital issues for the future of the European Union and for ensuring greater balance in the management of the problems faced by the world as a whole.

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¹⁴ J. Oertel, J. Tollmann, B. Tsang, *Climate superpowers: how EU and China can compete and cooperate for a green future*, Policy brief of the European Council on Foreign Relations, 3 December 2020, <https://ecfr.eu/publication/climate-superpowers-how-the-eu-and-china-can-compete-and-cooperate-for-a-green-future/>.

Viewpoints

REFLECTIONS ON THE SUBJECT OF A EUROPEAN ARMY AND PEACE CORPS

Even on my rather slow computer, the term “European army”, when typed into a search engine, produces 10,100,000 results in just half a second.

The recent events in Afghanistan have certainly triggered a rush of articles and essays, varying in value and written from a range of perspectives, underlining Europe’s irrelevance when it comes to the complex and crucial geostrategic approach — geostrategy being the military basis of geopolitics — that is now once again fashionable on the world stage. And, albeit in different terms, they also highlight the need to establish a European army, and the urgency and difficulty of doing so.

Even without considering the CED affair, this is not a new idea, and moreover it is one on which the EU’s highest authorities have adopted clear positions. To begin with, Josep Borrell, High Representative of the European Union for Foreign Affairs and Security Policy, has proposed a rapid-deployment force of 5,000 troops, and Thierry Breton, Commissioner for the Internal Market, has supported him. Charles Michel, President of the European Council, is in favour of European strategic autonomy, while David Sassoli, speaking as President of the European Parliament, argued that the time has come for a European army. Finally, Ursula Von der Leyen, President of the European Commission, has talked of a defence union as a means of bringing stability to the areas on Europe’s doorstep and to other regions in the world, pointing out that unless Europe is willing to help deal with overseas crises in a timely manner, it will end up having to deal with them on its own soil.

The progress of European integration towards a federal model (which means neither a monolithic state, nor today’s imperfect confed-

eration) is an objective that seems to be increasingly linked to the issues of internal and external security, and the question of a European armed forces should be viewed in this context.¹

In the past, there has been much talk of the greater efficiency and lower costs of a European army. David Sassoli indicated that he would be in favour if only to save on unnecessary national military spending, which currently leads to hugely wasteful multiplication of assets and capabilities. As shown in an infographic published in 2017 on the European Parliament website, the waste amounts to an estimated 26.4 billion euros per year.² The inefficiency is staggering: an article first published in 2019, also on the EP website, pointed out that “more than six times as many defence systems are used in Europe than in the United States”.³ Furthermore, Europe’s 27 armies, 23 air forces and 21 navies, and its bad military spending together create a situation eloquently illustrated by the following comparison with the USA: “In 2016, Europe had 178 weapon systems (compared with America’s 30), 17 tank models (versus 1 in the US), 20 infantry fighting vehicle models (versus 2), 29 types of destroyer and frigate (versus 4); 20 types of fighter plane (versus 6), 12 types of anti-ship missile (versus 2), and 13 types of air-to-air missile (compared with 3 in the US).”⁴

¹ A useful reconstruction of the attempts thus far made within the EU, and of their partial successes and failures, is provided in *unimondo.org* blog posts dated 17 and 18 September 2021: Maddalena D’Aquilio, *Verso un esercito europeo? (1) e (2)*, (<https://www.unimondo.org/Guide/Guerra-e-Pace/Spese-militari/Verso-un-esercito-europeo-1-213891> and <https://www.unimondo.org/Guide/Guerra-e-Pace/Nuove-guerre/Verso-un-esercito-europeo-2-213746>), which refer to an SPD document that, having been published a year ago, was not written in response to the trauma in Afghanistan (<https://www.csfederalismo.it/images/commenti/comments/Diskussionspapier-.pdf>). Its opening theses are perfectly clear: “Die Europäische Union ist noch immer ein sicherheitspolitischer Archipel. Wir brauchen daher nicht nur mehr Inseln der Kooperation, sondern müssen auch gleich mit dem Bau von Festland beginnen. Unser Festland bildet die 28. Armee.” (As far as security is concerned, the European Union is still an archipelago of initiatives. We therefore need not only more cooperation, but also to start building on solid ground immediately. And for us, this solid ground is the 28th army).

² European Parliament, *Pesco: EU countries sign off on plan for closer defence co-operation*, <https://www.europarl.europa.eu/news/en/headlines/security/20171208STO89939/pesco-eu-countries-sign-off-on-plan-for-closer-defence-cooperation>.

³ European Parliament, *Defence: is the EU creating a European army?*, <https://www.europarl.europa.eu/news/en/headlines/security/20190612STO54310/eu-army-myth-what-is-europe-really-doing-to-boost-defence>.

⁴ Umberto Morelli, *Power Politics. The European Union and the International System*, The Federalist, 62 (2020), p. 44. According to Lucio Levi, “the cost of military apparatus is steadily becoming more absurd and unacceptable if we consider the military, economic and social consequences of the arms race”. Lucio Levi, *The Benefits of Reducing Military Spending*, The Federalist, 26 n. 3 (1984), p. 219. It should be noted that Levi was writing before the fall of the Berlin Wall. There was no peace dividend to be exploited and

Others, on the other hand, believe that the European member states should increase their military spending. In fact, whereas Europeans spend between 1 and 2 per cent of GDP on defence and armaments, this proportion rises to 8/9 per cent in the USA, meaning that Americans are also paying for the safety of Europeans. Today, however, this arrangement is no longer tenable, making it necessary for European countries as a whole to consider whether they are prepared to reduce their welfare expenditure in order to free up extra resources for military spending.⁵ Italy has already drawn up seven ministerial decrees showing that it is willing and ready to start spending more.⁶ The costs involved, to be covered in several instalments, would be at least EUR 3.5 billion for 1,600 Lynx armoured vehicles, 1.9 billion for drones, 800 million to be spent on missiles and radars for the warships Andrea Doria and Caio Duilio, 165 million for other “tactical vehicles”, 187 million for 33 new helicopters for the Carabinieri Corps, and 111 million for optical and radar sensors.

the author, in his article, made a seemingly incredible forecast: “if we project the current economic trends into the future, in the year 2000, military spending will be 646 thousand million dollars”. Now, however, we know that current figures are around three times that.

⁵ Ernesto Galli della Loggia, *Mentre la Cina agisce, l'Europa non c'è e sa solo discutere*, Il Giornale, 9 September 2021. Galli della Loggia considers the question of the quality that armies must possess in order to be able to rise to the current challenges. He concludes that, in quality terms, the US troops previously engaged in Afghanistan fell far short of what was required, being “a mixed army of regular soldiers and mercenaries”, the latter being the so-called contractors used by the United States since the nineties in all theatres of operation (from the Balkans to Iraq). The role of mercenaries in current wars is a topic of great interest, but here I refrain from even touching on it, except to recommend an essay by Orsetta Giulo, *Traffico di armi e “privatizzazione della forza”*. *Quali scenari?*, Rivista di studi e ricerche sulla criminalità organizzata, 4 n. 2 (2018), <https://riviste.unimi.it/index.php/cross/article/view/10460>. On the need for international police operations, using specialist corps, see L. Ferrajoli, *Perché l'ONU non può promuovere né autorizzare la guerra all'Iraq*, La rivista del Manifesto, n. 34, December 2002, who argues that “when tackling a criminal organisation, however vast and militarily powerful, it is not a question of waging war, but rather of implementing police measures, which are certainly more difficult but also more effective, capable of neutralising it (...), this therefore means that there must be no raids or air bombardments typical of war, which, causing death and terror among civilian populations, serve only to fuel hatred of the West and increase the proselytising capacity of terrorist gangs, but instead police actions on the ground, naturally implemented with adequate military means, but aimed only at identifying and neutralising terrorist organisations (...). What would be required is the international police force that was envisaged by Chapter VII of the UN Charter, which, had it been established in time, would certainly have intervened in all the crises of recent years with greater credibility and without the useless devastation caused by the wars the West has unleashed in violation of international law.”

⁶ *Shopping militare: ecco quanto ci costa la spesa di blindati e droni voluta dal ministro della Difesa Guerini*, The Post Internazionale, 1 October 2021, <https://www.tpi.it/cronaca/quanto-costa-spesa-blindati-droni-guerini-20211001830269>.

Actually, it has been noted, correctly,⁷ that military expenditure by NATO members amounts to around USD 1,100 billion and accounts for 56 per cent of all global military expenditure, which in turn stands at around USD 1,900 billion per year. The contributions by the USA, the UK, Germany, France, Italy, and Canada together cover 90 per cent of spending by NATO (around USD 995 billion) and around 50 per cent all global military expenditure. The 27 EU member states' annual overall military expenditure (i.e., both within and outside the framework of NATO) amounts to USD 232.8 billion. Therefore, directly and indirectly, military spending by EU countries is considerable, even though it does not compare to the USA's 778 billion. As the same author points out, in different quarters it is estimated that greater rationalisation of military spending by the different European countries, in particular France (at present 53 billion), Germany (53 billion) and Italy (26 billion), which together currently account for 58 per cent, would significantly reduce (by between 25 and 100 billion!) the costs generated by multiplication of assets and capabilities, without any weakening of defensive capacity.

But the issue of European defence cannot be dealt with constructively unless it is viewed from a political perspective and related to the values — rule of law, market economy, freedom of movement, and rights of the individual — that constitute the bedrock of European integration.⁸ This, then, is the framework of civilisation that must be defended, improved and enabled to spread its message and experience.

The importance of values was recently underlined by David Sassoli, who explained why authoritarian regimes today are increasingly worried by Europe: “Why do all authoritarian regimes care about us? There is only one reason. European values are frightening, because freedoms allow for equality, justice, transparency, opportunity, peace. And if it is possible in Europe, it is possible everywhere.”⁹

In any case, Europe's peace and its ability to spread it are not entrusted, either exclusively or even mainly, to military force. While we,

⁷ Alberto Quadrio Curzio, *Una difesa comune. Perché nella Nato l'Ue paga molto e pesa poco*, HuffPost, 2 September 2021, https://www.huffingtonpost.it/entry/una-difesa-comune-perche-nella-nato-lue-paga-molto-e-pesa-poco_it_6130d45ec4b0df9fe272f873.

⁸ In this regard, cf. Antonio Armellini, *Per la difesa europea serve flessibilità*, Corriere della Sera, 29 September 2021.

⁹ Extracts of the speech by President of the European Parliament, David Sassoli, at the Commemoration of the Nazi massacre at Cibenno, <https://www.comune.carpi.mo.it/comunicazione/eventi-da-ricordare/visita-presidenti/90867-11-luglio-2021-visita-dei-presidenti-von-der-leyen-e-sassoli>.

from within, are aware of all Europe's limits, those outside clearly see its appeal and the positive difference it makes. We saw this at the time of the conflicts in the former Yugoslavia: the two sides had barely finished ripping each other to shreds when they started knocking at the EU's door. It has now become necessary to take a broader view than that taken by those who see European defence as a necessity created solely by the Americans' decision to turn its attention from the Atlantic to another world region. A Europe capable of a developing a proper strategy towards critical neighbouring areas — the Mediterranean, North Africa, the Middle East — would be able to offer a meaningful response to the growing influence of Russia and Turkey, and at the same time allow the USA to pursue its current priorities, which are mainly linked to its face-off with China.¹⁰

As regards the political framework within which to set the issue of European defence, it must be appreciated that the creation of a European defence can be reconciled with the EU's structural vocation to pursue peace, and Europe can constitute an example and impetus for the establishment of peaceful relations worldwide, only if the EU becomes fully federal.¹¹ A continent capable of taking care of its own defence and at the same time uniformly committed to general disarmament would

¹⁰ Much has been made of the fact that the prospect of a common European defence does not mean political emancipation from the USA; and the Europeans' temptation to assume a neutral role similar to that of Switzerland has also been highlighted. F. Fubini, who focuses in particular on Germany's position in this regard, *La tentazione tedesca (ed europea): diventare la Svizzera del mondo*, Corriere della Sera, 28 September 2021, writes: "We are all familiar with Switzerland: a democracy that is solid, open, dynamic. And irrelevant. It enjoys the benefits of globalisation while having no involvement in world affairs (...). Signs of such a lack of ambition are, moreover, present beyond Germany, because we Italians, as well as the French, Spanish and Dutch, lack what would once have been called the will for power." And without this will, it is impossible to be, as is necessary, a power. M. Panebianco (*Ma l'Europa non è la Svizzera*, Corriere della Sera, 3 October 2021) adds "Switzerland. Not only is it small, whereas Europe is not. Not only has it been, for centuries and centuries, protected by the lie of its land, whereas Europe has not. It has been (protected) for as many centuries by the fact that the freemen of its cantons were ready to make any army that, with great difficulty, entered their mountains and valleys, pay a bloody price (...). To the many sharks that surround it, Europe, rich, peaceful and defenceless, is a coveted and attractive-looking prey. Hardly Switzerland at all." In the above remarks, the idea that active neutrality can make a contribution to a country's own peace as well as that of its neighbours and the world as a whole is not even considered.

¹¹ Umberto Morelli, *Power Politics. The European Union and the International System*, op.cit.: "Peace is Europe's structural vocation — in the Schuman Declaration, which marked the birth of European unification, the word peace is repeated six times in the space of a page and a half — and its process of integration is a crucial example and impetus for the affirmation of peaceful relations globally. However, if the objective, expressed at a congress of the European Federalist Movement in the 1980s, really is to *unite Europe to unite the world*, then Europe has to become fully federal."

be a highly positive new scenario. In particular, Europe could be the test bench for the simultaneous launch of a common peace corps and the core of a common army.

As regards the first of these objectives, numerous proposals have previously been presented to the European Parliament, in particular by Alex Langer, without being adopted. The idea first appeared officially on 17 May, 1995 in the European Parliament Resolution on the Treaty on European Union, also known as the “Bourlanges-Martin report”: “A first step towards a contribution to conflict prevention could be the establishment of a European Civil Peace Corps (including conscientious objectors) with training of monitors, mediators and specialists in conflict resolution.” Assisted by Ernst Gülcher, Langer, who inspired the above words, drew up detailed notes, *For a civilian United Nations and European Union peace corps, some ideas, perhaps unrealistic*. He envisaged that the corps should have staff of about a thousand people (some professionals and the rest volunteers) who should be adequately trained and equipped to intervene in conflicts before any outbreak of violence, and have the capacity to remain in place usefully even in their acute phase, and to work to restore and mend relationships at the end of their bloodiest phase. These are necessary operations that military forces simply cannot carry out.¹² Langer, driven by what he saw as the urgency of the proposal, scheduled, for 7 July 1995, a meeting in Brussels between representatives of peace movements and international experts, intending to press for a parliamentary resolution establishing a European civilian peace corps. However, on 3 July, overwhelmed by the burden of the many causes and commitments he had taken on, he ended his life. After Langer’s death, the issue was raised again on several occasions until two feasibility studies were finally conducted, the first by the European Parliament in 2004, and the second by the Commission in 2005.

As for the creation of a European defence, this presupposes, as mentioned, the simultaneous establishment of a political union, and it is easy to imagine that a small, effective, federally funded force would act

¹² In Langer’s notes, which are worth reading in full (<http://www.alexanderlanger.org/files/serviziocivile-ccpeuropei.pdf>; extracts in English can be found at <https://www.alexanderlanger.org/en/284/1365>), the key aspects are clearly defined: The Reasons for Civilian Peace Corps – Organisation – Tasks – Professionalism – Quality – National & International; Men & Women; Young & Old – Voluntary Work – Professionals & Volunteers – Training – How to Prepare CPC operations – Funding – Relations with Military Forces. Langer knows that actions carry no guarantee of success. In the conclusions he writes: “A Peace Corps operation could fail and we should not be ashamed to admit it.” However, a failure of a peace operation leaves behind — I believe I can say — less rubble than a successful military intervention.

as a powerful magnet.¹³ However, the difficulty of this step for 27 member states opens up the prospect of a two-speed Europe, and therefore of the creation of a federal core within the European Union. As pointed out by Armellini, “the necessary tool for achieving this exists in the form of the Conference on the Future of Europe, which was meant to be a means of redesigning the EU but, through a series of procrastinations, has instead gradually been transformed into a bureaucratic exercise serving only to fix things here and there, while the earth all around us burns. Perhaps there is still time to get this initiative back on track — this would be a worthy priority for an Italy determined to recover its historic capacity for innovation in European politics.”¹⁴

Daniele Lugli

¹³ The issues involved are again those set out by Morelli in *Power Politics...*, *op. cit.* On the very topical issue of fiscal autonomy, and therefore of the possibility of financing the creation of a truly European defence, cf. G. Rossolillo, *Applying the ECSC Model to Give the EU Fiscal Power*, *The Federalist*, 62 (2020) p. 131.

¹⁴ According to Armellini, *Per la difesa europea serve flessibilità*, *op.cit.*, “If a common defence policy for all twenty-seven is not feasible at the moment, what is the way out? Restructuring the European Union in such a way as to make it unitary but flexible. I am not sure that a core group comprising Germany, France, Italy, Spain and perhaps Benelux and some others could work as a driving force...”.

Documents

ABOLISHING THE POWER OF VETO VOTING SYSTEM REFORM IN THE COUNCIL AND EUROPEAN COUNCIL*

There is no doubt that the need to overcome the power of veto held by Europe's single member states, and extend majority voting to all the areas in which the EU has competence, is a key issue at the heart of debate on the future of European integration. Abandoning the unanimity method, in those areas where it is still used, and replacing it with qualified majority decision making is, in fact, one of the essential reforms for freeing the EU from the hold that member states still have over its functioning, and thus for allowing it to be turned into a federation. However, it is important to be clear that reform of the voting systems used in the bodies that directly represent the member states is not enough, by itself, to result in the creation of a federal union, as there are further steps that need to accompany this reform.

Unanimity: the Decision-Making Method Used in the Areas at the Heart of State Sovereignty.

Unanimous decisions continue to be required in some areas crucial to the running of the EU. Indeed, even though recourse to such decisions in the Council has certainly declined considerably since the birth of the European Economic Community (in favour of the qualified majority method), it should be noted that in the two areas representing the hard core of sovereignty, unanimous agreement of the member states is still required for decisions within both this body and the European Council.

* A reflection paper supporting the MFE campaign in view of the Conference on the future of Europe.

These two areas are: i) taxation and ii) foreign policy and defence. With regard to the first of these, the Council members decide, unanimously, the size of the EU budget and the nature and extent of the various resources that will finance it, and these decisions are then ratified by the member states; similarly, the Multiannual Financial Framework (MFF) is decided unanimously, and all foreign policy and defence decisions taken by the Council or the European Council require the unanimous consent of the member states. Furthermore, the need for unanimous decisions in these two areas by the European bodies representing the national governments is reinforced by several provisions that further underline the member states' determination to continue controlling the competences that define state sovereignty.

First of all, in both of the above fields, not only must Council and European Council decisions be unanimous, the European Parliament is almost entirely excluded from the decision-making process. Indeed, when it comes to deciding on own resources, and also common foreign and security policy (CFSP), the Parliament is merely consulted. Moreover, with regard to CFSP, art. 31 TEU specifies that "the adoption of legislative acts shall be excluded", thereby ruling out the possibility of adopting decisions through a procedure (the ordinary legislative one) that places the European Parliament and the Council on an equal footing.

Furthermore, while it is true that the Treaties (through specific provisions or, more generally, the terms of art. 48 TEU) include so-called *passerelle* clauses that give the European Council (or in specific cases the Council), acting unanimously, the possibility, within a given area, to "modify the decision-making rules that affect acts of the Council, by allowing a shift from unanimity to qualified majority voting or from a special legislative procedure to the ordinary legislative procedure",¹ it is important to note that the Treaty expressly prohibits their application both in the case of "decisions with military implications or those in the area of defence", and in the situations outlined in art. 311, paragraphs 3 and 4, and art. 312, paragraph 1, par. 2, TFEU, which concern decisions on own resources and MFF adoption, respectively.

Leaving aside the fact that these clauses have never been used, even in the areas where their application is envisaged, the explicit prohibition of their use in the two areas that form the core of state sovereignty is no accident; rather, it perfectly reflects the logic of the Community

¹ European Parliamentary Research Service, *Passerelle clauses in the EU Treaties: Opportunities for more flexible supranational decision-making*, [https://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS_STU\(2020\)659420](https://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS_STU(2020)659420).

method and of the process of European integration in the basic form it has assumed since the creation of the EEC.

The Community Method: Successes, in Relation to the Single Market, and Limits.

Ever since the EEC came into being, the process of European integration has continued to rest on the idea of creating increasingly close forms of cooperation between sovereign states, as well as ways of jointly exercising the functions of state (as opposed to transferring some of these to European level). Although the evolution of the integration process in terms of the strengthening of ties and interdependence between member states has probably exceeded the expectations the Founding Fathers may have had, the European Union has retained the EEC's basic characteristics, which, after all, are expressions of the founding pact underlying the development of the entire integration process. Structurally, the EU, having been expressly conceived as an entity with no government (i.e., no supra-state power capable of making political decisions), can be likened to a headless body. It is an entity based exclusively on forms of governance, meaning joint exercise of state sovereignty.

This was a mechanism ideally suited to the creation of a common market, given the technical and administrative nature of the interventions required. Indeed, in this setting, even though Europe has no administrative apparatus of its own in place at the level of the member states, and EU provisions must ultimately be implemented by the member states' own administrations, the Community method was able to express its full potential, producing: a European Parliament that co-legislates with the Council (an arrangement that limits the scope for unanimous decision making); legal acts, such as regulations directly applicable in the member states; and provision for full judicial review by the European Court of Justice. Since, in these cases, state sovereignty was squeezed but not endangered, the member states were willing to accept that EU law, through its own regulatory instruments, should be imposed on them even without their unanimous consent.

However, as mentioned above, it is an entirely different story when it comes to the sectors that represent the heart of state sovereignty and involve political decisions, in particular the aforementioned fields of taxation (EU financing) and foreign and defence policy. In these areas, in fact, decision-making power has been kept in the hands of the Council or the European Council, and decisions must be reached unanimously, thereby making it impossible for the European Parliament to

act as co-legislator or to legislate on these matters through acts directly applicable in the member states.

This is a formula perfectly consistent with the premises of the integration process: in the absence of a democratically legitimised executive power, decisions are taken jointly by national executives that, while recognising the need to cooperate in order to rise to challenges of continental dimensions, are not willing to create a superior European sovereignty.

Ultimately, as already noted, the Community method facilitates cooperation between states, but does not involve transfer of certain political powers to a higher level of government that is independent of the states themselves. Since this is the model on which the founding Treaties were based, it follows that as long as we remain within the mechanisms they envisaged, cooperation between states can possibly be improved, but not overcome in favour of a model — one founded on true integration, the federal model — that rests on completely different assumptions.

Taxation as an Example.

To return to the issue of majority versus unanimity decision making, this time in relation to taxation (one of the pillars of state sovereignty), even were it possible for the Council to decide by qualified majority, rather than unanimously, the amount and type of resources available to the Union (a hypothesis expressly prohibited by the Treaties), there would still be no escaping the intergovernmental logic that guides the Treaties in this particular field. First, because art. 311 TFEU establishes that such a decision “shall not enter into force until it is approved by the Member States in accordance with their respective constitutional requirements”. Second, because the European Parliament, i.e., the body representing the European citizens, would still have no meaningful role. And third, because the issue of EU resources would not be put to the citizens, but to the member states, given that the power of taxation would remain exclusively in their hands. In short, the member states would continue to hold decision-making power and thus the power to decide on whether and how the EU might be funded and thus permitted to function.

The Need to Move from a Cooperation-Based Model to One Founded on the Creation of a Supranational Power.

That switching from unanimity to majority voting can offer no solution in a setting like the one defined by the current Treaties is clearly confirmed by the experience of the United States of America. Article IX of the Articles of Confederation in effect established — contrary to

what the founding Treaties of the European Union do — that even in matters of federal funding and foreign and defence policy, the Congress (made up of representatives of the member states) would decide by majority.² However, as pointed out by Hamilton in *Federalist* No. 15, the fact that such decisions, by Congress, did not have to be taken unanimously was unimportant, since they were directed at the states, which, asked to provide the money to finance the Confederation and the men to form its army, could still choose to refuse to do so.³

Therefore, not only is the switch from unanimity to qualified majority voting in the sectors at the heart of state sovereignty impossible under Europe's Treaties as they stand, such a reform, by itself, still would not allow the EU to self-determine its conduct independently of the states, and would therefore leave it open to threats and blackmail by the latter.

² "The united states in congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defence and welfare of the united states, or any of them, nor emit bills, nor borrow money on the credit of the united states, nor appropriate money, nor agree upon the number of vessels of war, to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander-in-chief of the army or navy, *unless nine states assent to the same*; nor shall a question on any other point, except for adjourning from day to day be determined, *unless by the votes of a majority of the united states in congress assembled*". [italics added].

³ "The great and radical vice in the construction of the existing Confederation is in the principle of legislation for states or governments, in their corporate or collective capacities, and as contradistinguished from the individuals of which they consist. Though this principle does not run through all the powers delegated to the Union, yet it pervades and governs those on which the efficacy of the rest depends. Except as to the rule of appointment, the United States has an indefinite discretion to make requisitions for men and money; but they have no authority to raise either, by regulations extending to the individual citizens of America. The consequence of this is, that though in theory their resolutions concerning those objects are laws, constitutionally binding on the members of the Union, yet in practice they are mere recommendations which the States observe or disregard at their option. [...] Government implies the power of making laws. It is essential to the idea of a law, that it be attended with a sanction; or, in other words, a penalty or punishment for disobedience. If there be no penalty annexed to disobedience, the resolutions or commands which pretend to be laws will, in fact, amount to nothing more than advice or recommendation. This penalty, whatever it may be, can only be inflicted in two ways: by the agency of the courts and ministers of justice, or by military force; by the coercion of the magistracy, or by the coercion of arms. The first kind can evidently apply only to men; the last kind must of necessity, be employed against bodies politic, or communities, or States. It is evident that there is no process of a court by which the observance of the laws can, in the last resort, be enforced. Sentences may be denounced against them for violations of their duty; but these sentences can only be carried into execution by the sword. In an association where the general authority is confined to the collective bodies of the communities, that compose it, every breach of the laws must involve a state of war; and military execution must become the only instrument of civil obedience. Such a state of things can certainly not deserve the name of government, nor would any prudent man choose to commit his happiness to it".

Clearly, then, abolition of unanimity voting and of the power of veto, in those sectors in which these mechanisms are envisaged under the Treaties, needs to be accompanied by a structural change that abandons the logic of cooperation between sovereign states, and replaces it with the creation of a democratically legitimised supranational power, capable of acting, in its sphere of competence, independently of the member states.

In the case of EU funding, which once again provides a useful case study, this change will come only when the body representing the citizens, the European Parliament, is finally granted one of the essential prerogatives of any parliament, namely fiscal power. There are therefore two necessary conditions for the birth of a federal fiscal union: the European Parliament must assume the role of co-legislator in this field, too, and the Council and member states must lose their monopoly on the power to determine the resources available to the Union.

To summarise, given that decisions within the key areas of sovereignty require direct democratic control by the body that represents the citizens, namely the European Parliament, the effective overcoming of the unanimity rule and, consequently, of the power of veto, must also correspond to a structural change in the decision-making system of the European Union. This will mean assigning the European Parliament direct power in the sectors in question, so as to allow the birth of an effective European government, accountable to and controlled by the European citizens, and capable of replacing the current forms of coordination between the national governments.

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Giulia Rossolillo

REFORM OF THE EUROPEAN UNION: FROM EUROPEAN UNION TO FEDERAL UNION*

Introduction.

Does reform of the institutional mechanisms and policies of the European Union depend on reform of the current European Treaties? Or does the EU instead have the capacity to evolve gradually as an effect of specific changes to the current system of governance, implemented by the national governments and existing EU institutions? An examination of the topic of EU reform has to start from these basic questions. The agreement reached on the creation of the Next Generation EU financial instrument, and on its funding through European debt, to be repaid gradually by 2058 through the introduction of new European taxes that will generate own resources for the European budget, seems to suggest that the EU does indeed have the capacity to evolve progressively towards the objective of forming a European government, without any need for Treaty revision. That said, there is no guarantee that advances brought by Next Generation EU and the common debt mechanism, as the EU's response to the pandemic crisis, will, upon expiry of these instruments, become permanent as opposed to contingent aspects of European governance, unless of course they are secured through reform of the Treaties. In fact, some states' willingness to accept these instruments was dependent precisely on their extraordinary and non-permanent nature. Moreover, it should be considered that these instruments remain open to challenge, given that they are not currently envisaged by the Treaties (see TFEU, Articles 125, 310 and 311). Taken together, the above considerations show that there is a need to embark on true constituent reform of the European Union.

Ways to Reform the European Union.

The current EU Treaty revision procedure (Art. 48 TEU) requires that all (27) member states sign a Treaty amendment agreement; for this agreement to come into force, they must unanimously ratify it in accordance with their constitutional requirements (either through their

* Document drawn up to support the campaign organised by the European Federalist Movement with a view to the ongoing Conference on the Future of Europe.

respective parliaments or, in some states, through a popular referendum). Reaching an agreement between the 27 member states is, however, notoriously difficult, on account of their divergent views concerning the objectives of the integration process. International law offers two ways to get around this difficulty. The first is to invoke the “*rebus sic stantibus*” clause as codified by the Vienna Convention on the Law of Treaties, and thus to allow those states wanting more substantial EU reform to agree, among themselves, a new treaty with different rules. This solution would circumvent the unanimity rule provided for by Art. 48 TEU and allow the conclusion of a new treaty with the agreement of a majority (to be determined) of the states. Alternatively, a new treaty could simply contain a clause stating that it will come into effect only in those countries in which it has been ratified, by the national parliament or through a popular referendum. In fact, in the absence of a true European people — the Lisbon Treaty refers to citizens of the Union and not a European people —, it would be legally and politically impossible to oblige one or more states to adopt a new treaty when their parliament or population have voted against doing so.

In any case, a new treaty would overcome the problem of differentiated integration within today’s European Union, as it would allow those states wishing to maintain the present level of integration, and to remain bound by the provisions of the current Treaties, to do so, while giving those wanting to advance towards a true federal union the possibility of signing up to the new treaty, which would contain additional provisions in this sense. Naturally, the nature of the relationship between the current European Union and the new federal union would have to be carefully set out, either in the new treaty itself or in a separate agreement.

Federal State or Federal Union.

The type of EU reform pursued would depend on the objectives that EU member states, political forces and citizens aim to achieve. It would be unrealistic to envisage creating a federal state able to take the place of the present nation-states, some of which are hundreds of years old, since this would mean endowing the institutions of the new state with all the competences currently in the nation-states’ hands. If, however, we recognise that the nation-state is no longer equipped to perform all the functions it did in the nineteenth century, and to exercise absolute sovereignty in all its fields of activity, then the most realistic solution would be to create, by aggregation, a federal union of the existing nation-states (or of some of them), but without this implying the suppression of any

of them. This would amount to a form of sovereignty sharing, necessary precisely because sovereignty nowadays can no longer be absolute, as it was in the nineteenth century. Basically, it would be split between the nation-states and a federal union endowed with “limited but real” powers.

Constituent Power.

This text is not the appropriate place for a theoretical analysis of constitutional doctrine or an examination of the different ways in which constituent power might be expressed through the founding act (call it a European Constitution or European Basic Law) of a new European Union. It is sufficient, here, to acknowledge the existence of a “contractualist” doctrine that interprets the “Constitution” or other founding act as a “social contract” through which a community of persons or of peoples decides to adopt a new “statute” that recognises their status as citizens of a new political organisation.

There are various junctures in the institutional life of the European Union that lend themselves to the exercising of this constituent power. It could be exercised: 1) at the end of the Conference on the Future of Europe, should a significant number of European citizens and organisations request that the European Parliament draw up a plan for EU reform designed to broaden the Union’s competences, and conclude a new constitutional treaty creating a federal union; 2) on the eve of one of the next rounds of European elections, should the main European political forces wish to give the incoming European Parliament, elected by the citizens, a constituent role, namely to draw up, during the legislature, a new draft treaty to be submitted to the national parliaments or to a pan-European referendum; or 3) when the EU’s G7 members, due to their declining GDP, cease to rank among the world’s seven most industrialised countries; indeed, when that time comes, only a new European federal union would meet the economic criteria for membership of this organisation.

Constitutional Projects in the History of European Integration.

The process of European integration has, on two occasions, seen the drafting of projects, subsequently abandoned, that would have led to decisive steps towards the creation of a federal union.

a) The ad hoc Assembly’s Project.

The first of these aborted constitutional attempts was the “European Political Community” (EPC) project drawn up in 1953 by the so-called *ad hoc* Assembly, mandated by the governments of Europe’s

six founding member states and set up within the framework of the ECSC. This project was drafted on the basis of Article 38 of the Treaty establishing the European Defence Community (EDC). It envisaged a bicameral parliamentary system in which the first house would be a people's chamber elected by universal suffrage, and the second a senate appointed by the national parliaments. The draft treaty provided for a European executive council (along the lines of the High Authority of the ECSC), responsible for Community governance. Since this body was meant to consist of a president elected by the senate and members elected by the president, the member states would not be involved in its appointment. A council of national ministers (representatives of the member states) was also envisaged, to ensure harmonisation of the action of the European government with that of the national governments. However, as a result of the French National Assembly's failure to ratify the EDC Treaty in 1954, this project never got off the ground.

b) Spinelli's Project.

The draft treaty drawn up on the initiative and under the driving influence of Altiero Spinelli, and approved by the European Parliament in February 1984, constituted the second attempt to give the European Union a constitutional basis (even though Altiero Spinelli, with political realism, avoided calling his project "constitutional"). Yet, despite his cautious language, his 1984 draft treaty contained a number of key innovations that can indeed be defined "constitutional" in the classic sense of the term: 1) clearer separation of powers between, on the one hand, an executive/government (the European Commission) and, on the other, the two legislative chambers using majority voting (i.e., the European Parliament and the Council of the Union, with the latter, after a transitional 10-year period, to largely switch to qualified majority voting); 2) clear political accountability of the Commission to the European Parliament; 3) differentiation between "organic law" and ordinary policy-related legislation; 4) the establishment of an autonomous European fiscal capacity; 5) the introduction of fundamental rights, and of sanctions against member states that violate them (at this point there was still no European Charter of Fundamental Rights); and 6) application of the qualified majority principle (a majority of member states representing two thirds of the population) as a requirement for the entry into force of the treaty. Altiero Spinelli's attempt to furnish the Union with a constitutional text failed in favour of more limited treaty reform, namely the Single European Act, which contained none of the innovative elements of his draft treaty. Nonetheless, two thirds

of the innovative provisions of the Spinelli project were progressively introduced in subsequent treaties, although not the most important rules concerning the majority principle for the entry into force of the treaties, an autonomous European fiscal capacity, and the hierarchy of legislation.

Generally speaking, it can be said that these two “constitutional” projects, to a large extent, preserve the roles still fulfilled by the main institutions of today’s EU, including the European Council, if not their specific competences, as well as the roles of the member states in the institutional architecture of the European Union.

Key Conditions Necessary for the Creation of a Federal Union.

Were the European Union to launch a constituent phase (see above) with a view to forming a new European federal union, it would first have to define the conditions and competences that would need to be enshrined in the new founding treaty.

1. The first necessary condition would be the drafting and approval of a constitutional text that, by means of a constituent process allowing its validation by European citizens and/or their representatives through popular or parliamentary ratification, would give the new entity political and legal legitimacy. Although the following two terms are interchangeable, since they share the same meaning and content, “Basic Law” (already used by the Federal Republic of Germany to avoid confusion with the Weimar Constitution) should be used in preference to “Constitution”. This would serve to avoid controversy, in the context of a possible popular referendum, over the question of whether or not the new European “Constitution” would be superior to the existing national constitutions. The answer to this question, of course, is that the new Basic Law would have priority over the national constitutions only in those fields of activity in which it has attributed competences (and therefore sovereignty) to the European Union, but would not affect the provisions of the national constitutions in any other sphere.

2. The second necessary condition would be the establishment of a true European government accountable to a new European parliament and endowed with executive functions in the areas of EU competence (i.e., with limited but real powers). Some believe that the new European government should be an offshoot of the current European Commission, albeit with a different composition from that of the latter, which is one commissioner per member state, and with different competences. For its part, the European Commission, in a report on the European Union, has

already indicated its willingness to be replaced should a true European government be formed. The essential point is that the members of the future European government, be they chosen by the single president of the “new EU” (possibly elected directly by the European citizens) or by the national governments, should be directly accountable to the new parliament (composed of a people’s chamber and a chamber of states) and subject to a vote of confidence by the same. If the members of the new European government were appointed directly by the single president of the new union, he/she would not necessarily have to ensure that all nationalities were “represented”, and could therefore potentially choose more than one citizen from one member state and no citizens from another. The new treaty would have to specify whether the new European government is to have a right of legislative initiative or whether this is instead to be entrusted to the new two-chamber parliament. The two constitutional projects drafted to date, which we have examined above, essentially provide that legislative initiative should be accorded to both the executive body (government) and the parliamentary body.

3. The third condition is that the European government be rendered accountable to the new two-chamber parliament (composed of a people’s chamber and a chamber of states). The question that arises here is whether or not to maintain a structure like the current Council of Ministers (and, even more so, the current European Council) as a legislative body, and one along the lines of the European Council, which is the main organ responsible for imparting direction to the Union and for establishing its political priorities. The two constitutional projects we have already mentioned both provided for the maintenance of an intergovernmental political structure (complementing a bicameral parliament in the case of the EPC project). One possibility, as suggested by Spinelli — although his solution would obviously need to be tweaked as appropriate —, would be to keep an “intergovernmental” structure in place for a transitional period before switching to a single, bicameral parliament. Crucially, once the decision has been taken to replace the current Council of Ministers, and also the European Council, both of which are composed of a representative from each member state and often decide unanimously or by consensus, it would have to be expressly stipulated that the new chamber of states is to have equal numbers of members from each state, while the lower house will be composed in proportion to the population, and that both houses are to use majority voting systems. This formula — the Great Compromise reached in

Philadelphia — was deemed acceptable for the American Constitution, and would be equally suitable for a new federal union of European states, regardless of the fact that many of them (unlike the American states) have a centuries-long history. The crucial thing is that the members of the new lower house must be elected by European citizens voting for candidates belonging to transnational lists — this requirement should initially apply to a proportion of the seats, to be progressively increased —, and thus for genuinely European parties with genuinely European programmes, rather than, as we see today, parties with generically European programmes that amount, in reality, to extensions of their national programmes. It would therefore be necessary to avoid a system allowing members of the new lower chamber vote on a substantially national basis, as today's MEPs quite frequently do (as in the case, for example, of French MEPs voting *en bloc* for agricultural policy resolutions that coincide with a French national interest).

4. The fourth condition would be to make provision, in the Basic Law, for a new, and more permanent, system for dividing competences between the federal union and its member states that, above all, abolishes the member states' exclusive power to attribute competences to the federal union (in other words, strips them of their current power to be “masters” of the Treaties). This change would be legitimised through formal approval — popular or by the national parliaments — of the new Basic Law. At the same time, this new system of division of competences should give the federal union “strategic autonomy” that would allow it to exercise its own competences in the fields of both foreign and domestic policy. In foreign policy, the federal union would need an autonomous defence capability to lend credibility to its decisions (dispatch of peacekeeping missions, intervention forces, etc.), although it would not be able to assume responsibility for the whole of its military capability for some considerable time, meaning that the member states would still play an essential military role. In internal politics, the federal union would exercise strategic autonomy in a number of fields: currency (through the international role of the euro), economy/finance (through Europe's autonomous fiscal capacity), internal security (in the fight against terrorism and organised crime), the global market (through Europe's ability to compete, starting with the digital agenda and artificial intelligence), and relations with neighbouring countries (through development of the “proximity policy” started by Prodi) and with Africa. These relations fall within the field of Europe's external action and could be strengthened, in accordance

with the federal approach, through the assumption, by the European government, of a role of initiative and representation, and through majority decisions taken by the two legislative chambers.

5. The fifth condition (alluded to in the fourth) would be to equip the new union with a federal budget financed with true own resources and, in particular, an autonomous fiscal capacity enabling it to impose direct European taxes on union businesses and citizens. Indeed, Art. 311 TFEU, which currently states that “the Union shall provide itself with the means necessary to attain its objectives”, is interpreted in different ways: some argue that it authorises the imposition of European taxes, while others (see the 2016 Monti report) believe that the EU cannot directly impose European taxes. Given the timetable agreed between the Council of Ministers and the European Parliament, we will soon see whether the EU proves able to independently procure new own resources through the imposition of European taxes such as the proposed web tax, carbon tax or corporate tax. The key point is that a new federal union would have to be given autonomous capacity to directly levy European taxes on businesses and citizens (like those levied in the past by the ECSC’s High Authority on coal and steel producers), without there being any need for prior harmonisation of national taxes, and therefore for involvement of the national budgets.

6. Finally, and this is the sixth condition necessary for the creation of a true federal union, there would have to be a revision of the provisions of the current Treaties on the defence of the EU’s fundamental values and on the rule of law. The Lisbon Treaty has been interpreted differently by those who consider defence of national identity the overriding priority, as opposed to those who, instead, attach paramount importance to respect for the rule of law and the principle of loyal cooperation between European institutions and member states. The Court of Justice has already confirmed the need to respect the autonomy of an independent judiciary as well as a free press, which must not be subject to censorship by any political power. It is therefore necessary to review the current provisions that make it impossible, on account of a procedure that requires unanimity, to effectively sanction violations of the rule of law. In other organisations such as the UN and the Council of Europe, it is possible to suspend a member state that violates the rule of law. A provision to this effect should be included in the Basic Law of a future European federal union.

OUR FEDERAL, SOVEREIGN AND DEMOCRATIC EUROPE*

The European Federalist Movement (*Movimento Federalista Europeo*, MFE) is this year preparing to hold its 30th national congress, which coincides with the 80th anniversary of the Ventotene Manifesto. Founded in 1943, the Movement, too, is now nearly 80 years old. Considering that it is a small vanguard movement with a revolutionary attitude to the established political system, it has managed to be, over its lifetime, an extraordinarily permanent presence, consistently playing a role of political initiative within the European process, as confirmed by the feedback and the level of attention it constantly enjoys in its relations with politicians at all levels.

The Bologna congress, two years ago, saw us preparing our campaign ahead of the launch of the Conference on the Future of Europe. This time round, in Vicenza, as we conduct this much-awaited and assiduously prepared campaign in a setting no one would ever have anticipated (i.e., in the midst of ongoing pandemic-related protests and fallout), we need to take stock of our priorities in the face of very grave and still persisting challenges, and also pause to reflect on our particular responsibilities and struggle, evaluating them in the light of our objectives and the frames of reference before us.

The present analysis and remarks on the crucial European and world geopolitical issues currently at the centre of political debate are not to be considered exhaustive. The theses set out herein aim simply to get clearly in focus, in today's complex scenario, the political battle we are called upon to wage at this time, given that we find ourselves faced with an extraordinary, yet transitory, window of opportunity: one that could well prove decisive and must therefore be fully exploited.

A Look at the International Scenario

Looking at the global situation, it is currently difficult, if not impossible, to detect any clear trend. The past two years have undoubtedly caused profound fractures in the international system and left it deeply

*These theses were circulated by the President and National Secretary of the European Federalist Movement (MFE) prior to the 30th MFE National Congress, Vicenza, 22-24 October, 2021.

rocked; and yet, so far, no plan has even been sketched out for solving the huge challenges we discussed in Bologna¹, namely the need to revive democratic politics, build a new world order, and govern globalisation. What is more, we must now reckon with even more pressing threats that concern the whole of humankind: the climate emergency, primarily, and now also the pandemic; added to this, there is a desperate need for proper governance of economic interdependence. All these are existential challenges that no country can overcome alone, and what is more they are additional to the challenges of digital transformation and (the “mother of all challenges”) the radical structural change that society is undergoing globally. Also in the mix are the conflicts of interest and influence between the major powers, primarily the United States and China, and their race to gain supremacy (technological, economic, geopolitical and military), not to mention the interests and objectives harboured by the regional powers. The present historical phase is witnessing deepening divisions and heightened competition, both of which are being exacerbated by the upheaval caused by the pandemic. And the pandemic, instead of encouraging new and solid ways of uniting efforts, is being treated, rather, as a very delicate strategic phase in which the foundations of power and supremacy are being laid for the coming decades.

In this whole scenario, we no longer have (or even any sight of) a hegemonic state or coalition with the strength necessary to lead the world by imposing common cultural and political rules, organised and implemented through all-important multilateral institutions. Consequently, theatres of crisis are multiplying, and tending to expand as they become the terrains of proxy wars that test the aims and interests of the various powers; nationalism, too, is on the rise, even though it offers no solutions compatible with the situation of global interdependence, and therefore cannot usher in any form of progress, in any field.

Added to all this, we have the coexistence of competing democratic and autocratic models, with the latter continuing to gain ground. That said, the fact that they are in competition with each other, but at the same time economically interdependent, makes it inconceivable that the world will see, as in the Cold War era, the formation of two opposing blocs, each economically and ideologically homogeneous internally. Indeed, whereas the struggle for global supremacy between the West and the USSR was a fight between two incompatible economic systems

¹ Cf. L. Trumellini, *Il senso della battaglia per la rivoluzione federale in Europa*, Theses circulated ahead of the 29th MFE National Congress, Bologna, 18-20 October, 2019, *Il Federalista*, 61 n. 3 (2019), p. 188, <https://www.thefederalist.eu/site/index.php/it/i-documenti/2427-il-senso-della-battaglia-per-la-rivoluzione-federale-in-europa>.

(as well as between two radically different sets of values, corresponding to two types of political regime), the situation today is entirely different. The real problem now is the absence of a democratic political vision capable of offering guidance on how to govern, in a positive way, the processes under way. In the past, liberal internationalism, despite all its ideological limits and its self-mystifications, made it possible to identify some key points around which to build a system of international relations. Now, however, that ideology is clearly struggling, and yet no positive system of thought is emerging that might take its place.

In short, never before has it been more necessary to nurture a new vision, while also moving forward with great pragmatism. And in this setting, it is, as ever, up to us to reiterate that *now* is the time to establish a new system of values and a new political culture in the world, through the creation of a federal Europe.

The European Union and the United States.

At present, the United States is the main victim of the crisis of its own driving ideology: liberal internationalism. Although, three decades ago, it won the cultural and political battle against the ideology based on collectivisation and on the abolition of private property, free enterprise and the market, the past two decades have seen America's vision of history, based on a belief in the existence of a route to freedom ("*History has an ebb and flow of justice, but history also has a visible direction, set by liberty and the Author of Liberty.*" — George W. Bush, Second Inaugural Address), severely undermined by a series of crushing and self-damaging defeats and failures. As shown by Biden's response to the Afghan situation, it is even losing faith in the idea that it can "export" democracy and human rights, and indeed the desire to do so. That said, Biden finds himself having to pick up the pieces after the Trump era, which was characterised in particular by the former president's personal interpretation of the theory of political realism (namely, that the struggle for power has always been a feature of history, and today is no different) that, notwithstanding the huge expenditure borne by the US in implementing its foreign policy of the late 1990s and 2000s, he exploited as an excuse for his crude foreign policy and "America first" agenda.

Internally, the country is deeply divided, torn apart, and therefore, as explained by Francis Fukuyama in *The Economist*, incapable of promoting a coherent foreign policy design.

The most striking illustration of this failure on two fronts, domestic and foreign, is the tragedy in Afghanistan, which is unfolding as I

write. In this regard, readers are referred to the MFE press release of 23 August² and to the declaration on this tragedy issued by the president of the Union of European Federalists (UEF)³. Quite apart from the very serious mistakes made during the twenty years of occupation (the absence of a proper plan, of any political capacity, and even of the political will to manage the situation without letting the vices of a corrupt society undermine much of what was done), the key point is that the United States started the war not only to defeat Bin Laden and destroy the physical infrastructure of terrorism, as Biden now clumsily maintains, but also as a way of launching a great plan to “win” the area for democracy (and bring it under American influence), a plan to which even Obama acquiesced. To appreciate all this, it is enough to consider the following lines from the 2006 US National Security Strategy document: “The goal of our statecraft is to help create a world of democratic, well-governed states that can meet the needs of their citizens and conduct themselves responsibly in the international system. This is the best way to provide enduring security for the American people.” The United States has failed spectacularly in this intent, bringing shame upon itself and, with it, the whole of the West. While Trump, driven by his cynical disdain for values of any kind, negotiated a “peaceful” withdrawal in exchange for the return of the Taliban, which is to say surrender to the enemy, Biden, for his part, has shown the US to be a country that pulls out of wars meant to bring stability, and exposed himself as too weak even to acknowledge the mistakes that have been made. He even claimed, implausibly: “Our mission in Afghanistan was never supposed to have been nation building. It was never supposed to be creating a unified, centralised democracy. Our only vital national interest in Afghanistan remains today what it has always been: preventing a terrorist attack on American homeland.”

How can *this* United States possibly continue to lead the world, or even just the West? Indeed, even though some Democrats still cultivate the illusion that the country can go on being the bearer of a system of freedom, the truth is that America is no longer strong enough to base its foreign policy on this ideology, as it has, instead, often done in the past when attempting to shoulder responsibility for “governing the world” (attempts

² Movimento federalista europeo, *La tragedia dell’Afghanistan*, <https://www.mfe.it/port/index.php/prima-pagina/interventi/4838-la-tragedia-dell-afghanistan> (published in English in this issue of *The Federalist*, 63 (2021), , p. 4, <https://www.thefederalist.eu/site/index.php/en/editorials/2509-the-tragedy-of-afghanistan>).

³ Union of European Federalists, *The Tragedy of Afghanistan*, 26 August 2021, <https://www.federalists.eu/news-uef/view/the-tragedy-of-afghanistan>.

that, let us not forget, also had flaws and/or weaknesses). In the past, when liberal internationalism was a widely supported approach, it was decisive in guiding the choices of American politics, even though it was often espoused almost automatically and without too much reflection; then, the mission was to build a global order by planting, everywhere, the seeds of liberal democracy and the free market. Today, however, no longer able to use this ideology with confidence, the US is left weak, unsure and lacking a theoretical guide. Thus, while (at times) aware of the need to relaunch multilateralism, it lacks the framework of reference it needs in order to do so. All this was excellently shown by Gideon Rose in his final piece as editor of *Foreign Affairs*; the main problem is that the US lacks the resources to find a new way to rebuild its position and role in the world. And in the face of this inadequacy, the price to be paid by that part of the world that still looks to, and depends on, the United States risks becoming very high indeed. Because, while it is true that the Americans have lost their hegemony, they are nevertheless still the strongest players on the global stage; albeit now challenged by a new power, they are still capable of influencing the international system. Moreover, in the face of all this, and above all, of today's various global challenges, they find themselves hampered by dramatic internal weaknesses. As neatly put by Gideon Rose, democracy did not "prevail" at the last US elections, it got lucky. And now America's erratic and temporary assumptions of leadership have the potential to cause dangerous backlashes.

For the Europeans, the lesson to be learned in this context, on the relationship they should develop with this ally and partner, ought to be patently clear. Even from this brief, schematic analysis, it is clear that the EU could carry decisive weight in the development of a more coherent US foreign policy, even just by becoming a far more solid and authoritative partner than it is right now; but the Europeans, for their part, are still midway through the delicate process of building their own identity and role (both still somewhat ambiguous), and are therefore, in many ways, unreliable. So, all the US can do in this situation is attempt to shore up its weaknesses with political realism, i.e., the rule of power, but this criterion, on its own, is certainly not a sufficient basis for building a solid system of international relations and for understanding how to orient and align foreign policy in today's highly complex world — an interdependent world whose reorganisation demands so much more than regulation of competing national interests.

The United States' difficulties are reflected in Biden's largely hesitant (although at times resolute) stances on foreign policy issues beyond

the Afghan situation (and the consequences it will have over time). In today's setting, calls to build an alliance of democracies against autocracies, and plans to revive the old concept of the West, are neither right nor useful; similarly, it serves no purpose to issue bombastic statements aimed at "isolating" China. The US needs to behave realistically, without ever forgetting the need to use the compass of liberal-democratic values to get its bearings. There are plenty within the country who are speaking out along these lines. As far as China is concerned, for example, many (including Zack Cooper and Adam Liff, writing recently in *Foreign Affairs*) feel that it would be important, first of all, to focus on building the network of relations and alliances that previously failed to get off the ground in part due to America's withdrawal from the TTP, as this would create the conditions to structure the weight of the United States' presence in this now strategic continent. What is called for is "a positive agenda and strategy for the region", conceived not merely "as a response to China", but designed to boost trade and strengthen economic integration, also "increasing American diplomatic and military resources in the region", in such a way as to contribute actively to securing America's own interests in terms of peace, security and prosperity there. Similarly, on a global level, the US should strive to reach agreements that develop international trade and investment, while also strengthening its network of alliances, starting with the European Union.

Europe, if it is to succeed in launching a new global strategic agenda, must also push for this, while understanding very clearly that the United States is no longer strong enough to be the world's leading power, and that even if it does manage to recover and re-establish itself (in part thanks to the support of a more responsible Europe, more present on the international stage), it will still be only one of a number of powers. In short, we cannot look to the United States to provide the capacity to design a new international order for today's interdependent world — a world whose reorganisation will take far more than just faith in individual freedom and in the formal democratic mechanisms underpinning the liberal internationalism that America has always espoused.

The European Union's Global Responsibilities

The European Union is, quite simply, a *unicum*, not just in the current political landscape, but in history as a whole. Its institutional system is a hybrid construct that has been, and continues to be, the focus of extensive analyses attempting to define its legal nature. To date, it is the

only system capable of allowing federal competences and institutions (the single currency and the European Central Bank) to exist in a setting where political sovereignty remains firmly in the hands of the member states; in the areas falling within its competence, the EU's operating machinery is of probably unprecedented complexity. However, the EU can proudly boast a series of extraordinary successes, first and foremost its single market and currency, and it is no exaggeration to say that, despite the depth of its current crisis and the clear need for a qualitative leap in its decision-making system and its capacity for political action, the EU repeatedly shows itself to be an essential framework of reference for its member states, which owe their progress entirely to their participation in the Community project. In the current legislature, the acceleration of the large programmes for ecological and digital transformation, which have drawn further impetus from the remarkable decision to implement the Next Generation EU recovery package — albeit prompted by exceptional circumstances, this must be acknowledged as a courageous move —, indicates a willingness to spur member states into committing to ambitious goals (even though these are complex and could well have negative social repercussions, and will therefore require close political monitoring). In view of all that the EU has achieved, it is hardly surprising that many allow themselves to fall into the trap of believing, more or less in good faith (i.e., out of inertia or a desire for the power of political control to remain at national level, or because they lack a real understanding of the nature of the political processes and, above all, of the categories of federalism, which are the only ones really able to explain Europe's institutional system), that the Union is capable of evolving, without ruptures and without paradigm changes, in the direction of a closer political union. As we have said — it is definitely worth repeating this point —, it should come as no surprise that people struggle to grasp the nature of the federal leap that the EU still needs to take, given all that the process of European integration has thus far delivered:

- 71 years of peace, an achievement that must be attributed to the presence of common institutions, and cannot merely be put down solely to favourable external or internal circumstances, which by definition are not directly controllable, and could never have been relied upon to produce this result;
- almost 65 years of functionalist integration, which has made the European Union the number one commercial power and led four of its member states (including the United Kingdom in this case) to be counted among the world's seven most industrialised countries;

- the single currency, created to set the seal on the construction of a single market that, now embracing over 500 million citizens, has allowed the European member states, albeit with difficulty, to withstand the phenomenon of globalisation (which would have crushed any European country left to its own devices);
- the world’s first and only direct elections of the members of a joint supranational parliament;
- continued attention to and support for values, rights, the principle of social justice, and the goal of environmental sustainability;
- regulations to protect the rights of the citizen-consumer; and the list goes on.

This brief analysis sets out the reasons for the resilience of the EU, and for the leading states’ determination to save it in the darkest moments of the various crises that have threatened its survival. It also shows why Brexit, despite coinciding with the peak of the wave of anti-European nationalism, failed to have the “snowball” effect that populist and nationalist forces were counting on. Basically, all the European states realise that without the single market and without the euro they do not have the resources necessary to withstand today’s increasingly fierce international competition. On this basis, Europe’s institutions and political forces have quite rightly chosen to include strengthening and further development of the single market (starting with fiscal harmonisation to prevent fiscal dumping between European partners) among their “ordinary” policy objectives. Moreover, in the broader global setting, the leaders of the world’s largest economies have now pledged to introduce a global minimum tax of 15 per cent on corporations, an agreement that currently appears to be the main victory secured by Biden, together with like-minded European partners, at the recent G20 summit.

Nonetheless, there can be no denying that *this* EU, too, has its shortcomings. In particular, the most politically sensitive competences still lie outside the EU’s remit, while its means of intervening vis-à-vis the member states on matters pertaining to Community competences allow it to do little more than lend support to what essentially amount to national policies. Together, these shortcomings are responsible for its glaring impotence on the international political stage and leave the EU paralysed even in the face of crucial internal challenges that go right to the heart of the member states’ sovereignty. Once again, the Afghan tragedy provides a concrete example and effective illustration of the situation, as well as showing us the direction that needs to be taken in order to overcome the impasse. In the case of the withdrawal from

Afghanistan, the Europeans, as has often been in the case over the past twenty years, submitted to an American decision despite knowing it to be wrong, both in its timing and its manner. Indeed, even though the operation in Afghanistan was conducted in the framework of NATO, both Trump and Biden acted unilaterally. What is more, as the situation on the ground degenerated, the Europeans found they had fallen into the trap of being totally dependent, in this setting, on the choices and decisions of the Americans, depending on the US presence in order to secure the evacuation of their own citizens and Afghan collaborators, rather than abandon them to a dramatic fate destined to weigh heavily on all our consciences. All this explains the calls from many European politicians to move faster towards the creation of an EU army; justifiable calls, certainly, but still ambiguous unless accompanied by clarity on the framework within which this army should come into being. There are indeed many open questions. In the current framework, for example, to whom would it be answerable? How would its “missions” be decided? Under the current Treaties, the European Council unanimously defines the general guidelines of the Common Foreign and Security Policy. But what do the proponents of a European army have in mind? European defence organised along the lines of the *à la carte* model of integration, in other words, in a firmly intergovernmental mould, with provision made for numerous structured cooperation arrangements to accommodate different contexts and geostrategic interests? Even if it were agreed to abolish the practice of deciding by consensus in the European Council (which, as indicated above, is the only institution with the power to address this issue),⁴ what project, other than this patchwork “solution”, would be possible? It is clear that the EU’s power-

⁴ An in-depth analysis of voting system reform within the Council and the European Council can be found in: Giulia Rossolillo, *Abolishing the Power of Veto. Voting System Reform in the Council and European Council*, The Federalist, current issue, p. 63 (<https://www.thefederalist.eu/site/index.php/en/documents/2507-abolishing-the-power-of-veto>). On the related topic of differentiation, on the other hand, cf. a recent article by Sergio Fabbrini (*Differentiation or federalisation: Which democracy for the future of Europe?* Eur Law J., 27 (2021), pp. 1-13, <https://doi.org/10.1111/eulj.12384>), which clearly explains how, under the current Treaties, “sovereignty-induced differentiation”, meaning the recourse to flexibility instruments (even opt outs) in situations where one or more states do not intend to participate in greater integration in an area likely to impact state sovereignty, is a practice directly linked to the method of intergovernmental governance, which has now effectively become a complementary rule of the same (in fact, since Maastricht it has become a usual way of proceeding for the EU). The construction of a federal system, on the other hand, implies a completely different approach, as it must be a system built (not necessarily unanimously, i.e., by just a group of states albeit probably representing a majority of EU citizens) around support for an institutional system that establishes a new (joint) sovereignty at the central federal level of government.

lessness in the field of foreign and security policy is rooted in the fact that sovereignty in these areas remains the *exclusive* prerogative of the member states; this is a reality clearly reflected in the Treaties and one that, to be overcome, demands not minor Treaty revisions, but rather a whole new project, based on an entirely different concept of what being together in the EU means. It is only in the context of general support for this new project (i.e., transition to a federal political union) that it will be possible to identify the path to a common foreign policy and a common European defence. We will return to this point in more detail in the last part of these reflections, in which we focus on our battle for a federal Europe in the framework of the Conference on the Future of Europe. Here, I merely wish to highlight, with the help of the debate of recent days prompted by the Afghan tragedy, what *this* European Union lacks, and to underline that we cannot delude ourselves that the functionalist approach that led to the creation of the EU can also lead us to a new federal system, given that this depends, crucially, on the *sharing, in key sectors, of political sovereignty (to be exercised on the basis of the principle of subsidiarity) between the EU and the member states.*

The Afghan situation is also highlighting a further dramatic deficiency of *this* European Union, which, too, is attributable to the fact that political sovereignty remains in the hands of the states. There has been a rekindling of the debate on migration policy, which is a Community competence, albeit only theoretically, given that the powers and tools (and most of the resources) necessary to implement it actually belong to the states. Migration policy — we have discussed this topic often and at length — is one of the worst failures of the EU, which, in this regard, continues to be completely unable to reach decisions. This is due to tensions between the member states, which, being affected to different degrees and in different ways by the problem (and also because immigration is a politically sensitive issue liable to impact public opinion), tend to adopt closed and stubbornly selfish positions. The reaction we are likely to see risks being similar to that produced by the 2015 Syrian refugee crisis, with the difference that, this time, there is no Germany willing to step forward and take in over a million refugees in order to ensure that the armies of some countries, having erected barbed wire fences along their borders, do not end up firing on encampments of helpless people in search of safety and salvation. On the other hand, one aspect that has not changed since then is the blackmail to which the EU finds itself subjected as a result of having outsourced the control of migratory flows almost exclusively to third countries. This time, however, the responsibility borne by us Westerners,

Europeans included, is direct — so direct that, now, we simply cannot allow ourselves to bear the shame and guilt of looking away, of simply trying to push back the wave of refugees that will arrive. In this situation, too, therefore, what we need, far more than tweaks to the voting rules in the Treaties, are common projects that define how we want to act as Europeans; but it must be appreciated that these, too, are possible only in the context of a common political project that must reflect the desire to build a federal political union. Seen from this perspective, the creation of an initial vanguard group of countries choosing to jointly manage, using the appropriate EU funds, a migration policy worthy of the name (with provision made for on-site assistance, humanitarian corridors, common acceptance criteria) takes on strategic value.

For us federalists, the other crucial aspect to consider, with regard to the limits of today's European Union, is the fact that the institutional system currently embodied by the EU can never be a model for the governance of globalisation, or one capable of starting the process of world unification. Ever since the Bari congress, where we launched the slogan *Unite Europe to unite the world*, we have been deeply committed to promoting the value, both cultural and political, of the European federal project understood as history's first attempt to affirm the political principle of uniting peoples, this being the only true guarantee of peace. In a world facing common environmental threats and the dangers of growing interdependence — if left ungoverned and unchecked, this latter phenomenon, in combination with developing technology, will have increasingly deadly and devastating consequences —, this principle is, today, more valid than ever. The truth of this is borne out by Europe's dramatic experiences during the two World Wars and the three decades that separated them. Federalism is the only ideology that truly understands the profound nature of the supranational phase of history that humanity entered in the wake of the Industrial Revolution; in showing how the orbit of democracy can be expanded to supranational levels, it is the only political thought able to offer a concrete formula for governing the new political processes involved. This expansion entails the construction of a new supranational state model, of which a future European federation would be the first historical affirmation. Just as the principles of freedom, equality and social justice, together with the necessary institutional innovations, were historically established by the liberal, democratic and socialist revolutions respectively, so the principle of true peace and supranational solidarity can be established by the federal revolution, through the creation, in Europe, of the very first example of a supranational (federal) democratic union.

Unless Europe can make this leap, it will not be able to fulfil its role as a test bed for the unification of humankind. Whereas today's EU is certainly a great model of integration for the creation of a quite remarkable market, it is not yet a model of integration for political unification. Now, it finds itself caught midstream, in the sense that the original plan was to rapidly arrive at a federation, not gradually build a supranational market. And even though the entire process has always been based on its own initial driving values and significance, meaning that it has always been underpinned by the desire to turn the page on nationalism, there can be no denying that many ideals have been lost along the way, and with them the original federal political objective. It will therefore be a struggle to recover these, even though we will surely be helped in this endeavour by the extraordinary cohesive power of the single market.

The pandemic, America's crisis, the growth of global competition, and the lessons of the economic and financial crisis have together created a new opportunity for Europe to complete its journey and reach its federal goal. It is in this context that we should see the Conference on the Future of Europe. With difficulty, but also with surprising vigour, the federalist culture that has long remained underground, but always alive thanks to the constant and courageous work of organised federalism, is now re-emerging. We do not have the option of choosing the circumstances in which the possibility of winning a long political battle will finally materialise; but when those circumstances and that possibility do arise, it is crucial to know how to exploit them to the full. And this is precisely what we are called upon to do now, in the awareness that it is our responsibility not to waste the efforts of those who came before us, starting this great battle that has now lasted almost eighty years; we are also aware that the future of humankind depends on the hand we have to play, and that we are — just as the *Manifesto* was eighty years ago — once again the political-cultural frame of reference needed to allow the birth of the federation that will change the history of Europeans and of all people.

Our Battle for a European Federation: Our Role and Our Responsibilities

Throughout the unfolding of the European process, the great cultural and political tradition of European federalism, which advanced significantly with the publication of the *Ventotene Manifesto* (the document that gave rise to a concrete political commitment to the creation of a European federation), has always provided us with the conceptual tools

needed to interpret the nature of the institutional system borne of the pressure exerted by functionalist integration. All the campaigns waged by our Movement, starting with the one for the European People's Congress, followed by those for the election of the European Parliament by direct universal suffrage and the creation of the single currency, have been rooted in a clear awareness of the confederal nature of the choices that led to the Treaties of Rome and were incorporated into them. Accordingly, thanks to the brilliance of Spinelli and Albertini and the work done by the Movement, federalists have always been the underground driving force of the evolution of the process; time and time again, they have proved able to identify and highlight aspects illustrating the inherent paradox of Europe's supranational integration, whose advance has left the states' sovereignty formally and legally intact while at the same time emptying it of substance, thereby exposing the clear need to transfer portions of political power and sovereignty to European level. Albertini, recognising this ability as the very essence of the Movement's reason for existing, called it our power of initiative; because only a revolutionary vanguard dedicated exclusively to the cause could (and can) prepare the ground for political steps that normal politics tends to ignore until it is driven into a dead end and forced to choose between radical advancement of the process (a genuine qualitative leap) or its own spiralling descent into a fatal crisis. Since such junctures arise only very rarely in the process of European integration (i.e., only in the most profound crisis situations that deeply undermine the foundations of the existing system), it is crucial to be prepared, by ensuring that the new, federal solution, or at least a proposal able to unleash dynamics that will move in a federal direction, has already been properly formulated and is waiting in the wings. In other words, it needs to be a concrete and well-developed idea, already widely circulated in the world of politics and among the ruling class, and capable of completely changing things; unless this proposal has been prepared in advance (by federalists), it cannot be injected into the process, and without it, politics can only plunge into the abyss. From this perspective, it is clear to see that the federalist battle waged thus far has not only helped Europe to advance; it has helped it to survive.

Today, the task we face is the same. At this crucial moment in the history of the world, and therefore of Europe, objective conditions have emerged that present the states with an impasse, and with these conditions there has also emerged the possibility of change. The time is ripe for the federalist solution, and this time we know it can be de-

cisive, as it is finally in a position to reach the goal that our previous achievements foreshadowed and laid the foundations for. In recent years we have identified, developed and sought to promote the crucial reform that the European Union needs in order to make the political leap, in terms of power and sovereignty, that is a prerequisite for the success of all other reforms relevant to competences, decision-making mechanisms, and the development of a transnational political system. We are referring to the attribution of fiscal power to the European Parliament, because this is the one reform that will finally change, in a qualitative sense, the legal nature of the European system. Fiscal power, allowing self-determination and political autonomy of the European institutions vis-à-vis the member states, is the condition for the birth of a true European government and the start of the construction of a federation that can also acquire competence in the field of foreign and security policy, and progressively establish itself on the basis of the principle of subsidiarity.

This same battle, albeit with obvious differences deriving from the different stage of development of the EU, was already a key driver of the political work that led Spinelli, also with the support of the federalists, to formulate, between 1981 and 1984, his proposal for institutional reform of the European Community, set out in the draft Treaty adopted by the European Parliament on February 14, 1984.⁵ Indeed, in December 1981, to support the European Parliament's initiative — on 9 July that year, the Parliament had resolved to set up a committee to draw up a draft Treaty on institutional reform of what was then the European Community, with a view to creating the EU —, the UEF, too, had formed a committee, chaired by Francesco Rossolillo, tasked with drafting ideas for institutional reform of the Community, by adapting, to the new circumstances, the resolutions of the *Comité d'Etudes pour la Constitution européenne* (CECE) that, in 1952 under Spaak, had prepared the work of the *ad hoc* Assembly and done the groundwork for the political community proposal that had been meant to complete the European Defence Community project.⁶ At the 1982

⁵ European Parliament, *Draft Treaty Establishing the European Union*, Luxembourg, The European Parliament, Directorate-General for Information and Public Relations, 1984, <https://op.europa.eu/it/publication-detail/-/publication/52f9545f-202d-40c6-96a6-5a896a46ad70>.

⁶ M. Albertini and F. Rossolillo, *Proposte per la soluzione della crisi istituzionale della Comunità europea – Aggiornamento delle risoluzioni del Comité d'Etudes de la Constitution européenne del 1952*, Il Federalista, 24 n. 2-3 (1982), p. 80, <https://www.thefederalist.eu/site/index.php/it/la-campagna-per-il-governo-europeo/656-proposta-per-la-soluzione-della-crisi-istituzionale-della-comunita>.

UEF congress in Milan, Francesco Rossolillo,⁷ illustrating the criteria that had guided the reworking of the CECE resolutions, explained that the new federalist strategy had been developed taking into account three key needs: to develop a federal model that would establish the direction of the reforms; to identify the “institutional minimum”; and to provide indications on the ratification procedure that would need to be followed.

The *model*, which as mentioned was based on the CECE resolutions, was not conceived in abstract terms (i.e., as the best system of government in theory), but rather as a coherent and workable federal institutional system that was also designed to accommodate the *acquis communautaire*. In other words, it was designed taking into account the reality of the European Community then taking shape, and was therefore based on a clear awareness of the political conditions of the time. Specifically, the heterogeneity of the member states’ visions of the Community, their profound differences, and so on, made it necessary to proceed by stages, taking preliminary steps that would serve as preparation for full implementation of the planned federal system; in particular, a transitional phase of intergovernmental cooperation in the field of foreign and security policy was envisaged.

Identification of the *institutional minimum* corresponded to identification of the reforms capable of changing the nature of the balance of power between the member states and the European organisation, rendering the latter autonomous and therefore able to govern directly within the sphere of its competences.

Finally, the identification of an adequate *ratification procedure* was a crucial point, given that the reform process, to be successful, had to avoid the unanimity trap. Whenever the aim is to create a new power system, this is, in fact, an aspect that typically has to be addressed: since the rules in place are designed to perpetuate the existing system, the only option is to force the system. Added to this, the fact that not all the European member states are open to federal reform means that the system’s current unanimity rule can be used to mask the desire of some governments to prevent the others from pressing ahead with it. For this reason, the UEF’s document stated that the new Treaty should make provision for majority decisions — subsequently, Spinelli’s draft Treaty also tried to ensure this — and be submitted directly to the national

⁷ F. Rossolillo, *La strategia per la riforma istituzionale della Comunità*, Il Federalista, 24 n. 4 (1982), <https://www.thefederalist.eu/site/index.php/it/la-campagna-per-il-governo-europeo/662-la-strategia-della-lotta-per-la-riforma-istituzionale-della-comunita>.

parliaments for ratification, thereby bypassing the intergovernmental conference stage envisaged by the existing Treaties.

Today, we find ourselves needing to apply similar criteria. Maastricht gave us a European Union that embodied many of the ideas set out in the draft Treaty, and even launched the single currency. At the same time, however, by ruling out the birth of an initial core of European political power in the economic field, as a preliminary step towards full federalisation of the other competences, it diluted the draft Treaty's political content. In particular, many scholars now agree that the Maastricht Treaty actually laid the foundations for the creation of the intergovernmental method, by stipulating that any "Europeanisation" of issues in areas lying at the heart of national sovereignty — which, in the wake of the collapse of the Soviet bloc and the birth of the single currency, really needed to be managed at European level — should occur only through the instrument of intergovernmental coordination. All subsequent advances in the process of European integration up to and including the Lisbon Treaty, particularly the greater powers of intervention (codecision) conferred on the European Parliament, have been vitiated by this key flaw whereby, with regard to crucial political competences, sovereignty remains exclusively in the hands of the member states. It is precisely this system that must be dismantled, so as to enable the construction of an initial European political sovereignty in those areas that now need to be governed at European level; and attribution of fiscal power to the European Parliament through its institutionalisation in the Treaties is the way to open up this path. Without this step, which represents the *institutional minimum* that it is now essential to keep firmly in sight in order to be able to change the power relations between the European level and the member states, European sovereignty cannot be built. Essentially, no European political government can exist unless it has the power to find the resources necessary to implement its own policies; this same power, by ending the situation whereby the European Council is the only body able to orient political choices, will also make it possible to promote the development of a truly European political system; at the same time, since a European government with the power to directly levy taxes on citizens and businesses would have to be subject to full democratic control, the EU would have to undergo an institutional evolution geared at strengthening political control and the direct relationship between Parliament and the Commission, which, too, would open up new spaces for a truly European transnational political system. In this regard, to avoid repeating points already

made and developed numerous times elsewhere, the reader is referred to various in-depth texts produced over the past two years, which can be found in our publications. Several documents are cited at the end of these reflections, together with a list of press releases and declarations. Additionally, anyone wishing to read the pre-congress theses prepared in 2019, which remain complementary to this year's, will find that they provide the basis for the present analysis (the relevant link is provided both in note 1 and in the short bibliography below). Since we were already highlighting this very clear and crucial point back in 2019, ahead of the Conference on the Future of Europe, we lost no time in seizing the unique opportunity for advancing the European process offered by the Next Generation EU programme: our specific proposals have raised our profile and won us consensus, and therefore increased our power of influence, both among politicians and within the various European federalist organisations.

With regard to our strategy, the other two key points to set out are the institutional model, understood in the concrete sense in which it was defined in 1982 by the UEF, and the ratification procedure. As far as the model is concerned, the EU's institutional configuration has become increasingly clearly defined since the Maastricht Treaty; the *acquis communautaire* carries far more weight than it did in the early 1980s, and now offers a fairly clear template of how the political relationship between the Parliament and the Commission should be structured. This trend is confirmed by the ongoing battle to reform, through the creation of transnational lists — this has now become a political battle of identity for the forces wanting a European supranational democratic political model —, the system for electing the European Parliament and the President of the Commission. To date, no particularly strong stances have been taken on the question of whether to opt for a parliamentary model, as envisaged by the UEF proposal and the Spinelli Treaty, or a presidential one (in this regard, it can be noted that the creation of a single president for the European Commission and European Council is sometimes seen as means of arriving at a presidential system). It seems somewhat premature, in the current phase, to consider this a crucial debate. In Europe, as we have said, the preliminary step that needs to be taken — and is something that the Conference on the Future of Europe is, in some ways, also pushing for —, is to give the European institutional order a new federal character through the attribution of powers, resources and instruments at European level and the necessary changes to the decision-making system. Today, the battle for a federal Europe

must focus on securing these reforms, which must culminate in abolition of the right of veto, in order to signal the creation of a democratic federal European government. Discussions on the form of government can wait until a later stage.

As regards the question of elimination of the unanimity rule, this issue affects the ratification procedure, just as it did forty years ago. The constraint of unanimous ratification currently envisaged by the Treaties, and governed by Article 48 TEU, constitutes an enormous obstacle to institutional reforms. The political problem behind it is, as has always been the case since the UK joined the European Community, the member states' different visions of the European project. Even after Brexit, this continues to be a crucial issue, as there still persist three very heterogeneous visions within the EU27:

- that of a handful of highly nationalistic states that, confident that *this* European Union has no means of effectively sanctioning them, engage in behaviour that challenges the principle of the rule of law and certain key principles of the integration process (and is, in theory, incompatible with their continued membership of the EU);
- that of the countries that support the idea of a single European market but argue that an integrated Europe created on this basis should have no political aspirations (or political powers);
- and finally, that of a small group of states that have long been alive to the need for a political leap in Europe, and espouse federalism to different degrees.

This latter group currently includes, as convinced and active members, Italy and France, respectively led by Draghi and Macron, as well as several mainly southern European countries; their continued alliance is crucial in order to draw in Germany, whose position (which remains decisive) is yet to be clarified in the aftermath of the German general elections. Although this is, at present, a minority group of states, it is clearly in synergy with the most advanced forces within the European Parliament, and, drawing on their support, must aim to act as a vanguard to pave the way for Treaty change. With this in mind, it remains fundamental, in the current (still often ambiguous) debate, to beware of confusing proposals for differentiated integrations of an intergovernmental nature (based on policies), which would be more in line with a Europe *à la carte*, with proposed integrations based on shared support for a federal political unification project and a conscious strategy. The former, even when accompanied by the demand for a majority vote, are formulas that perpetuate and strengthen the intergovernmental sys-

tem; the second concern transitory steps that would help to prepare the ground for the creation of a federal system. For this reason, the litmus test of a true federal vanguard is whether it supports the creation — the time is now absolutely ripe for this, as we have repeatedly said — of a political union in the economic field with the attribution of fiscal powers to the European Parliament, as the basis for the new federal system. In this respect, the pattern of change envisaged by the UEF's reform proposal and by Spinelli's draft Treaty remains valid today, that is, full union in the economic field and a transition phase in the field of foreign and security policy, in which, however, cooperation undertaken has the potential to evolve into effective action, given that it is underpinned by a common project and vision and the will to build a true political union. In this setting, the vanguard, joining forces with the European Parliament to take advantage of the Conference on the Future of Europe, must press for Treaty reform and, as part of its strategy, formally demand ratification by majority vote. In this regard, the strategy, already envisaged and attempted forty years ago, of engaging directly with the national parliaments would still seem to be the most effective one today, particularly in view of the fact that the national parliaments have representatives in the Conference, with whom structural alliances could start to be built; and all this must be accompanied by a readiness to engage in breakaway actions, if that is what is called for.⁸

As federalists, our political role is to work to ensure, primarily, that the two irreconcilable “vanguard” proposals are never confused and that there is growing clarity around the proposals that will lead to federal unification. In this respect, the importance of our political and cultural role is obvious, especially if we consider the collaborative relationship we have established, through the UEF, with the vanguard (of which the Spinelli group is the main component) that has formed within the European Parliament, and with the parliamentary intergroup in Italy, as well as with Italy's representatives within the Plenary of the Conference on the Future of Europe. Through the UEF, we have channels that give us access to the French and Spanish governments, and we also have influence in Germany. As for Italy, our country's role has become more crucial than ever, not just because of Draghi's authoritative influence, but also because Italy can and must show that problematic countries are far more likely to reform under a “good” Europe, ready to show solidarity,

⁸ In this regard, cf. *European letter* n. 74, June 2021, *The urgency to modify the Treaties, overcoming the problem of unanimity. Political and legal issues*, <http://www.letteraeuropea.eu/sito/index.php/en>.

than under a punitive one, ready only to impose austerity: in this way Italy can convince Germany of the usefulness of a political union. Furthermore, here at home, we know we can count on consolidated political relations, as demonstrated, for example, by President Mattarella's presence in Ventotene for the 80th anniversary of the Ventotene Manifesto.

In short, our dialogue with political decision makers is crucial, and therefore our campaign and our positions must be coherent, consistent and worthy of the political moment.

As the autumn comes, it is time to get our campaign under way again, making sure that it is strengthened by an even greater level of awareness and capable of even greater momentum. We have just completed two very intense years of campaigns, that have enjoyed huge success both nationally and locally: they constitute a valuable asset in which we must further invest, as we prepare to promote our new campaign called "100 Assemblies for the Conference on the future of Europe".

Our congress this year will be a chance for us to gather strength and prepare to launch, as the Conference enters its final months, this important new campaign, proud to know that we are doing what we can at this decisive historical and political moment, but also humbled by the knowledge that we are riding on the shoulders of giants. And we are fortunate to have this knowledge, as a touch of humility is an essential ingredient of the political ability to connect with others willing to share your battle.

Pavia, 27 August 2021

Luisa Trumellini

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THE CLASH BETWEEN THE COURT OF JUSTICE AND POLAND: THE STAKES*

The European Union, at the current stage in its process of integration, finds itself faced with a series of existential choices. On the positive side, this process is gathering pace as an effect of the establishment of the Next Generation EU programme and the prospects for Treaty reform opened up by the Conference on the Future of Europe; on the other hand, the EU has to reckon with the authoritarian drift that has taken hold in some of its member states, which in recent years have undermined, through a series of constitutional reforms, the principles of the rule of law that the European Treaties themselves solemnly endorsed.

The crisis of democracy is a problem felt by all of Europe's member states. That said, two of them in particular, Hungary and Poland, are experiencing a very serious and uncontrolled authoritarian drift, as they no longer enjoy a free press and an independent judiciary. It is important to recognise that the antidemocratic impulses of their ruling parties are closely connected to the sovereignist doctrine they openly espouse, and that the European Union is now the last link to the principles of pluralism, democracy and the rule of law that might prevent (or at least delay) completion of the authoritarian projects being pursued in these countries. In recent years, the European institutions have taken different steps to stem the crisis of democracy in Poland and Hungary, both through attempts to pursue the avenue of political dialogue — this essentially failed — and, more recently, through the adoption by the Parliament and the Council, on the initiative of the Commission, of a regulation establishing a regime of conditionality designed to restrict access to EU budget resources in the event of violations of the rule of law.¹

In recent years, the Court of Justice has also intervened, issuing a series of judgments designed to guarantee the principles of the rule of law, and aimed, in particular, at the Republic of Poland. For example,

*This is the text of *European Letter* no. 75, <http://www.letteraeuropea.eu/sito/index.php/en/>.

¹ Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget.

it has censured some of the most controversial transformations of the Polish judicial system, such as the reform of the country's constitutional court, whose composition was altered so as to make it a tool of the ruling majority,² and the establishment of a disciplinary chamber of its supreme court, charged with reviewing disciplinary proceedings against judges but lacking the necessary requisites of independence and impartiality.³ In response to these positions, on 7 October 2021, the Polish Constitutional Tribunal, at the behest of the Polish prime minister, adopted an opinion in which it asserted that the European Treaties (as interpreted by the Court of Justice) are unconstitutional insofar as they allow the European institutions: to act *ultra vires*, to deny the primacy of the Polish Constitution, and to prevent Poland — in the words of the Constitutional Tribunal — from acting as a democratic and fully sovereign state.

This position obviously constitutes an extremely serious attack on the principle of the primacy of European law. According to this principle, which is modelled on the supremacy clauses of federal systems, in the event of a conflict between European and national law (including national constitutions), the latter must be set aside. Affirmed in the case law of the European Court of Justice since the *Costa v Enel* judgment of 1964, the principle of the primacy of EU law is what has allowed the Court to guarantee the integrity and effectiveness of EU law for over 50 years. It is this that allows the European Union to implement its rules and develop its policies across all its member states. Without it, states could easily ignore or set aside those European rules that no longer suit them.

Unfortunately, the Polish Tribunal's decision to question the primacy of European law (and, with it, the stability of the entire EU legal order) is not an isolated incident, but rather the most glaring example of the ongoing friction between European and national judges. The EU's failure, thus far, to evolve into a federal state has in fact set the citizens' exercise of political sovereignty and their direct democratic control, which have been kept strictly at national level, at odds with the partly supranational nature of certain competences and prerogatives exercised by the European institutions, and necessary for the functioning of the European Union. This situation has, over time, led national supreme court judges to place conditions and limits on the application of the principle of primacy. And while it was initially envisaged that such re-

² Judgment of 24 June 2019, Case C-619/18, *Commission v Poland* (Independence of the Supreme Court).

³ Judgment of 15 July 2021, Case C-791/19, *Commission v Poland* (Disciplinary regime for judges).

strictions would come into play only in highly theoretical situations, for example in the case of violation of fundamental rights by the Union, as time has gone by, the concept has been extended to increasingly vast areas within the discretionary authority of national supreme court judges (through the processes of *ultra vires* and constitutional identity review). Thus, even before the Polish Tribunal asserted the primacy of the national constitution over European law, the German Federal Constitutional Court had already overruled a previous decision by the ECJ on the constitutionality of the ECB's public securities purchase plan (PSPP).⁴

Despite the predictable reaction by the Court of Justice, which ordered Poland to pay a million euros per day as a penalty for failing to suspend the aforementioned disciplinary chamber, what the clash with Poland's constitutional court really shows is that the member states are, ultimately, still the exclusive holders of sovereignty, a situation that threatens the very foundations of the European legal order, particularly in the face of crises of the rule of law. Alongside measures put in place to contain the authoritarian tendencies of some member states, therefore, it is necessary to find a structural solution to the crisis of national democracy, in form of a strengthening of European democracy. This can come about only through a federal evolution of the European Union. For this reason, too, it is absolutely crucial for the Conference on the Future of Europe to succeed in promoting proper debate on the political-institutional reforms and transfers of competences that would really give the European Union the tools and authority it needs to prevent its values and its citizens' rights from being trampled on within the confines of its own member states.

Publius

⁴ Judgment of the German Federal Constitutional Court, PSPP case, 5 May 2020.

THE FEDERALISTS' STRATEGY FOR REFORM OF THE EUROPEAN UNION*

According to Altiero Spinelli, a federal union should ideally be created through a constituent procedure whereby the European Parliament (or at the very least an *ad hoc* constituent assembly) draws up and approves a new Treaty for the European Union, which is then directly submitted to the national parliaments (or to a Europe-wide referendum) for ratification, it having been established that the new Constitutional Treaty will enter into force only in those countries in which it has been ratified by the national parliament or by referendum. Such a procedure would be compatible with the Vienna Convention on the Law of Treaties.

With this principle in mind, a recent federalist document drawn up within the context of the MFE (*Movimento Federalista Europeo*) discusses the nature of a future EU envisaged as a federal union created through aggregation of existing states and endowed with limited but real powers (certainly not a federal super-state with ambitions to suppress Europe's existing nation-states). The document also sets out the conditions necessary for the transformation of the current European Union into a true federal union.¹

More immediately, however, our priority as federalists must be to define our strategy in relation to the ongoing Conference on the Future of Europe, taking into account its foreseeable developments and outcome. On the basis of an initial analysis, we feel able to conclude, first of all, that the Conference will almost certainly not lead to the start of a constituent phase that would allow the European Parliament to propose a new European draft Treaty without having to follow the procedure laid down in Article 48 TEU. Second, were the Conference

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¹ P. Ponzano, *La riforma dell'Unione europea*, <https://www.mfe.it/port/index.php/2021-per-la-conferenza-sul-futuro-dell-europa/i-quaderni-per-la-conferenza/4823-la-riforma-dell-unione-europea>; *Reform of the European Union: from European Union to Federal Union*, The Federalist, this issue, p. 69, <https://www.thefederalist.eu/site/index.php/en/documents/2511-reform-of-the-european-union-from-european-union-to-federal-union>.

to conclude its work by calling for a revision of the Lisbon Treaty, there would arise a scenario that, while highly problematic, cannot be excluded *a priori*. It would be problematic because the Council has already indicated that it would not be willing to endorse such an outcome; and in any case, the fact that a dozen member states are opposed in principle to an increase in the legislative powers of the European Union precludes a unanimous decision by the Council to that effect. In this scenario, the Conference might even decide to conclude its work without reaching any operational conclusions at all, in which case the European Parliament, could choose to exploit its freedom to present its own draft amendment to the Lisbon Treaty pursuant to Article 48 TEU. In such a scenario, what should the federalists' strategy be? Right now, the Movement can only work to help ensure the success of the Conference, given that it represents the first real attempt to actively involve the citizens in deliberations on the European problem. Unless the Conference manages to win broad support among Europe's citizens — through successful work by the European Citizens' Panels, proposals submitted on the Conference website, substantial numbers of subscribers to the multilingual platform, meaningful debate within the Conference Plenaries, etc. —, then the whole method will have to be considered a failure. For this reason, it is the duty of federalists to promote both the success of the Conference and the idea that it really can create the conditions for starting genuine Treaty reform.

At the moment, it is difficult to say whether the outcome of the Conference on the Future of Europe will be positive, or instead undermined by disagreements (between the EP and the Council) over the operational consequences its work should have. Meanwhile, we are currently witnessing a widening of divergences between European member states that had already become apparent over the past months. Recently, for example, an unacceptable joint document on migration policy, constituting a violation of EU values, was presented by a dozen member states (this has actually happened on two previous occasions, too, not always involving the same 12 states); added to this, the Polish government, already censured by the Commission and the European Parliament for its numerous violations of the rule of law, has recently welcomed a ruling by its constitutional court that challenges the primacy of European law; its stance on this issue is shared by other member states with sovereignist tendencies. While it is currently difficult to predict the final outcome of this juridical-political conflict, which is calling into question a fundamental principle of

the European Union, there can be little doubt that this clash of views over the very concept of European Union will only strengthen the position of those who believe that the EU should make provision for two different levels of integration: one for the countries that see the EU simply as a single market, and the other for those states wanting, more or less enthusiastically, to advance towards political union. In any case, it falls to the MFE to establish what, at the very least, a possible revision of the Lisbon Treaty pursuant to Article 48 TEU should contain in terms of institutional content (and this applies whether the Conference, with difficulty, concludes that Treaty revision is what is required, or whether — and this cannot be excluded — it fails to reach any conclusion at all).

In the event of a partial revision of the Lisbon Treaty on the basis of Article 48 TEU, it needs to be established what, at the very least, its constitutional core should comprise in order for it to be acceptable to the federalist movement. In this regard it is possible to envisage two — alternative or complementary — solutions.

1) One solution would be to address the democratic anomaly enshrined in the Lisbon Treaty whereby the European Parliament, despite representing Europe's citizens, lacks the full decision-making powers and powers of political control normally exercised by the parliaments of nation-states. In particular, the European Parliament does not have the powers necessary to define resources for the European budget, nor is it able to borrow in order to finance measures necessary for the Union. At the same time, the EP has no scope for legislative or political intervention in the field of economic policy, particularly in that of euro area governance.

2) Another solution would be to address the division of competences as established under the terms of the Lisbon Treaty, which no longer corresponds to the needs of the European Union. It is clear that the current distribution does not allow the EU to rise to the new challenges it faces, or to generate the public goods that today's diminished sovereign states are unable to provide. Therefore, the EU's competences need to be extended as detailed below; in some cases, this will mean turning shared competences into exclusive EU ones.

a) The EU must be provided with autonomous fiscal capacity along the lines of the ECSC model, in other words, the relevant EU institutions (the European Parliament and the Council) must be enabled to impose proper European taxes and to levy them directly on citizens or businesses, without these funds having to go through the national budgets.

b) The EU must be equipped with a common foreign and security (including defence) policy so that the relevant EU institutions (the European Council and the High Representative, subject to political control by European Parliament) can take rapid decisions, by qualified majority or through enhanced cooperation, and thus guarantee the EU's strategic capacity and autonomy on the international stage (sending peace-keeping missions, sanctioning countries that breach international law, deploying, when appropriate, an EU rapid reaction force, and so on). Creation of the aforementioned autonomous strategic capacity must necessarily rest on shared competence in the field of industrial policy, so that the EU institutions can take decisions relating to the development of common armaments and a common policy on semiconductors, the creation of an agency dealing with artificial intelligence and cybersecurity, the fight against terrorism and transnational organised crime, protection of the rule of law, etc.).

c) The EU must be given greater powers in the field of public health, so that the relevant European institutions can, in the event of pandemics, take legislative measures that go beyond those currently provided for under Article 168 TFEU;

d) The EU must also have greater powers in the field of social policy, so that its relevant institutions can take all the legislative measures currently provided for under Article 153 TFEU according to the ordinary legislative procedure (co-decision with the European Parliament and qualified majority voting). Furthermore, it would be necessary to eliminate the clause (in paragraph 5 of Art. 153) which states that the provisions of the article shall not apply to pay (minimum wage and/or minimum income).

e) Finally, the EU must be assigned greater powers relating to migration policy, so that the revision of the Dublin regulation can be incorporated into EU law, and the member states' current competence for defining the quotas of refugees admitted to EU territory can be revoked.

Naturally, solutions 1) and 2) could be combined, increasing the competences of the EU and also those, on an institutional level, of the European Parliament.

It hardly needs saying, however, that some of these proposals (such as, in particular, a rapid reaction force in the military field, a common immigration policy, a strengthening of EU social policy, and the attribution of autonomous fiscal capacity to the Union) would not be acceptable to all the current 27 member states. In the coming months, therefore, given the reluctance among the member states to accept a so-

called “splitting” of the EU and the introduction of a new Treaty binding only on the states that choose to be parties to it, it will be necessary to work out and propose a solution that allows the EU to implement two different levels of integration.

Personally, I do not believe that enhanced cooperations alone are the answer, because while they are useful for reaching certain decisions in the field of common foreign and security policy (regarding, for example, the creation of a rapid reaction force), they could not be used to adopt a new common policy (for example a social or fiscal policy). Since, under the Lisbon Treaty, no provision is made for a global decision covering an entire field of action, such a policy would have to take shape through a series of decisions taken individually on the basis of *ad hoc* proposals by the Commission. On the other hand, an approach allowing the existence of two levels of integration has already been used in the past: for many years, the UK — and we also saw this with Denmark — managed to obtain numerous opt-out clauses that exempted it from Treaty obligations relating to the single currency, the Schengen area and judicial cooperation (and, for a time, social policy too). If the UK could request and subsequently enjoy a different level of integration, it is hard to see why this solution could not now be applied to member states that do not share the political objective of an ever closer union.

Paolo Ponzano

TOWARDS TRUE EUROPEAN DEMOCRACY*

My report focuses mainly on the role of the European Parliament in the institutional structure of the European Union, and the Treaty changes that are needed in order for true supranational democracy to take shape within the European Union.

I take as the starting point for my reflections the fact that there exists a fundamental contradiction between the importance attached by the Treaties to the principle of representative democracy, and the role that single Treaty provisions assign to the European Parliament, which, under Article 10 TEU, is the body that directly represents the citizens.¹ Indeed, although this article states that “the functioning of the Union shall be founded on representative democracy”, and goes on to state that “every citizen shall have the right to participate in the democratic life of the Union”, the European Parliament clearly lacks many of the powers that parliaments traditionally hold, and does not have the power to rule on key choices affecting the lives of Europe’s citizens.

Indeed, even though, on the one hand, there are sectors in which the EP is placed on a par with the Council, and fully exercises its function as co-legislator, in others it has a very limited role, or no role at all.

This inconsistency is no mere accident, but rather reflects the way the European edifice was conceived by the founding fathers of the European Economic Community. While the project to create a European Defence Community flanked by a political community, had it come to fruition, would have given rise to a quasi-federal union, the EEC was instead built to be highly integrated economically, but based on states that conserved their sovereignty (albeit considerably weakened).

The EEC (now the EU) was thus conceived as an organisation capable of managing a market, but without a democratically legitimised

* This report was delivered as part of the Commission 1 section (*Reforms for a Federal, Sovereign and Democratic Europe*) of the 30th MFE National Congress, Vicenza, 22-24 October, 2021.

¹ Actually, the number of seats in the European Parliament assigned to each member state is decided according to a criterion of degressive proportionality, which means that the less populous states are over-represented compared with the more populous ones (for example, a Maltese MEP represents ten times fewer citizens than a German MEP does). This feature, which is unusual for a lower house, has been criticised by the *Bundesverfassungsgericht*, especially in its June 2009 judgment on the ratification of the Lisbon Treaty.

government with the capacity to make political decisions. Its executive, the Commission, was and still is a technical more than a political body. Indeed, whereas, under the terms of the Lisbon Treaty, the European Council proposes to the EP a candidate for President of the Commission, *taking into account the elections to the European Parliament* (Art. 17, par. 7 TEU), meaning that the President of the Commission is an expression of the majority that emerged from the European parliamentary elections, the same cannot be said of the Commission's members: although subject to the approval of the Parliament, these remain an expression of the choices of the individual member states and therefore do not form a politically homogeneous group.

In the EU, the member states still retain the role that (within a state) traditionally falls to the government, and they exercise it collectively within the European Council, a purely intergovernmental body.

In sectors where the decisions needing to be taken are of a technical rather than a political nature — essentially decisions relating to the single market —, the EU conceived as an acephalous organisation has actually worked well;² inter-state cooperation has borne excellent fruits, and forms of governance managed by the Commission have taken shape. The so-called Community method ushered in by the ECSC has been developed to the full, leading to a significant increase in the Parliament's powers compared with those of the ECSC's Common Assembly. In these sectors, even though the EU has no administrative apparatus of its own or coercive powers to implement its rules, cooperation between states has given the best results imaginable: the obstacle of unanimity has been overcome, fundamental principles have been developed, such as that of the supremacy of European Union law, and the European Parliament has fully assumed the role of co-legislator.

The involvement of the European Parliament in these sectors is important, making it possible to move beyond the logic of competing national interests. After all, when a decision is taken by a body composed of representatives of national executives, wherein each, being answerable to the electorate in their own state, will naturally defend the interests of their country, the decision eventually reached will, by definition, be the result of a compromise between national interests; on the contrary, involving the European Parliament in the decision-making process allows a common interest of the European citizens to emerge, which the Parliament represents. The problem lies in the fact that the

² On this point, cf. S. Fabbrini, *Sdoppiamento. Una prospettiva nuova per l'Europa*, Bari, Laterza, 2017.

decisions in which it is involved (those relating to the development of the single market) are of a technical nature, and therefore relate to issues around which there is little or no scope for political public debate. In short, the European Parliament's participation in decision-making processes is not a means of drawing the citizens into a debate on European issues.

Conversely, in sectors where the issues touch on national sovereignty and therefore demand political decisions (foreign and security policy being the prime example), the intergovernmental method is followed: decision making involves only the European Council and the Council, that is bodies composed of representatives of the national governments, while the European Parliament and the Commission are excluded from the process (or involved only in an extremely marginal way), and no provision is made for judicial control by the Court of Justice.

The Community method, being based on the concept of a European Union with no democratically legitimised government and only purely technical forms of governance, is in fact ill-suited to the management of sectors in which political decisions are needed — decisions that cannot be taken by a technical body like the Commission. Faced with the need to find mechanisms that would allow them to take common decisions without renouncing their sovereignty, the states' only solution was therefore to assign this decision-making role to the bodies that represent them, primarily the European Council, excluding supranational bodies (the European Parliament and the Commission) from the process.

With the creation of the single currency, however, this neat distinction between the Community method, applicable in the field of the single market, and the intergovernmental approach, to be used in sectors at the heart of state sovereignty, became somewhat blurred.³

The European single currency is an instrument designed to eliminate the obstacles to freedom of movement linked to the existence of different national currencies. But at the same time, it carries strong political value, given that a state's currency constitutes one of the key elements of its sovereignty; basically, the creation of the single currency has led

³ As remarked by B. Bertrand, *Intégration politique et intégration économique: la dialectique des intégrations*, in S. De Rosa, F. Martucci, E. Dubout (sous la direction de), *L'Union européenne et le fédéralisme économique*, Brussels, Bruylant, 2015, pp. 119 ff., p. 132: "aujourd'hui... l'intégration économique touche le noyau dur des compétences régaliennes en matière économique: monnaie, déficits publics, fixation du niveau des dépenses publiques dans les Etats membres. Ce qu'on appelle économique est profondément politique. L'intégration économique a atteint un tel degré qu'elle semble faire partie de l'intégration politique." On this point, see also S. Fabbri, *Which European Union? Europe after Eurocrisis*, Cambridge, Cambridge University Press, 2015, p. 22.

the process of economic integration to evolve to the point of encroaching on the powers held by the state. As a result of its ambiguity, the euro was a toothless currency from the outset. Its creation saw monetary policy decision-making power transferred to the Central European Bank, while decisions on economic and fiscal policy (and other closely related policy areas, such as social policy), being areas at the heart of state sovereignty, were entrusted to a purely intergovernmental method involving coordination of national policies. But no currency founded on divergent economic and fiscal policies can ever work; and what is more, the intergovernmental instruments created to coordinate these policies, such as the Stability and Growth Pact, also failed to work, as the economic-financial crisis of the last decade has clearly shown us.

As mentioned, the distinction between the Community method and the intergovernmental method has grown increasingly unworkable, and it has become glaringly apparent that the EU's power to decide autonomously on monetary policy has to be accompanied by the power to support the currency through autonomous fiscal resources.

This is the context in which to address the need to strengthen the role of the European Parliament. Indeed, although fiscal power, and with it the capacity to decide on the state budget, is traditionally a key power of any parliament, the European Parliament lacks this power; and even though, pursuant to Art. 314 TFEU, the European Parliament plays a key role in the procedure for approving the annual EU budget and is also required to approve the multiannual financial framework, which the Council then adopts unanimously, the EP actually has very little power to define the amount and type of the Union's own resources, being merely consulted in this regard. The European Union is thus the only organisation in the world to have a parliament that is elected by direct universal suffrage, but lacks one of the key powers of such an assembly.⁴

As things currently stand, decisions on own resources, i.e., establishing the amount and type of resources that are to finance the EU budget, must be approved unanimously by the Council, after consulting the European Parliament; to enter into force, the decision must then be

⁴ The ECSC provides an example of partial autonomy of the supranational level from the member states; indeed, its High Authority was able to impose levies on the production of coal and steel, which were paid directly by companies into the ECSC budget. However, given the centrality of the High Authority in the institutional structure of the ECSC, and considering, too, that the Assembly was appointed in the second instance, and not by direct universal suffrage, this representative body of the citizens, contrary to what should happen today with the European Parliament, nevertheless played an only marginal role in this area.

approved by all the member states, acting in accordance with their respective constitutional requirements. It should be noted that this mechanism interferes quite significantly with the Union's ability to effectively exercise its competences: the need for a unanimous decision between the member states, on the amount of the budget and the resources funding it, leads to very lengthy negotiations between the representatives of the states, each determined to contribute as little as possible to it. Moreover, these are hardly the circumstances in which it is possible to foster a higher common interest, able to guarantee the citizens, at European level, the public goods that are no longer within the reach of the individual member states.

From this point of view, the approval of the Next Generation EU programme (NGEU), which allows the EU to issue debt guaranteed by the EU budget, seems to offer new opportunities to strengthen the role of the European Parliament, which would be the first step in the construction of a federal union.

The need to guarantee repayment of this debt has seen the EU budget ceiling temporarily increased to 2 per cent of European GNI. However, to prevent the burden of this increase from falling on the states, there are plans to introduce new own resources.⁵

Even though the NGEU was conceived as a temporary measure, to address the economic consequences of the pandemic, and even though it envisages no mechanisms for the introduction of new own resources other than those already in place (within which the EP has no real role), there can be no doubt that it further underlines the contradiction that exists between, on the one hand, the EU's need to have at its disposal the means to deal quickly with crisis situations and guarantee solidarity at European level, and, on the other, its impossibility to procure these

⁵ In addition to the "tax" on non-recycled plastic packaging waste, already introduced among the EU's own resources, in December 2021, the Commission proposed the establishment of three new own resources consisting of revenues from emissions trading, from the carbon border adjustment mechanism, a contribution based on the share of the residual profits of profitable multinational enterprises re-allocated to member states under the OECD/G20 agreement (cf. *Proposal for a Council Decision amending Decision (EU, Euratom) 2020/2053 on the system of own resources of the European Union*, COM(2021) 570 final, 22.12.2021; *Proposal for a Council Regulation amending Regulation (EU, Euratom) 2020/2093 laying down the multiannual financial framework for the years 2021 to 2027*, COM(2021) 569 final, 22.12.2021). As stated in a Communication from the Commission on the same date (*Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, The next generation of own resources of the EU budget*, COM(2021) 566 final, 22.12.2021), the Commission intends to propose, by the end of 2023, a second set of resources (such as a "Financial Transaction Tax and an own resource linked to the corporate sector").

means autonomously, whether or not an agreement (which can only ever be a poor compromise) is reached between its 27 member states.

The NGEU therefore needs to be made a permanent instrument, and the Treaties need to be amended in such a way that the European Parliament and the Council have the power, through an ordinary legislative procedure, to decide on the Union's resources, which will thus no longer depend on the unanimous will of the member states.

Transforming the European Union into a federation would of course entail other changes to the competences of the European Parliament; these would include, for example, a strengthening of its role in other sectors within the EU's sphere of activity, primarily that of foreign and security policy, from which it is currently completely excluded. However, fiscal competence is the mother of all competences, so to speak, and its acquisition by the European Union is the crucial key that would allow this organisation to move from its current confederal status to the federal form desired and envisaged by Europe's founding fathers. Inserting this crucial piece into the puzzle is the only way not only to render the Union truly autonomous (within its spheres of activity) from the member states, but also to create a true supranational democracy, in which the body that represents the citizens, the European Parliament, is really able to make key choices affecting their lives. Moreover, with the European Parliament finally empowered to take decisions in an area of fundamental importance for the life of citizens and businesses, we would finally see the unfolding of a real debate between political forces at European level on the fundamental choices for the future of our continent, and this is the route that will lead to the formation of true European political parties.

This transfer of fiscal competence to the European Parliament would need to be accompanied by the development of a stronger bond of trust between the European Parliament and the Commission, and the gradual transformation of the latter into a government representing the majority political forces within the parliament. The Treaty changes that would be necessary in order to take the first decisive step in a federal direction would therefore have to include a new procedure for appointing the Commission — a procedure that would emphasise the political nature of this body and deprive the states of the power to choose its members.

But this aspect will be dealt with by another of the congress speakers.

Giulia Rossolillo

THE CENTRALITY OF EUROPEAN COMMISSION REFORM IN THE INSTITUTIONAL FRAMEWORK OF THE EUROPEAN UNION*

1. *Introductory Remarks.*

With the aim of identifying what reforms might be considered useful for the purpose of moving closer towards a federal, sovereign and democratic Europe, I endeavour, in this brief article, to set out some considerations on the EU's *form of government*,¹ in other words, considerations based on an analysis of the distribution of powers among its main institutions. I shall not, therefore, be analysing the requisites that will need to be met by the future European federation, only the possible reforms consistent with progress towards that desirable end.

Similarly, I shall not be considering the distribution of competences, in different fields, between the EU and its member states,² nor the necessary reforms of the European Parliament,³ crucial though they are for the aforementioned evolution; rather, I shall be attempting to provide an overview of the interventions necessary to change the balance of powers within the so-called institutional triangle.

Since my focus is the *political and institutional system*, I shall be examining not only legal aspects, but also questions of applicability.

2. *The Overall Picture.*

While not forgetting the Court of Justice of the European Union (CJEU), now clearly destined to play an increasingly important role in the balance of powers both within the EU and in the context of

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¹ On the possibility of cautiously applying, to the EU, the general notions *form of government* and *political orientation*, cf., for all, the recent study by E. Gianfrancesco, *Un approccio costituzionalistico alla Commissione europea. Alcuni profili rilevanti*, Diritto e Società, n. 1 (2021), pp. 10 ff..

² On this aspect, cf. P. Ponzano, *The Federalists' Strategy for Reform of the European Union*, The Federalist, 63 (2022) current issue, p. 102.

³ In this regard, cf. G. Rossolillo, *Towards True European Democracy*, The Federalist, 63 (2022) current issue, p. 107.

EU-member state relations, the present analysis focuses on the three institutions directly involved in EU decision-making processes: the European Parliament, the Council (which has close ties with the European Council, both being linked to the same centre of power) and the Commission.

While there can be no denying the importance of the role of the European Parliament from a federalist point of view, it is, in my opinion, the Commission, as the embryo of a potential government,⁴ that should

⁴ The centrality of the role and powers of the government in the evolution towards a federal state is highlighted (albeit with a particularly broad use of the term government), by A. Hamilton, in *The Federalist Papers* (No. 23 and No. 70). M. Albertini, too, focused on this issue on several occasions: by underlining the crucial importance of the transfer of military, monetary and fiscal powers to a European government (cf. *La strategia della lotta per l'Europa*, *Giornale del Censimento*, 2 n. 1 (1966) and n. 2 (1966), now in M. Albertini, *Tutti gli scritti*, V, 1965-1970, edited by N. Mosconi, Bologna, Il Mulino, 2008, pp. 130 ff., and in *The Federalist*, 38 n. 1 (1966), p. 53, *The Struggle for Europe*, <https://www.thefederalist.eu/site/index.php/en/thirty-years-ago/2234-the-strategy-of-the-struggle-for-europe>), as well as *Un governo per l'Europa*, in *Giornale del Censimento*, 1 n. 1 (1965), now in Id., *Tutti gli scritti*, V, 1965-1970, op. cit., p. 31 ff.); by highlighting the importance of a common government for the creation of the single currency (cf. M. Albertini, *L'aspetto di potere della programmazione europea*, *Il Politico*, 35, n. 1 (1970), now in Id., *Tutti gli scritti*, V 1965-1970, op. cit., p. 491 ff., esp. 499 ff., and in *The Federalist*, 41 n. 2 (1999), p. 125, *The Power Aspect of European Planning*, <https://www.thefederalist.eu/site/index.php/en/thirty-years-ago/2237-the-power-aspects-of-european-planning>); and by identifying, as the goal of "constitutional gradualism", the creation of a European state with all the competences necessary to act as a normal federal government (cf. *Elezioni europee, governo europeo e Stato europeo*, *Il Federalista*, 18 n. 4 (1976), now in M. Albertini, *Tutti gli scritti*, VII, 1976-1978, edited by N. Mosconi, Bologna, Il Mulino, 2009, pp. 159 ff., esp. p. 164, and *The Federalist*, 48 n. 1 (2006), p. 64, *The European Election, European Government and a European State*, <https://www.thefederalist.eu/site/index.php/en/thirty-years-ago/2241-european-election-european-government-and-a-european-state>); moreover, in his criticism of the absence of a European government, but appreciation of the "Spinelli project", since it envisages "parliamentary control of the Commission, which would begin to take on the form of a European government", he also draws attention to the fundamental role of the EP (cf. *L'Europa sulla soglia dell'unione*, *Il Politico*, 50 n. 4 (1985), now in M. Albertini, *Tutti gli scritti*, IX, 1985-1995, edited by N. Mosconi, Bologna, Il Mulino, 2010, p. 67 and in *The Federalist*, 28 n.1 (1986), p. 24, *Europe on the Threshold of Union*, <https://www.thefederalist.eu/site/index.php/en/essays/1960-europe-on-the-threshold-of-union>).

Spinelli's attention to this aspect was, in fact, constant: within the framework of the parliament-centred constituent method, the relationship between the parliamentary assembly and the Commission is crucial for transforming the latter into a European government. Without returning to his reflections on the EDC, the design emerges clearly in Spinelli's evaluations during his time as a commissioner, when he includes, among the political aims of institutional reform, that of "constituting a true European government whose members would be leading politicians, chosen through an appropriate procedure by the Council and Parliament" and that would absorb "the more specifically governmental type decision-making functions of the Council" (cf. *Le istituzioni europee. Progetti di riforma*, *Critica Sociale*, 1972, now in A. Spinelli, *Una strategia per gli Stati uniti d'Europa*, edited by S. Pistone, Bologna, Il Mulino, 1989, p. 192), but also in the draft Treaty

be seen as the fundamental focal point for understanding (and modifying) the balance between the powers that act within the institutional framework of the EU.

This assertion holds true despite the fact that, since the introduction of the Lisbon Treaty, the longstanding conflict between the Community method (and federalist perspective) and the intergovernmental method has ceased to be played out in debate between the Commission and the Council, being reflected, rather, in that between the European Council and the European Parliament.⁵ Recent years have indeed seen the emergence of an “imbalance of power” in favour of the European Council, which has gradually acquired a politically central role in the European system, becoming the EU’s true governing body.

In addition to its not inconsiderable power, under the Treaty, to “define the general political directions and priorities” of the EU, the European Council has, over time, acquired growing influence vis-à-vis the Union’s executive and legislative powers, that is to say with respect to the work of the Commission and the European Parliament.⁶

Furthermore, the economic crisis has increased the political weight

that was adopted in 1984 by the EP and bears his name in spite of his disappointment with the Commission (in this regard, cf. U. Morelli, A. Spinelli, *A. Spinelli e l'azione federalista. Il sistema comunitario*, in Altiero Spinelli: *il pensiero e l'azione per la federazione europea*, edited by U. Morelli, Milan, Giuffrè, 2010, pp. 72 ff.). The institutional design outlined in the Draft Treaty clearly illustrates the will to strengthen the political role of the Commission, with the intention of turning it into “a genuine political executive”, by giving its president the power to appoint its members and binding the body to the EP, to which it would be required to submit its programme (art.25) for approval (cf. Spinelli’s famous speech to the European Parliament on 14 February 1984 in A. Spinelli, *Discorsi al Parlamento europeo 1976-1986*, edited by P.V. Dastoli, Bologna, Il Mulino, 1987, p. 336).

⁵ In this sense, cf. L.S., Rossi, *Equilibri istituzionali e metodi di integrazione dell’Unione*, in A. Tizzano (editor), *Verso i 60 anni dai Trattati di Roma. Stato e prospettive dell’Unione europea*, Turin, Giappichelli, 2016, p. 72.

⁶ In this sense, cf. L. Frosina, *La crisi “esistenziale” dell’Unione europea tra deriva intergovernativa e spinte centrifughe*, *Nomos*, 2 (2018), p. 5. This point is exemplified by what has occurred in the field of immigration policies; in this area, despite the provisions of Articles 78 and 79 TFEU, “the Union tends to reproduce dynamics similar to when immigration and asylum were still policies of international cooperation between European states, with the result that it often appears to act as an instrument for the implementation of national objectives, rather than as a supranational organisation that pursues its own aims and objectives in the interest of the European peoples”; in fact, despite widespread provisions for use of the ordinary legislative procedure, “the intergovernmental method has continued to shape the modalities and priorities of the development of this policy and still seems to dominate”, to the extent that “most of the measures are discussed and adopted in the Justice and Home Affairs Council, often under the European Council’s close ‘direction’”, cf. C. Favilli, *Le politiche di immigrazione e asilo: passato, presente e futuro di una sovranità europea incompiuta*, *Annali AISDUE*, Sezione “Atti convegni AISDUE”, n. 12, 14 January 2022, <https://www.aisdue.eu/chiara-favilli-le-politiche-di-immigrazione-e-asilo-passato-presente-e-futuro-di-una-sovranita-europea-incompiuta/>.

of the various Councils,⁷ driving a growing “intergovernmental transformation” of Europe’s institutional order — a trend that, if not arrested, could even result in its collapse.⁸

The Commission is, moreover, the body that most embodies the hybrid nature of the EU; in fact, it cannot be classified as a governing body based on the categories of constitutional law applied by states, nor as a purely executive body in line with the formulas used by international organisations.⁹ It therefore represents the litmus test of the evolution of the European system of government: reduction of the role of the Commission in favour of the Council would indicate the prevalence of an intergovernmental structure of the EU; conversely, consolidation of its relationship of confidence with the EP and a consequent acquisition of political capacity, which shall be discussed later, would see the European institutional system moving closer towards a federal form of government.

In recent years, after the new low reached during Barroso’s presidency of the European Commission, the European Council and European Parliament’s fight (probably still ongoing) for control of this institution has led to a strengthening of both of them. Rather in the manner of struggles between constitutional sovereigns and parliaments for control of governments, the eventual outcome of their struggle will be decisive in clarifying the direction taken by the EU.¹⁰

3. *The Necessary Reforms.*

3.1. Progressive strengthening of the role of the EP in the legislative

⁷ On this point, cf. L. Frosina, *La crisi “esistenziale” dell’Unione europea*, op. cit., p. 1, as well as, extensively, S. Cafaro, *L’Unione Economica e Monetaria dopo la crisi*, Naples, Edizioni Scientifiche Italiane, 2017, *passim*.

⁸ In this sense, S. Fabbrini, *Sdoppiamento: una prospettiva nuova per l’Europa*, Bari, Laterza, 2017, p. 18 ff.

⁹ Cf. F. Capotorti, entry *Commissione delle Comunità europee*, in *Enc. giur. Treccani*, VII, Rome, 1994, p. 2. An accurate reconstruction of the organ’s genesis, and its role in the initial and in subsequent phases of development, can be found in M. Patrono, *Il governo della prima Europa*, Padua, CEDAM, 2003, p. 28 ff., p. 85 ff. and pp. 127-132, respectively. On this point, also S. Gozi, *Il governo dell’Europa*, II ed., Bologna, Il Mulino, 2001, pp. 32-33, and T. Christiansen, *La Commissione europea*, in S. Fabbrini (editor), *L’Unione europea. Le istituzioni e gli attori di un sistema sovranazionale*, Rome-Bari, Laterza, 2002, pp. 127-128.

¹⁰ For a reconstruction of the steps leading to an evolution in the parliamentary direction, cf., among many, M. Volpi, *Libertà e autorità. La classificazione delle forme di stato e delle forme di governo*, Turin, Giappichelli, 2000, p. 79 ff., esp. pp. 85-91 and, more briefly, A. Barbera and C. Fusaro, *Il governo delle democrazie*, Bologna, Il Mulino, 1997, p. 28 ff.. To better understand Europe’s difficulties from a constitutional perspective, G. Amato, in *In Europa, finalmente, Montesquieu e Cammeo*, in *Studi in onore di Gianni Ferrara*, vol. I, Turin, Giappichelli, 2006, p. 121, refers to an even earlier transition, namely that from absolute monarchies (or from the police state) to the constitutional state.

process, through more widespread application of the ordinary legislative procedure (“codecision”), is undoubtedly a crucial development on which to focus.

Equally important, however, is the power to define general political directions, i.e., to identify and pursue political objectives, a power that in liberal democracies springs from the relationship between the government and the parliament.¹¹ In the EU, on the other hand, under the terms of Article 15 TEU,¹² it is very much concentrated in the hands of the European Council, which clearly shows the defect that typically characterises intergovernmental bodies: in these settings, the single members are accountable only to their own electorate and act accordingly. This situation risks allowing the stronger countries to prevail — it should be noted that countries can be stronger for various reasons, not necessarily or only demographic or economic —, or at best can lead only to stalemate situations or poor compromises.

3.2. What the European institutional order lacks is a supranational governing body, accountable, to some extent, to the European citizens as a whole.

The Commission cannot, at present, be considered the genuine holder of executive power, since it shares key aspects of this power with other institutions;¹³ above all, it is not sufficiently involved in determining the EU’s political directions. Furthermore, it cannot be considered bound to the EU by a relationship of confidence in the strict sense of the term.¹⁴ As things stand, the European Parliament’s vot-

¹¹ In this sense, cf. M. Volpi, *Libertà e autorità...*, *op. cit.*, p. 79; and T. Martines, entry *Indirizzo politico*, in *Enciclopedia del diritto*, XXI, Milan, Giuffrè, 1971, p. 134 ff.. A brief overview of different concepts of political directions or orientation is provided by E. Cheli, *La sovranità, la funzione di governo, l'indirizzo politico*, in G. Amato-A. Barbera (editors), *Manuale di diritto pubblico, II. L'organizzazione costituzionale*, V ed., Bologna, Il Mulino, 1997, p. 13.

¹² Which, at paragraph 1 states: “The European Council shall provide the Union with the necessary impetus for its development and shall define the general political directions and priorities thereof.”

¹³ The fragmented nature of the European executive power is highlighted by E. Gianfrancesco, *Un approccio costituzionalistico alla Commissione europea*, *op. cit.*, p. 14. In this sense, cf., previously, S. Fabbrini, *Oltre Lisbona: l'enigma costituzionale dell'integrazione europea*, *Rivista italiana di scienza politica*, 39 (2009), p. 358; here he underlines the absence in the EU of a “government understood as a single institution authorised to exercise ultimate decision-making powers”; and also, with particular reference to the European Council, V. Edjahanian, *Art. 15*, in H.J. Blanke, S. Mangiameli (editors), *The Treaty on European Union (TEU). A Commentary*, Heidelberg-New York-Dordrecht-London, Springer, 2013, p. 624; meanwhile, the fact that the EU does not have one governing body, but three, is underlined by M. Luciani, *Complessità della struttura istituzionale*, in E. Paciotti (editor), *La Costituzione europea. Luci ed ombre*, Milan, Booklet, 2003, p. 62.

¹⁴ In this sense, cf. B. Guastafarro, *La prima volta del Presidente della Commissione*

ing in of a new Commission, being part of its supervisory activities, is still a step that falls far short of that of passing a true motion of confidence; in other words, rather than a mechanism through which powers of government are conferred by a parliamentary majority, this procedure amounts to giving a simple seal of approval.¹⁵ What is more, even though the President of the Commission has to be chosen taking into account the elections to the European Parliament, the members of the Commission (contrary to what tends to happen in the case of actual governments) do not need to form a politically homogeneous group. The candidate commissioners are put forward by the member states,¹⁶ and the President of the Commission, being required merely to reach an agreement with the Council on the final composition, has little impact on this line up; incidentally, this whole system is made rather rigid by the need to select one commissioner for each member state, a rule that remains in place despite the provisions of the Lisbon Treaty.¹⁷ Similar observations can be made with regard to the mechanism envisaged for removal of the Commission, namely the “motion of censure”, which, also considering the high *quorum* required, is more reminiscent of a form of impeachment request than a political no-confidence motion; conversely, the relationship of confidence between a government and a parliament always entails political accountability of the former before the latter (which can enforce this by approving a no-confidence motion that forces the government to resign),¹⁸ so much so that in some parliamentary systems, the government is automatically assumed to have the confidence of the parliament, unless there is a vote to the contrary. Let

“eletto” dal Parlamento europeo. Riflessioni sui limiti del mimetismo istituzionale, Studi sull’integrazione europea, 9 (2014), p. 531 ff., where the author stresses (p. 533-534) that, contrary to what occurs in parliamentary systems of government, the Commission and its president do not enjoy “a majority in parliament (...) that is aggregated around a certain political orientation”.

¹⁵ In this regard, with reference to the pre-Lisbon regulatory framework, which has remained in many respects unchanged, cf. L. Ronchetti, *Sovranazionalità senza sovranità: la Commissione e il Parlamento dell’UE*, *Politica del diritto*, 32 (2001), p. 215. More recently, doubts about the relevance of these elements for the determination of a parliamentary form of government within the EU have been raised by E. Gianfrancesco, *Un approccio costituzionalistico alla Commissione europea*, *op. cit.*, p. 39 ff..

¹⁶ B. Guastaferrro, *La prima volta del Presidente della Commissione*, *op. cit.*, p. 532.

¹⁷ Notoriously, the TEU (Art. 17.5) envisaged that, as from 1 November 2014, the Commission would be composed of a number of members corresponding to two thirds of the number of member states, unless the European Council, acting unanimously, were to decide to change this number. This is precisely what happened; with its decision 2013/272, the Council decreed that the number of commissioners was to remain equal to the number of member states, thereby nullifying the previous provision.

¹⁸ Cf. M. Volpi, *Libertà e autorità*, *op. cit.*, p. 83. For critical considerations on the motion of censure, E. Gianfrancesco, *Un approccio costituzionalistico...*, *op. cit.*, p. 42.

us remember, finally, that the European system does not envisage procedures for early dissolution of the EP, and does not allow constructive votes of no confidence.¹⁹

3.3. It is, therefore, a priority to take steps to increase the supranational democratic legitimacy of the European institutions.²⁰ Among the various options on the table, strengthening the Commission is the most practicable, as well as the one offering the least resistance; it is also the most versatile, since it allows us to envisage interventions that can be achieved either without touching the Treaties, or through only very limited and specific changes to them, or, better still of course, through the adoption of a constitutional treaty. It goes without saying that this will mean downsizing, if not moving beyond, the Community method. In this regard, it should be noted that overcoming absolute sovereignty is not just an aim of the functionalist (as well as the federalist) theory of supranational integration;²¹ indeed, it is also an intrinsic part of the functionalist thought at the very root of the Community method, whose difficulties and possible evolution have, in turn, been the focus of an already ten-year debate between those who think it should remain, fundamentally, the basis of the European decision-making process, and those who instead see its adaptation, to allow the creation of a democratically legitimised European political power, as the only chance of overcoming its difficulties and preventing a regression in an intergovernmental direction.²²

¹⁹ According to S. Fabbrini, *The European Union and the Puzzle of Parliamentary Government*, Journal of European Integration, 37 (2015), p. 8, the fact that no provision is made for early dissolution of the European Parliament has to be considered to exclude the presence, at EU level, of a parliamentary form of government.

²⁰ As long as a decade or so ago, E. Gianfrancesco, *La Commissione nel quadro istituzionale dell'Unione: una ricognizione*, Rassegna 9/2012 (04.10.2012), p. 36, https://www.forumcostituzionale.it/wordpress/images/stories/pdf/documenti_forum/paper/0347_gianfrancesco.pdf, noted that the Commission's "vital game" would see it fighting for political legitimacy and for a leading role in defining the EU's political directions.

²¹ Cf. S. Pistone, entry *Europeismo*, in *Enciclopedia delle scienze sociali* (1993), now at https://www.treccani.it/enciclopedia/europeismo_%28Enciclopedia-delle-scienze-sociali%29/; on the three main lines of thought that influence the process of European integration, cf. also Id., *L'integrazione europea. Uno schizzo storico*, Turin, UTET, 1999, p. 9 ff..

²² From the first perspective, cf. R. Dehousse, *Conclusion: Obsolete or Obsolete?*, in R. Dehousse (Editor), *The "Community Method". Obsolete or Obsolete?*, London, Palgrave-McMillan, 2011, p. 199 ff.. Instead, for a revision of the Community method that adapts it to a democratisation of the EU in such a way as increase its legitimacy and political authority, albeit from different perspectives, see, among many, and as part of an interesting discussion on the topic hosted, a decade or so ago, by *Notre Europe*, F. Chaltiel Terral, *De la méthode fonctionnaliste à la méthode démocratique*, in <https://institutdelors.eu/wp-content/uploads/2020/08/methodefouctionnalisteoudemocratiquechaltielneoct12-2.pdf>; M. Maduro, *Politiser l'UE pour renforcer la méthode*

3.4. In my view, the immediate objective must be to achieve some form of co-determination of political directions by the European Council and a Commission (necessarily “stripped” of its current role as guarantor in favour of an independent administrative authority or judicial body)²³ bound by a genuine relationship of confidence with the EP;²⁴ in this scenario, the EP, together with a Council deprived of its residual executive functions, would be the full holder of legislative power. Incidentally, as part of such a transformation it would be necessary to review the system of Council “configurations” and presidencies, bringing to an end the six-month rotating presidency system that, to date, has generated considerable confusion of roles.

I say European Council and Commission because, in a system like the European one, the idea of abruptly excluding the intergovernmental component from the system for determining political directions, by turning the most important intergovernmental body (the European Council) into a mere collegial presidential organ of the Union with the characteristics of a neutral guarantor, is simply untenable.²⁵

communautaire, in https://institutdelors.eu/wp-content/uploads/2020/08/politisationue_maduro_ne_oct12-1.pdf; P. Ponzano, *Méthode intergouvernementale ou méthode communautaire: une querelle sans intérêt?*, in https://institutdelors.eu/wp-content/uploads/2020/08/bref23-pponzano_01-1.pdf.

²³ This is not the place for a detailed analysis (albeit warranted) of this problem and its possible solutions. Suffice it here to point out that a more political role for the Commission, and the relative electoral legitimacy that this implies, would clash with the functions connected to its role as “guardian of the Treaties” which are linked to its traditional status as a “neutral” or guarantee body. In this regard, and in particular with regard to the issue of competition, see the reports delivered at the conference on *Il ruolo della Commissione tra derivazione partitica e funzioni neutrali nel progetto di Costituzione europea*, part 2, *Le funzioni della Commissione dopo il tramonto della “neutralità”: il caso della tutela della concorrenza*, Rivista italiana di diritto pubblico comunitario, 15 (2005), 1113 ff.; as well as R. Manfellotti, *Sistema delle fonti e indirizzo politico nelle dinamiche dell'integrazione europea*, Turin, Giappichelli, 2004, p. 38 and p. 49 ff., and G. Amato, *In Europa, finalmente*, op. cit., p. 125.

²⁴ A slightly different position is adopted by P. Ponzano, *La Commissione europea: composizione e ruolo nel sistema istituzionale dell'Unione*, Il Diritto dell'Unione Europea, 3/2004, p. 515, who proposes collegial political accountability of the Commission both before the European Council and before the EP, whereas here the solution preferred is joint power of orientation between the Commission and the European Council, in the presence of a relationship of confidence between the Commission and the European Parliament alone.

²⁵ The progressive strengthening of the European Council seems to confirm the now established affirmation of C. Pinelli, *Ipotesi sulla forma di governo dell'Unione europea*, Rivista trimestrale di diritto pubblico, 1989, p. 333, who pointed out that “The European Council (...) cannot be compared, in its functions, and even less so in its structure, to the heads of state of parliamentary regimes, since it is the most conspicuous intergovernmental body in the system”. Similarly, A. Pizzorusso, *Il patrimonio costituzionale europeo*, Bologna, Il Mulino, 2002, p. 165, also excludes that the European Council can be configured

Initially at least, the system would therefore effectively be a “two-headed” (albeit not semi-presidential)²⁶ one that would see political power shared between intergovernmental institutions, namely the European Parliament and the Commission (whereas in the current system this power is unevenly distributed in favour of the national governments). The Commission would thus have “dual legitimacy” conferred both by the EP and by the intergovernmental component.²⁷ But the synthesis should occur in the executive, not the legislative sphere. The problem with the model could arise, in the future, were the political orientation of the EP to differ from that of the European Council, a hypothesis already raised in the doctrine, in a comment to the draft Constitution for Europe that refers to the French system of “cohabitation”.²⁸

However, as is typically the case with non-authoritarian “two-headed” models, the dialectic between the European Council and the EP should lead to a common political orientation, even though the will of the EP would likely increasingly prevail on account of its privileged relationship with Commission; that said, this prevalence must not be at the expense of constant efforts to arrive at the aforementioned shared political orientation.

3.5. In such a framework, the body required to provide a link and point of synthesis between the two legitimising subjects would take on considerable importance; it is a role that could only fall to the Commission in the person of its president, the embodiment of the highest point of mediation between the two powers. With this in mind, it seems appropriate to give serious consideration to the possibility, already envisaged by the Treaties,²⁹ of combining the position of chair of the European Council

as a collegial head of state, on account of the way in which the will of this body is formed.

²⁶ In fact, in semi-presidential systems the legitimacy of the president and the parliament comes from the same source, whereas the European Council does not represent the EU as a whole as it is (indirectly) accountable before the member states; what is more, as an institution, essentially it is not accountable. In this sense, it would seem possible to draw an even stronger analogy with the sovereign who bases his legitimacy on a source other than that of parliament. In this regard, E. Gianfrancesco, *Un approccio costituzionalistico alla Commissione europea*, *op. cit.*, in notes 38 and 92, argues that the semi-presidential form of government cannot be used to frame the form of government of the EU.

²⁷ A. Manzella, *Nell'emergenza, la forma di governo dell'Unione*, Astrid Rassegna, 316 n. 5 (2020), in reference to the formation of the Von der Leyen Commission, speaks of a relationship of “dual confidence” with the Commission, on the part of both the European Parliament and the European Council.

²⁸ Cf., G.G. Floridia, *Il cantiere della nuova Europa. Tecnica e politica nei lavori della Convenzione europea*, Bologna, Il Mulino, 2003, p. 413.

²⁹ In this sense, see, among many, R. Adam and A. Tizzano, *Manuale di diritto dell'Unione europea*, II ed., Turin, Giappichelli, 2017, p. 75.

with that of Commission president, by giving positions both to the latter.

This would mean working to strengthen the *Spitzenkandidat* system,³⁰ possibly through some form of institutionalisation of the same (albeit without excluding, a priori, stronger and more incisive interventions on the EU's form of government, such as the introduction of direct election of a single president). However, there can be no avoiding the fact that, in the absence of a formal direct election, the EP, in order to reach the necessary absolute majority, might find itself having to opt for the *Spitzenkandidat* proposed by a party/alliance other than the one that achieved the relative majority, or even for another person altogether, as in the case of the “Ursula majority”.

In the procedure for appointing the President of the Commission, the balance of power between the European Council and the EP is not the only key factor: the European parties, too, play a fundamental role.³¹ In order to strengthen the legitimacy of the EP and, through it, that of the Commission, as well as the role of the (still very weak) European parties themselves, it is worth considering the proposal to establish a system of transnational lists within single European electoral districts. Under this proposal, the leader of each list — it is important to underline that lists could enter the elections as coalitions; in fact, the parties would may be encouraged to join forces if this mechanism proved able to influence the appointment — would be its *in pectore* candidate for the office of President of the Commission.

This mechanism would serve to emphasise the European nature of the elections to the EP, which to date have been excessively influenced by purely national visions; it would thus give a greater role and greater visibility to the European parties and would raise the profile of their candidates for the office of President of the Commission, who would, as a result, enjoy even stronger democratic legitimacy.

A mechanism of this kind is, of course, unusual, even in federal states. But to appreciate the reasons for it and enhance its positive aspects, we must bear in mind the absolute originality of the process of European integration, a context in which institutional stimuli designed to promote the affirmation of a common democratic, and not merely

³⁰ For a reconstruction of the genesis of the practice that gave rise to the *Spitzenkandidaten*, and the difficulties it encountered, cf. N. Lupo, *La forma di governo dell'Unione, dopo le elezioni europee del maggio 2019*, in https://www.giurcost.org/LIBERAMICORUM/lupo_scrittiCostanzo.pdf, and O. Suárez, *¿Réquiem por el Spitzenkandidat?*, *Política y Sociedad*, 58 n. 1 (2021), <https://doi.org/10.5209/poso.74302>.

³¹ Cf., among many, R. Perrone, *Rafforzamento identitario dei partiti politici europei e democrazia nell'Unione: quali strumenti?*, *Giurisprudenza costituzionale*, 62 n. 2 (2017), p. 929.

intergovernmental, decision-making framework, have become more necessary than ever.³²

This system cannot be considered an alternative to national electoral districts (typical of all federations), but should be seen, rather, as a form of supranational electoral contest that would endorse the Commission presidential candidate politically (not in a legal sense, as this would generate the risk of direct election of the president by stealth, which, while plausible, would be a considerably questionable mechanism). Hopefully, it would entail some sort of electoral bonus that might, in the future, encourage the creation of transnational coalition lists.

3.6. In this setting, there should also be a new attempt to overcome the rule requiring the presence, at all times, of at least one commissioner from each member state, also to avoid the Commission being conceived as yet another assembly of representatives of the states.³³ In this regard, the formula proposed in the Lisbon Treaty would need to be updated, eliminating the envisaged equal rotation mechanism, which would be difficult to implement and of little real value. This step would strengthen the Commission's role as the sole bearer of the interest of the EU as a whole, and therefore also its political role. In other words, the Commission would become the bearer of a commonly shared vision of the European interest, resulting from reconciliation of the various interests (national, local, transversal, etc.) present across the Continent and expressed as a common ideal concept. But even were the criterion of one commissioner per member state to be retained (as a legal obligation or simply as common practice),³⁴ the really decisive factor would be the conferral, on the president-elect, of the right to choose, or have a say in choosing, the members of the Commission. There are different ways of achieving this objective, according to how much discretion would be granted to the president-elect, who might, for example, be required

³² For some further considerations in this sense, allow me to cite S. Aloisio, *Circo-scrizione unica europea e liste transnazionali: un'occasione perduta per realizzare uno strumento eccezionale di rappresentanza parlamentare davvero sovranazionale*, in D. Preda and F. Velo (editors), *A settant'anni dal Congresso d'Europa a L'Aja. Unità ideale e unità politica*, Bari, Cacucci, 2020, pp. 261 ff., esp. pp. 267 ff..

³³ Cf. G.G. Florida, *La forma di governo nel progetto della Convenzione*, *Democrazia e Diritto*, 2/2003, p. 154.

³⁴ E. Gianfrancesco, *Un approccio costituzionalistico alla Commissione europea*, *op. cit.*, p. 14, believes that the presence of one commissioner per state can positively influence relations between the Commission and the member states, and that abandoning the presence, in the Commission, of every single member state does not seem to be essential in order to characterise the Commission as a body capable of expressing its own, original orientation in relation to the interpretation and implementation of the Union's general interest.

to choose from lists of names (more or less numerous) proposed by the states, submit a proposal to the European Council (whose veto power, while retained, would be difficult to exercise), or even appoint commissioners directly.

3.7. Finally, it is worth mentioning, briefly, the role of the Court of Justice. The judiciary of the EU has always been central to the integration process and the line of decisions of the CJEU has often filled gaps left by the weak European institutions and anticipated, through the CJEU's interpretations, choices later embraced in the Treaties. In the wake of a period (from the 1990s onwards) that saw its role reduced, the CJEU has now returned to the fore and is playing an important role in defining the scope of the European legal system and its relations with the national ones, and in this regard dialogue between European and national judges has proved fundamental. From this perspective, the time is clearly ripe for a rethink of the composition of the CJEU, in order to emphasise its link with national courts rather than with national executives.

4. For a Distinction of EU "Government" by Area.

Initially at least, the form of "government" would need to be structurally different in the economic-financial area as compared with the foreign and defence policy sector, which, it is hoped, might see a real and rapid strengthening. This is not to say that reinforcement of the European executive is not essential in this sector as well: in fact, in all systems of government, "foreign power" is always based on a clear prevalence of the role of the government over that of parliamentary assemblies.

However, the process of European unification has advanced far less in the field of foreign policy and defence than in that of the single market and economic-monetary union. In the former, there will therefore inevitably continue to be, at least to begin with, greater use of the intergovernmental approach (elsewhere largely outdated and surmountable), albeit increasingly tempered by some features of the Community method. Economic-monetary integration is different from integration in the field of foreign policy and defence, and nowhere is this more marked than in the relative implementation time frames: the process leading towards EMU may be more gradual, but it has been under way for longer and is therefore now ripe for completion in the federal sense; instead, while Europe has only just started to move towards integration of foreign policy and defence, the very nature of the process, in this

case, is such that it can less easily be fragmented over time. In short, the options are either to stop or to press ahead rapidly. In the field of foreign and defence policy, where the gap between intergovernmental cooperation and political union is clearer and more decisive, slow and gradual advancement is far less feasible.

This notwithstanding, to give the foreign and defence policy integration project a good chance of progressing, and to ensure its political credibility, it would already be appropriate to draw up a long-term programme for the integration of the relative powers — how long term is hard to say; the time frame could even be quite limited, considering that the whole EDC-EPC story unfolded in less than four years, i.e. from the time of the Pleven Plan to the French National Assembly's rejection of the EDC —³⁵ setting out the precise stages and their chronological order, in a manner reminiscent of the process that led to the single currency.

Finally, it would be necessary to envisage a different role for the institutions responsible for governing those areas (the Single Market primarily) that could continue to include member states that have no wish to participate in Treaty reform while, at the same time, not wanting (or not being in a position) either to prevent it from going ahead, or to leave the EU. To achieve this dichotomy, it would be necessary, as it becomes clear that no unanimous agreement can be reached, to provide for a pact between the “innovators” and the “immobilists” that will guarantee the rights of both groups of states while also making the separation between the two levels of integration both plausible and workable.³⁶

5. Final Remarks.

Proposals for institutional reform can vary greatly, especially in the detail, and their formulation is a necessary exercise for those wishing to make a serious contribution to political debate and help focus it on the issues crucial to the outcome one wishes to pursue, which in my case is the federal one. However, it is important to retain the flexibility that politics demands, avoiding excessive attachment to one's own “mod-

³⁵ On the events surrounding the EDC and EPC, cf. at least, D. Preda, *Storia di una speranza: la battaglia per la CED e la Federazione europea nelle carte della delegazione italiana (1950-1952)*, Milan, Jaca Book, 1990, and Id. *Sulla soglia dell'unione: la vicenda della Comunità Politica Europea (1952-1954)*, Milan, Jaca Book, 1994.

³⁶ This issue already features in the reflections developed ahead of the creation of the EU. Of particular interest, in this regard, A. Padoa Schioppa, *European Union and European Community: Two Incompatible Institutional Systems?*, *The Federalist*, 30 n. 3 (1988), p. 201 ff., <https://www.thefederalist.eu/site/index.php/en/notes/2143-european-union-and-european-community-two-incompatible>.

els”, while nevertheless keeping clearly in mind the crucial aspects of the proposals on which there can be no compromises.

Providing, then, that they are formulated and managed with this in mind, they can be useful. As pointed out by Calamandrei, even the careful planning and advance calculations of jurists can have practical value in history, since reasoning hypothetically about a reality that is still in the making can help to direct it and shape it according to what is forecast; as the author also remarked, it should further be considered that one of the ways to infuse men with will is to convince them that, if they so wish, the practical obstacles in the way of their goal need not be considered insurmountable. Although the saying usually goes “to want to is to be able to”, the opposite is closer to the truth: “to be able to is to want to.”³⁷

Salvatore Aloisio

³⁷ P. Calamandrei, *Disegno preliminare di federazione mondiale - Presentazione* (1949), now in Id., *Scritti e discorsi politici*, edited by N. Bobbio, I, 2, Florence, La Nuova Italia, 1966, p. 466.

THE EUROPEAN UNION AND THE RETURN OF WAR THE URGENT NEED FOR A FEDERAL, SOVEREIGN AND DEMOCRATIC EUROPE*

Russia's aggression against Ukraine has opened a new chapter in European history. This brutal war looks set to be protracted: there seems to be little scope for a truce, and the Ukrainians will not cease to offer resistance – a resistance that we Europeans have a moral and political duty to support. This war is driven by a determination to stop the spread of Western values and their adoption by states that, until recent years, were far removed from the Western political and cultural model, being instead an integral part of the Soviet bloc that Russia is now striving to recreate as a geopolitical reality.

It is important to understand the timing of this aggression. The reason Ukraine has been invaded now is because it was working, albeit with difficulty, towards its own gradual integration into Europe; and it is equally important, in this sense, to understand that the other target of this attack is the European Union, which has been growing in strength in the wake of its choices in relation to the pandemic. This war, therefore, is aimed at containing not so much NATO, as Europe. This represents a radical shift in perspective. The European Union, being politically weak, and having no foreign or security policy and no defence of its own, has, in the past, often passively aligned its position with those of NATO and the USA; now, however, in the wake of these difficult past few years, it has finally begun to address the question of its independence and strategic autonomy, initiating a process of internal reform.

In other words, the central idea behind this seemingly crazy move on the part of Putin — whom we must never make the mistake of underestimating —, lies in a determination to nip the current European strengthening process in the bud, to block it before it becomes unstoppable. As things stand, we still have many weaknesses — economic, political

* Document prepared in support of the European Federalist Movement's campaign for the Conference on the Future of Europe.

and military — that Putin can exploit, hoping that this war will exacerbate them to the point of undermining our democracies, in particular by driving the growth of populist forces, which Moscow is ready to support with multiple tools, including the weapons of propaganda and disinformation, in the use of which it excels. Tomorrow, however, such weaknesses may well largely have been overcome.

This opponent can be stopped only if we first establish the true field of play and the real aims being pursued. Europe is indebted to President Zelensky and the Ukrainian people for ensuring that the Kremlin's move was not an immediate success. Ukraine's resistance has forced Europe and the USA, and much of the world with them, to react; it was not to be taken for granted and it has made all the difference. This, however, is just the start of a long war — a war for which we must be equipped, on all levels: economic and military, but above all political. And in this context, the ultimate battleground is that on which we will be fighting to conserve the strength of consensus and the unwavering support of public opinion.

It now falls to Europe to lead the free world, and it must do so not only because the enemy and the war are on its doorstep, but above all because of the superior contribution that Europe can make through the political and social model it offers. However, it is not our national democracies that can make the difference, rather the strength of our process of unification. The real enemy of autocracies, which are based on aggressive nationalism, tyranny and contempt for human life and freedom, is indeed this process, which must now be completed by returning to the roots of the Ventotene Manifesto. The threat before us now is the same as it was then, and therefore the response must once again be worthy of the challenge: today, this means finally implementing reforms designed to give rise to a federal Europe. In other words, we must complete our unification by creating efficient institutional mechanisms that strengthen the convergence of our economic and geopolitical interests. Above all, we must politically defeat the scourge of nationalism, which has once again brought war to our continent, and we must do so by creating institutions that are immune to this affliction, and constitute an alternative model that may also be an example for the rest of the world.

* * *

Through the work done over recent months, the Conference on the Future of Europe has shown its full potential, drawing Europe's citizens

into a public debate in the course of which, both on the platform and in the recommendations of the various panels, they have clearly called for a strong European democracy, and for a European Union capable of acting effectively together with its citizens. Now, as the Conference prepares to draw and present its conclusions, we European federalists — a broad galaxy of forces that have driven the debate over these past months and helped to ensure that local communities and public opinion were reached by the relevant information and exchanges — ask only that the undertaking made at the start of the Conference be maintained. In other words, we ask that there be no censorship of the more radical recommendations clearly supported by the citizens, but rather acknowledgement of and therefore support for the proposal to launch a Convention to discuss reforms of the Treaties. And this must not be an initial Convention that will start from scratch, but rather one that is already prepared to discuss, seriously, how to build a democratic, sovereign Europe, capable of acting.

With this in mind, we here present, as our contribution, a series of concrete proposals for reforming the Treaties. A federal, sovereign and democratic European Union is necessary, but we want to help show that it is also possible.

OUTLINE OF TREATY REFORM PROPOSALS

The following text sets out a series of Treaty reform proposals aimed at modifying, in a federal direction, the competences of the European Union and its institutional architecture, in such a way as to give rise to a political union. Essentially, it is deemed necessary to introduce, immediately, a series of substantial changes that will definitively alter the nature of the EU and will lead, after a transitional period, to the establishment of a full federal union.

The current political situation demands an acceleration of the process of EU reform. The need to address devastating crises — the pandemic and the war in Ukraine — has led to a greater convergence of interests among the EU member states and a previously inconceivable unity of purpose. This has allowed them to exploit existing instruments without structurally modifying the functioning of the Union. However, to be able to act effectively and in a unified manner, both over time and in the midst of the tough challenges ahead, the EU will need to overcome the current confederal mechanisms on which it is founded. Today, the capacity for action at European level remains dependent

on the reaching of consensus between the governments of the member states, and we know from experience that, all too often, divergences between immediate national interests emerge and leave the Union paralysed. Hence the need for a federal union able to determine its own conduct within the sphere of its competences.

As Jean Monnet put it, the time has come to entrust the shaping and defence of the European interest to independent supranational institutions, relieving the national governments of this task, given that they are unable to pursue the general interest, only agreements between conflicting, or at least differing, national ones.

The first series of proposed changes concerns the *competences of the Union and the powers of the European Parliament*.

First of all, in some areas that fall within the competences of the member states (such as industrial policy, economic policy, public health), and in which the Union is currently required merely to provide coordination and support, the proposals envisage a strengthening of the EU's competences, in order to allow it develop genuine policies at supranational level.

In this context, particular attention is paid to *fiscal competence*; indeed, since the EU currently lacks this competence, it has no means of identifying the own resources that would allow it to implement its policies independently of the member states.

Therefore, without prejudice to the fiscal power exercised by the member states in the sphere of their competences, the EU should be empowered to impose and collect direct and indirect taxes.

At the same time (see the proposed institutional changes), the European Parliament, as the future lower house of the parliament of the new federal union, must have full capacity to participate in decisions relating not only to EU expenditure, but also to its revenue.

Still on the subject of the *powers of the European Parliament*, the latter must also be enabled to participate fully in the ordinary legislative procedure for the adoption of legislative acts that, under the Lisbon Treaty, required application of the special legislative procedure (under which the Council is the sole legislator and the European Parliament is merely consulted). If the European Parliament had the faculty to participate in the ordinary legislative procedure, these legislative acts could be adopted by a qualified majority and no longer by unanimity. These proposed Treaty reforms concern seven EU policy areas (see text).

The second series of proposed changes concerns *foreign policy and the common security and defence policy*. Their aim is to give the EU “strategic autonomy”.

In these sectors, the TEU provides for the application of purely intergovernmental mechanisms, which exclude the participation of the European Parliament and require unanimous agreement between the member states; these are therefore sectors characterised by less advanced integration than that seen in areas in which the EU has greater powers; for this reason, a transitional period is envisaged, at the end of which decision-making power should be attributed to the new European government, controlled by the new bicameral parliament.

During the transitional period, foreign policy and defence policy decisions would continue to be taken by the European Council, and therefore according to the intergovernmental method, but by a qualified majority.

The third series of proposed changes concerns *institutional provisions relating to the new federal union*.

- As already requested by the citizens participating in the European Citizens’ Panels organised within the framework of the Conference on the Future of Europe, the European Parliament should be granted the *right of legislative initiative* should the European Commission fail to respond to a request, from the parliament or from a million citizens from at least seven member states, to submit a proposal (to date, the European Commission has responded to only one or two requests from a million European citizens)
- The document also sets out the reforms needed to *transform the Commission into a true European government*. In this case, too, a transitional period is envisaged, in part to allow sufficient time for discussion of the new balances that would need to be established between the current institutions and the new European government destined to replace them (particularly, but not only, with regard to the matter of political confidence). During the transitional period, the Commission president would be appointed, as is the case today, by the European Council, but with a strengthening of the *Spitzenkandidaten* system in the context of the introduction of transnational lists. The members of the Commission, on the other hand, contrary to what happens under the current system (in which the governments of the member states play a crucial

role in choosing the commissioners), would be proposed by the Commission president and appointed by the Council. It can already be envisaged that, following the end of the transitional period, the president would be required to choose the members of the new European government directly.

- As regards the *transformation of the Council into the upper house of the parliament* of the new union, i.e., the creation of a senate or chamber of the states, the system in force in Germany's *Bundesrat*, rather than the one in place in the United States, seems to offer the better model. Naturally, with regard to the composition of the proposed lower house and of the "Senate of States", the numbers mentioned in this document are to be considered purely indicative.
- It is proposed that the *European Council*, on a transitional basis, should exercise the presidency of the EU and be assigned certain tasks, the most important being those relating to foreign and security and defence policy.
- It is proposed that the existing provisions relating to the *financing* of the EU be amended to allow the new federal union, independently of the states and with the full participation of the parliament, to borrow and establish its own income. A transitional period might be envisaged in this case too, during which the mechanism could be subject to a percentage ceiling (as was seen with the ECSC).
- Finally, it is envisaged that *revisions* of the new constitutional treaty be subject to majority decisions, both in the new bicameral parliament and with regard to the ratifications by the member states.

TREATY REFORM PROPOSALS

The Competences of the New Federal Union.

A first amendment to the Lisbon Treaty must concern the definition of the competences of the European Union as laid out in Articles 2, 4, 5 and 6 of the Treaty on the Functioning of the EU (TFEU). The new federal union must have the power to take legislative decisions in the field of economic policy and industrial policy. In some cases, such decisions will require application of the ordinary legislative procedure. Furthermore, public health policy as a whole must become a concurrent competence of the new federal union. To this end, it will be necessary to amend Article 2(3) TFEU as well as articles 4, 5 and 6 TFEU.

Strengthening the Powers of the European Parliament.

1) Area of Freedom, Security and Justice.

All the acts provided for in Title V of the Lisbon Treaty should be adopted following a proposal from the European Commission (the government of the new federal union), and no longer on the initiative of a quarter of the member states. To this end, Article 76 TFEU must be deleted. Furthermore, all legislative provisions under Title V of the Treaty (particularly those concerning judicial cooperation in criminal matters, family law and police cooperation) must be adopted in accordance with the ordinary legislative procedure, and no longer the special legislative procedure. Finally, it will be necessary to delete Article 79(5) TFEU, according to which it is up to the member states to determine the volumes of third-country migrants that may be admitted to their territory.

2) Tax Provisions.

The European Parliament, as the future lower house of the parliament of the new federal union, should have the same powers of legislative intervention with respect to both revenue and expenditure. The new federal union, to be able to carry out the tasks assigned to it, must have the right to impose and collect direct and indirect taxes and/or to benefit from national direct or indirect tax revenues, to borrow, to purchase, and to possess and sell movable and immovable property in the territory of the member states. The member states' right to impose and collect direct and indirect taxes would not be limited in any way by the aforementioned provision.

3) Economic Policy.

The provisions (Articles 119, 120 and 121 TFEU) under which economic policy coordination is in the hands of the member states need to be amended in such a way as to transfer legislative competence in this area to the European Union. Accordingly, EU decisions on the provision of financial assistance to countries in difficulty pursuant to Article 122 TFEU would have to be taken in accordance with the ordinary legislative procedure. The same applies to decisions on excessive deficits, referred to in Article 126, and on the economic policy guidelines set out for countries whose currency is the euro, referred to in Article 136. Furthermore, Article 125 TFEU must be amended in order to allow the creation of financial instruments, like the "Next Generation EU" recovery plan, that provide for the issuance of European "common debt" financed by EU own resources.

4) *Employment.*

The employment policy guidelines mentioned in Article 148 TFEU should be considered a concurrent competence of the new federal union, and on this basis defined by the legislative authority in the same way as the economic policy guidelines.

5) *Social Policy.*

The ordinary legislative procedure and, therefore, the qualified majority voting system, must be extended to all the social policy measures covered by Article 153 TFEU. The same applies to agreements concluded at EU level pursuant to Article 155 TFEU. It is also necessary to modify Article 153(5) in such a way as to enable the new federal union to adopt, without dispute, measures relating to the minimum wage and the European minimum income.

6) *Industrial Policy.*

The Treaty provisions on industry (Article 173 TFEU) must be modified in such a way that the new federal union can develop a proper industrial policy and therefore an autonomous strategic capacity (enabling it, for example, to take decisions relating to semiconductors, arms and artificial intelligence). Measures of a legislative nature should be adopted in accordance with the ordinary legislative procedure.

7) *Environment and Energy Policy.*

It is necessary to amend Article 192(2) TFEU, which allows for derogations from the ordinary legislative procedure for the adoption of certain environmental policy measures, including provisions of a fiscal nature. Furthermore, the new Treaty should contain all the measures necessary for the application of the New Green Deal, to be adopted using the ordinary legislative procedure. Finally, the fiscal measures needed to achieve the EU's energy policy objectives, listed in Article 194 TFEU, must also be subject to the ordinary legislative procedure.

Provisions on Foreign Policy and on Defence.

1) *Union Foreign Policy.*

Title V of the Treaty on European Union (TEU), Article 21(2) in particular, needs to be amended in order to allow the new federal union to develop its own external action and use its own autonomous strategic capacity in its relations with third countries. All measures to this end, including the creation of a European arms agency, should be decided, during a transitional period, by the European Council acting

by a qualified majority (and with some form of involvement of the European Parliament). At the end of the transitional period, decision-making power would be transferred to the new European government, the latter subject to the political control of the legislative body of the new union. With the exception of its adoption of legally binding acts, this body shall have only a guiding and controlling role.

2) Common Security and Defence Policy.

Likewise, it is necessary to amend the Treaty provisions on the common security and defence policy (Articles 42-46 TEU). The new provisions relating to this policy will have to include both measures falling within the competences of the national governments of the member states of the new union, and measures falling within the competences of the new European government. The mechanism outlined in the previous point (transitional role of the European Council) applies in this case too.

Institutional Provisions.

1) The Right of Legislative Initiative Held by the Current European Parliament and by the European Citizens.

Pending the entry into force of the new bicameral legislative assembly (composed of the European Parliament, as the new lower house, and the Council of the EU transformed into an upper house called the “Senate of the States”), the current European Parliament needs to be granted the right of legislative initiative, to be exercised in the event of failures of the current European Commission to meet its obligations pursuant to Article 225 TFEU (in other words, when it fails to respond within three months to a request from the European Parliament to submit a proposal).

This right should also be applied when the Commission fails to respond to a similar request submitted by one million European citizens from at least seven member states.

2) Reforms Needed to Transform the European Commission into a True European Government.

The new Treaty should provide for a transitional period to allow completion of the transformation of the European Commission into a European government. This would naturally require the Commission to relinquish the guarantee powers that it currently holds as a neutral body, and these would need to be transferred to appropriate bodies. During the transitional period, a new procedure should be adopted for appointing the president of the Commission, namely, a candidate should be proposed by the European Council and subsequently approved by the

European Parliament. However, before introducing this procedure, the *Spitzenkandidaten* system would need to be strengthened; essentially this would involve introducing, for the election of a certain number of MEPs, transnational lists headed by *political* leaders who would be openly running as candidates for the office of president. (This mechanism would tend to produce a political automatism similar to what is seen in many parliamentary systems, the German one for example; essentially, it would lead the European Council to choose a candidate from the majority transnational list, and would therefore leave little scope for intergovernmental negotiations). During the transitional period, the Commission president would propose a list of commissioners (possibly drawn from groups of candidates put forward by the national governments), who would be provisionally appointed by the European Council. Their appointment would then be collectively ratified by the European Parliament.

At the end of the transitional period, different scenarios might emerge. For example, the European Council could cease to play a role in appointing the president of the Commission (now the European government). In this case, the task of proposing a candidate for president of the new European government should fall to a neutral body (for example the president of the new lower house) and it would be carried out on the basis of consultations aimed at verifying the existence of a parliamentary majority, without prejudice to the application of the *Spitzenkandidaten* mechanism in the context of the formation of transnational lists. It would be up to the president elected by the parliamentary majority to choose the members of his/her government, recruiting citizens of the various states; there would be no obligation to include a predetermined number per state, although it would initially be preferable to ensure a certain geographical balance. Obviously, the new European government, once formed, would need to obtain the confidence of the new lower house, through an absolute majority vote. The lower house would, in any case, retain the right to revoke its confidence in the president of the European government, at the same time nominating a replacement. This would need to be done through a constructive censure motion, again adopted by an absolute majority of its members.

A second scenario, which cannot be excluded *a priori*, might instead be characterised by continued intergovernmental legitimisation of the Commission ("government") by the European Council ("senate"); in this case, the latter would retain the faculty to propose candidates to the parliament ("lower house"), and the current mechanism, whereby

the European Parliament grants and may subsequently withdraw its approval, would remain unchanged.

3) Reforms Needed to Transform the Council into an Upper Legislative House ("Senate of the States").

The creation of an upper house in place of the current Council would mean eliminating the current system of rotation of national ministers, creating, instead, a permanent body composed of permanent members representing the governments of the EU member states (that said, we do not wish to exclude the possibility that they might be chosen by the national parliaments). This new body (or Senate of the States) could have a weighted composition rather like the current German *Bundesrat* does (for example, two members for the less populous states, twice that number for those with a medium-sized population, and three times as many for the large states). This system would make it possible to avoid excessively altering the composition of the lower house (today's European Parliament): it would be composed of members proportionally representing all the states with a population of a million or more, added to which there would be small number of members (a total of four, say) to represent those states with populations under the threshold of one million. The methods used by the two chambers to vote on proposed European laws would need to be regulated, with the aim of preserving, as far as possible, the current legislative procedure, which requires that texts be jointly agreed by the Council and the European Parliament. The new system would, of course, have to exclude the use of the special legislative procedure, except in the case of foreign and defence policy measures requiring a legislative decision.

The Transitional Role of the European Council.

During the transitional period, the European Council would, as a body, hold the presidency of the new European federal union, exercising its decision-making powers (see below) and entrusting the execution of its decisions to the Council of Ministers. In its capacity as the collegial presidential organ of the new union, the European Council, acting by a qualified majority, would be responsible for:

- proposing, to the European Parliament, a candidate for President of the Commission, as well as nominating the commissioners;
- exercising decision-making powers in the field of foreign policy and common security and defence policy;
- raising, if necessary, the ceiling of the EU's own resources;

- calling European parliamentary elections;
- ratifying international treaties (subject to the authorisation of the European Parliament);
- appointing the judges of the European Court of Justice.

Financial Provisions.

The provisions of Article 311 TFEU on the EU's own resources need to be amended in order, on the one hand, to affirm the EU's ability to impose taxes and borrow and, on the other, to clarify the nature of own resources and the phasing out of national contributions to the Union budget. In addition, the decision relating to the EU's own resources must be taken according to the ordinary legislative procedure. The text could provide that "the new legislative assembly votes on the laws and taxes of the new federal union, approves the budgets, authorises ratification of treaties, grants and revokes confidence in the new European government" (in the latter case, possibly dissolving the assembly and calling new elections). It might also be envisaged that, during the transitional period, the European Parliament and the Council, applying the ordinary legislative procedure, could impose taxes up to a maximum ceiling of 2%, which could be increased by a resolution of the European Council acting by a qualified majority. These taxes would continue to be accompanied by national contributions from the member states. At the end of the transitional period, national contributions and the tax ceiling would be eliminated, and decisions on revenues would, from thereon, fall to the new bicameral assembly.

Amendment of the New Constitutional Treaty.

The legislative assembly of the new federal union, acting by a majority of two thirds of the members of each of its two houses, may adopt amendments that modify or complete the Treaty establishing the new union:

- a) on its own initiative;
- b) at the request of the government of the new federal union.
- c) at the request of any member state of the federal union.

The amendments adopted will enter into force after ratification by two thirds of the member states of the federal union.

Salvatore Aloisio, Paolo Ponzano, Giulia Rossolillo

Thirty Years Ago

HISTORY WILL NOT WAIT FOR EUROPE*

1. The work of the intergovernmental Conferences on Political Union and Economic and Monetary Union, summoned by the December 1990 Summit in Rome, is about to end. Hence, it is being decided whether, based on the single market, we are going to have a single currency, and thus also European monetary, economic, fiscal, etc. policies instead of national ones. A decision is also about to be made concerning which institutional modifications of the Community are required to conduct these policies and to guarantee the role that Europe, having reached this degree of capability to act, should and will be able to play on the world scene. This is the problem of the Union. Hence what appears to be coming is a much more revolutionary change than those which took place in the last century with Italian and German unification. By definition, this change would not only give Europe a renewed independence, but it would also make a series of age-old problems which have always been left unsolved disappear: those not determined by the real needs of men, but by the division of Europe into exclusive nation-states. However, this is not the way the political class, the world of culture and the media consider the events that are taking place, the decisions to be made and the prospects opening up. In Italy, for example, only other matters are discussed, particularly the national reforms to be introduced to achieve *buon-governo*, without taking into account the fact that the best possible Italy would be a meagre thing in any case, an entity destined to be shipwrecked in an ever stormier sea, if Europe does not find a way towards true unity, and the world a way towards peace.

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It is true that the governments, including Italy's, speak of Union, but they know perfectly well that they are concerned only with how to approach a Political Union, and not with how to achieve it. It is not, however, merely a matter of words. The fact is that by doing so they conceal to public opinion, to the world of ideals and of interests, what they are actually doing. If, along with the problems of a European currency and European defence they really did discuss the problems of a Union (in other words of a European democracy), public opinion would not be silent, as it is at present for lack of information, but with its questions, aspirations and opinions would arouse a much wider debate than the one presently in progress in Italy over the problems of internal reforms. In conclusion, the governments are making European decisions of prime importance in an anti-democratic way. It is not therefore chance that the real matter in dispute in practice concerns only a few defence and security problems and not also, as decided in Rome, the problems of European citizenship and democracy.

But what sense is there in a quasi-Union as far as currency and security are concerned? How will Community cohesion be ensured within the wider framework which is rapidly going to assert itself on the basis of the agreements already made with EFTA countries and with the inevitable, and hoped for, entry of Poland, Czechoslovakia and Hungary into the Community? How will Europe be affected by the time factor which is making the very survival of the ex-USSR doubtful, and is leading the world ever closer to the final alternative between integration and disintegration?

A few governments intend to meet this challenge with the creation of a small European army side by side with real defence, which is still entrusted to national armies, whether integrated in NATO or not. But in this way they lead the undertaking of European construction into the sphere of division, because they continue to propose the choice between an autonomous European defence, and one depending on the USA, before even having the basis for an autonomous defence: European power. There is only one sphere in which Europe can really be united: that of European democracy, and of the overcoming of the national framework as the supreme point of political reference.

In fact, the basic historical problem, which must be confronted is not that of a unipolar world, as is commonly stated, but of its inevitable failure if in a not-so-remote future the force of the USA, at present enlightened, is not flanked by that of the ex-USSR as a nuclear power, and by a strong European centre; or at least by the latter, if it is already too

late to defend the unity of the ex-Soviet Union. It is by this standard that what Europe will be able to do in the next few years should be evaluated; whether its structure will still be those already in existence and prevailing within the intergovernmental Conferences, or whether it is provided with a true democratic government. If we allow that Europe has a potential equal to one hundred, it is certain that today, being still divided in the political sphere, it only exploits a minimal part of it. This becomes even more significant if we take into account that, rather than a potential for hegemony, Europe has a potential for internal and external unification sufficient to direct the world towards international democracy and away from hegemonies and traditional relations based on force.

2. To tackle the problem of what to do one cannot merely consider whether or not any small progress will be achieved in this or that field. So far, European construction has been sheltered by the Atlantic Alliance and the bipolar world, and this made possible and positive even a slow growth in unification. Now, instead the Community can progress only if it becomes one of the main factors in the development of the new world system. To give itself an order, it must contribute towards giving an order to Eastern European countries and to the ex-Soviet Union; and on this basis re-establish its relations with the USA and Japan on a new footing. If it is unable to do so, we will see not only the failure of a policy, but also of the very attempt at unification. Both the failure of the Community and its success, moreover, already have a precise form: either the dilution of the Community into a large free trade area unable to maintain political stability in a world that is disintegrating; or a European democracy without further delay.

This is the fundamental issue. Some governments seem to think it might be possible to achieve real progress in unification through the creation of a European currency after 1997, with the pledge to develop a small European intervention force, cautiously extending the European Parliament's powers of co-decision, or with other measures of this kind, which are inspired by the policy of small steps. But it is well known that a great policy can be achieved only when in possession of the specific consensus of a popular majority. And now it must be admitted, as many Heads of state and Delors himself never stop saying, without ever taking the necessary measures, that either the Community implements a great policy or it will disappear. While maintaining the single market, the European currency, the commitment in the field of security and an adequate widening of legislative co-decision, the following must be added: a) the appointment of the European Commission and its government

programme must undergo the European Parliament's vote of confidence; b) it is necessary to make the principle of majority decisions within the European Council and the Council of Ministers general practice; c) the constitutional intervention of the European Parliament is indispensable.

A generic consensus like the one actually existing in Europe is no longer sufficient. Even dictatorships can sometimes enjoy the approval of public opinion. Instead what Europe needs is a resolute consensus for a resolute policy in an open debate. No other means can unite Europe and wholly express all its potential. Any progress in the defence and security sector, that is not accompanied by the creation of a democratic government, would not make Europe more secure. On the contrary, it would make it less secure than a Europe that still lacks specific defensive competences but is already governed democratically. It remains a fact that the construction of Europe must still go on after the deadline of the intergovernmental Conferences. However, what must be understood is that this progress, which by now involves making strategic choices on the world scene, can only be based on a Europe which already has democratic institutions.

3. The alternative stated in the *Ventotene Manifesto* has now become an immediate deadline: either progress with European democracy; or decline if peoples and parties remain prisoners of national sovereignties. In actual fact, the turning point the Community is facing is, simultaneously, the turning point democracy has to face, too. The superiority of democracy has been confirmed in a historically grand way with the overthrow of the tyrannical regimes of Eastern Europe and with the attempt at democratization of the Soviet Union itself. But it should not be forgotten that democracy is on the defensive in those countries where it asserted itself long ago, that it is in difficulty in those same Eastern European countries and that along many fronts it is being weakened, humiliated or trampled on by the revival of nationalism. To prosper, democracy must prove that it is able to advance, and the road along which, in the present, it can really advance is only that of gradually spreading to international relations. The problem of European unity is one of the big world problems precisely because in Europe the first attempt at international democracy and its first experiment can be carried out. What the world is really facing is the prospect of integration or disintegration. What it still has to learn is that this is the alternative between federalism and nationalism. Humanity is facing terrible problems and democracy still has to prove that it is able to achieve a reasonable degree of liberty and equality not only between individuals but also between peoples; and

it must also prove itself able to guarantee permanent peace. Only along this road will it be possible to reconcile the citizens with politics, and to trust political thought again and its ability to construct the future.

4. Each of the twelve governments of the Community can, hypothetically, accept – as many statesmen do – that what the federalists say is true, but that unfortunately important European decisions do not depend on individual governments, taken singly, but on the expression of the same will, at the same time, on the part of all governments; in other words on a difficult and fortuitous circumstance. This is partly true, and it is for this reason that the European battle is difficult. But only in part, because Europe, in spite of this, has advanced. For there really to be a struggle for Europe, what matters is that a government – or a group of governments – is able to propose European objectives whose reasonableness and necessity impose themselves as evident. In this case even those governments that are badly disposed are obliged, under the pressure of public opinion and the force of interests and ideals, to proceed. This is how the Community was born, and how it overcame the great turning points in its construction. This is what the MFE, as the Italian section of the UEF, asks of Italy; and what, together with the UEF, it asks of other governments. Italy has a double task: on the one hand it has to contribute to the formation of European democracy because it can remain within Europe only if Europe exists; on the other hand, it has to tidy up its internal situation. This kind of task cannot be realized by one party alone but by the whole nation, whether expressed through a common government of all the parties, or through a government and an opposition that are in agreement as far as the essential issue, Europe, is concerned.

Italy has already in the past, thanks to De Gasperi and Spinelli, managed to impose on the countries that were establishing with her the European vanguard also the attempt at establishing simultaneously a political Community of a constituent nature (*ad hoc* Assembly). Today the situation is immensely more favourable and it is certain, also taking into account the stance of Germany, Belgium, Holland and, albeit with greater difficulty, France itself, that Italy can win the battle for European democracy immediately, at Maastricht, or shortly afterwards.

But not only governments must commit themselves, but the parties, which at present are still idle, must do so too, as well as the media and all men of good will. Europe is within reach and we will achieve it only if we have the will to.

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