

SCENARIOS REGARDING THE FUTURE OF THE EUROPEAN UNION

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Abstract

This work has as purpose to argumentatively identify the future evolution of the European construction, identifying a potential scenario which would settle the current contradiction within the European Union, namely the existence of a true “economic federation” and of only a “political quasi-confederation”, being notorious the fact that in Europe, federalism is mainly known as a specific solution of power assignment between the institutions of a central power and those of the member states (for federal states) or as a potential model of transnational integration (for the European Union) and even for regionalism within certain states (Spain, Italy, France).

It shall be tried the decryption of the philosophical and legal base of federalism as a doctrine able to provide a solution of state’s organisation in the conditions of the European integration.

Keywords: *federalism, European Union, federal states, personalist thinking, regionalism*

Introduction

The future of the evolution of a certain system cannot be certainly foretold. This is a truth that has been scientifically proved. It’s exactly this lack of certainty regarding the future of the E. U. that determined the projections of several scenarios among which the one that would solve the current contradiction in the E.U., which is the existence of a real “*economic federation*” and only a “*quasi-political confederation*”¹.

In Europe, federalism is mainly known as a concrete solution to spread power between the institutions of a central force and the ones belonging to the member states (in the case of federal states) or as a potential transnational integration model (in the case of the European Union) and even for regionalism within some states (Spain, Italy, France).

Thus, federalism existed as a political and social model but also as a philosophy and methodology oriented towards a future determined by the inevitable globalisation.

But, so as to choose this kind of model, it is imperative that we know its genesis, evolution and the perspectives of its adoption in the conditions that are totally different of what truly represents concrete federal models throughout history until this moment.

The first to have developed such a global concept of federalism was **Pierre Joseph Proudhon**² whose theory about a federal society inspired the personalism movement at the beginning of the ‘30s and later the ones who called themselves “*Global or integral federalists*”, a school founded by **Alexandré Marc**.³

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¹ Ioan Alexandru, *Administrative Law in the European Union*, Lumina Lex Publishing House, Bucharest, 2007, p. 40.

² Pierre Joseph Proudhon (1809 – 1865), French publicist, economist, sociologist and socialist, primarily qualified as an anarchist.

³ Alexandre Marc (1904 – 2000), French writer and philosopher.

1. Federalism as manner of organisation of a society

The archetype of the compound state is the federal state. The federal state is an association of states that freely decide, as per their sovereignty, to create joint bodies to which they grant a part of their competences, mostly in the military, diplomacy or financial field.

The federal state is formed of several state formations that have autonomy from the constitutional, legislative and legal point of view and are subordinated to it. In the international relationships, only the federal state has the quality of subject to the rule of law. The connection of association between the states is established with the Constitution. Thus, the federal state appears as an association of states that are subjected to a sole central power (the federal power) on one hand and, on the other hand, preserve a long constitutional, administrative and legal. The federal state preserved a multitude of constitutional frames subjected to the same superior constitutional frame (of the federal state).

In the speciality doctrine it is estimated that there are two ways to establish a federation: by integrating several states and constituting a state entity (the United States of America, Switzerland, and Germany) or by separating some regions of the unitary state and establishing a federation (Belgium).

The reasons to integrate some independent and sovereign states in a federal one are very different: common defence against an external threat; the preoccupation to insure (with the integration) a stable intern social order; the will to use economic resources more efficiently; the geographic context (it is the case of the European integration process).

Regarding the reasons to establish a federation by separating some provinces of the unitary state, they mostly consisted in trying to find a solution to conflict-like national problems. The federal state can be considered a synthesis between the unitary state – with its centripetal or centralising tendency and the co federal state – with its centrifugal tendency to push away its entities from the centre.

The federal state is different from the co federal one by its degree of integration of the federate entities, the Constitution being the one standing as grounds for its existence and not a Treaty. This is built of an assembly of states, federate states that transfer part of their primary sovereignty over to the entity formed of their grouping to the federal state. This sovereignty transfer can be considered a transfer of competences in the benefit of the federal state.

When the first federal constitution was elaborated in Philadelphia there had to be found a compromise between the two groups with the two apparently incompatible philosophies: the ones who wanted to replace the thirteen independent sovereignties with an American Government and Parliament and the ones who refused to replace any transfer of sovereignty to joint institutions and went for a confederation where joint institutions had no power at all over the sovereign member states.

The solution was found by Benjamin Franklin who suggested the bicameral federal system as a historical compromise: *The Chamber* – representing the people of the United States and the *Senate* – representing the interests of the member states.

Thus, federalism appears since the beginning as a combination between unity and diversity as seems to be the result of an integration process that tends to overcome autarchy without generating centralism and uniformity; it can be a process of decentralization without touching that specific autarchy we find today in the international society formed of the so called national sovereign states where some are actually “more equal than others”.

Generally, federalism is associated to the historical experience of federal states. Nevertheless, the constitutional frame offered by the dualist split of power between the political federation and its member states can tolerate political regimes, social and economic systems, but also different philosophies such as the United States of America or the former Union of Soviet Socialist Republics, Switzerland or the former Yugoslavia, Brazil or Germany. We believe that the creation of the United States of Europe will not necessarily involve the option of a form named society even if the

reallocation of the authority, by splitting competences and transferring them to a European level, will contribute to great change.

Every state or any other federal-like type of organization have in common some principles that, even though in practice they are somehow unevenly or insufficiently applied, can be found in federalism and characterizes it: the political autonomy and self-government (self-management) of the federate states or member subgroups is insured with legal guarantees and adequate financial means; the litigations between federal autonomous states or member sub-groups are not solved with an illegal competition nor with the arbitrary decisions of an all-powerful centre, but with rules mutually agreed-upon or with conventions between the partners involved. This was called the principle of cooperative federalism; in a federal system, the power is split so that each level (both federal institutions and the ones belonging to the federate states or member sub-groups) require adequate means to solve their own problems.

The purpose of this principle called the subsidiarity is not only to obtain a higher efficiency but also for a higher degree of transparency and self-control; federalism aims to strengthen the democratic principle of participation not only for individuals but also for the member states or subgroups so as to take part to common decisions. The participation becomes efficient by also applying the other principles mentioned above. Some individual members of some small autonomous sub-groups know problems and people better and this is why they have greater possibilities to take part to decisions than the ones belonging to strongly centralized mass organizations. Solving conflicts with dialogue and agreements is more participative than a decision imposed authoritatively, by force.

2. Interpreting the philosophical and juridical fundament of federalism as a solution for state organisation

Founder federalism, but also father of anarchism and socialism, **Proudhon** describes in his latest work "*Du principe fédératif*", especially (but not only) the model of a society built of autonomous communities that are united (in a federation) according to some contracts freely complied with. The power must be split so that it can be as close as possible to the level of the problems that need to be solved. "*The power must be everywhere, even in the centre*", **Alexandre Marc** states, interpreting Proudhon's federalist theory.

The grounds for Proudhon's society are the local communities, workshops and small plants; they are autonomous and are self-managed in a democratic way, then they unite in greater regions and production units which, at their turn, unite in federal nations (states) and, in the end, in a transnational federacy that includes everything. The basic principle of Proudhon's federal society is, thus, a sort of "*social contract*". Unlike **Rousseau**, applying this principle will not lead to the disappearance of the countless individualists in a collectivist mass of people.

Proudhon's social contract finds its expression in **mutualism** for instance, in the desire to truly limit and solve conflicts with understandings between the opposite groups of interests.

Proudhon's methodology is often described as "*an open dialectics*". In a federal structure, polarities, tensions and even conflicts are maintained but controlled. There is no need to dissolve regions in a centralized national state or nations in a centralized Europe: "*open dialectics*" is not a philosophy of "*either-or*" but of "*as well as*" (also)⁴. The essence of Proudhon's dialectic thinking consists in solving contradictions. The balance between all antagonisms must rely on justice, on righteousness – which Proudhon sees as a result of "*relativity and dialogue*", mutual recognition of opposite people and groups.⁵

Personalism, as a philosophy that pleaded for federalism and which might represent the basis of the European Union future configuration, developed and disseminated mostly, as we have shown at the beginning of this paragraph, in the '30 with the founders and partisans of the movement

⁴ Alexandre Marc, *De la méthodologie à la dialectique*, Paris, 1970.

⁵ Bernard Voyenne, *Le fédéralisme de P.J. Proudhon*, Paris, 1973.

through the magazines “*L’ordre Nouveau*” and “*Espirit*”. Among the personalists of the ‘30s the can be included **Robert Aaron, Arnaud Dandieu, Alexandre Marc, Daniel Rops and Denis de Rougemont**⁶, with us, **Constantin Rădulescu – Motru**⁷.

Synthesizing what we can remember is that personalists follow a certain doctrinal position which is the rejection both of individualism and of collectivism. Personalism opposes to individuals ideologies based on the idea that the sum of all selfish attitudes shall lead to general freedom and welfare. At the same time, personalism opposes the unilateral collectivist priority given to a society that controls everything in which the manipulated individuals are seen only as performers who must not build their own future but only contribute to the collective future.

A person’s fulfilment firstly requires its autonomy and freedom but it can be reached only if the basic communities, groups of people (that allow personal relations) are also autonomous. On the other hand, one must notice that personalism does not aim to encourage the nostalgia of patriarchal isolationism and that the principle of autonomy actually wants to mark the elimination of the aggressive centralism specific to great organisations, whether through a real decentralization of the power to take decisions, or even better by creating some new communities with human dimensions: neighbourhood organisations in the great city areas, regrouping autonomous team in plants, revalorizing trade union cells etc..

Each and one of these entities shall enjoy autonomy as long as it has its own statute and the necessary financial means to exert all its rights. But decentralization and creating new autonomous communities is limited by the need of autonomy from the neighbour groups, just as each person’s freedom is limited by the others’. If somebody wants to avoid the atomization of an autarchic society, autonomy cannot mean absolute freedom and sovereignty.

The application of the autonomy principle objectively generates conflicts. The cooperation between independent centres to take decisions and restructure the entire society, both based on rules, laws and contracts freely accepted, constitutional, convenient, and generally agreed-upon, must lead to a civilisation of free and responsible people.

This restructuring on the vertical raises problems for the split of the political, economic, social and cultural power of all the European Union member states, as per real needs and requests. Thus, so as to follow the autonomy of the constituent communities, the federal power plays only an auxiliary part. When problems surpass the competence level of the “*subordinate*” levels, the autonomy of the federal communities is limited so that the management of the common interest problems is performed at the level of the federal authority.

The intervention of the individual in the society is insured with the principle of participation. The participation is conditioned by the need to follow the other principles of constitutional democracy, but in small communities a person can be knowingly totally fulfilled and can achieve his/her goals in the community. Moreover, these communities must be capable to take part, at their turn, to solve the problems they share with others, whether by cooperating on the horizontal or with the relationships with the immediately superior level.

Conflicts and wars, hunger, sub-development, ethnic purification, ignorance and violence, radical nationalism, xenophobia and the lack of tolerance, tortures and other violations of the human rights, the destruction of the environment, etc. are only superficial manifestations of a deeper crisis currently affecting our world.

The nature of the crisis in this world can be described by the unbalanced relationships between man and nature, man and the technical world he created and with social relationships.

⁶ J. L. Loubet de Bayle, *Les non-conformistes des années trentes*, Paris, 1969 and Ferdinand Kinsky, *Fédéralisme et personnalisme*, Paris, 1976.

⁷ C. Rădulescu – Motru, *Materialism and personalism in philosophy*, in the Romanian Academy Annals, series III, volume XIII, memoire May 04th 1947, very much commented upon by Corneliu Leu in *Studies, methods and hypotheses of personalist philosophy*, Realitatea Publishing House 2003, p. 65-68, 141-148, 221-298.

Our society is more and more dominated by organizations of greater dimensions, as, for instance, cities (megalopolis) with millions of people, corporations with hundreds of thousand employees, political parties, trade unions, public and private bureaucracies. Small groups like families, small enterprises or corporations, decayed beginning with the industrial revolution. Most of the people spend more and more of their lives in anonymous social structures lacking transparency.

The result of this “*massification*” is the more and more increased tendency towards individualism. The social commitment to the community becomes a rare virtue while the rule is represented by a selfish pursuit of individual goals. Beyond our acquaintances and friends, people appear only as globally labelled groups: we talk about women, Catholics, Muslims, orthodox, black, Chinese, Americans, workers, drivers, etc. as if they were all robots heading for a single direction and behaving in the same unique way. Actually, these labels describe only a dimension of a great group, neglecting all the others. By using one of these terms we ignore the high complexity of the real world.

Conclusions

Personalist thinking must not be seen as the final project of a perfect society that could rise within the European Union. The basic approach begins by recognising what in France is called “*la pluriapartenance de l’homme*” (“Man’s pluri-partisanship). Each individual belongs to several groups and communities. Any limitation to only one of these different dimensions, nationality, social class, profession, etc. leads to the violation of freedom and the destruction of the great variety in the human life. E.U.’s integral federalism should acknowledge this variety by generally acknowledging self-government for all member states. Only that, if this condition is fulfilled, will it lead the unity to more freedom and solidarity? It would mean to go too far if we described in detail all the ideas of federalists, personalists and Proudhoniens. Nevertheless, we must mention some significant examples:

a) In the public field, the partial sovereignty transfer of the nation-state: within the territory, so as to allow a redefinition of the local authorities, also considering a loosening of urban centres that have become inadequate for being lodged; externally, by building a federal Europe and transforming the United Nations in a worldwide federation.

b) In the economic and social field, federalists have suggested a series of institutions meant to insure a person’s autonomy and fulfilment. The most important is the minimum guaranteed wage to replace the current system. The excess of financial resources can be found in the civic service: each person should spend a year or two doing the work that is now left to a sub-proletariat formed of the emigrants in the third world⁸.

c) In the cultural field nothing is more important for integral federalists than the respect for language and culture diversity forming the richness of the European inheritance. There is no “*raison d’Etat*” (State reason) justifying the enslavement of ethnical minorities whose fulfilment in autonomy does not oppose in any way to the unity of the federation. The case of Switzerland is convincing in this respect. The Swiss show that. If Berna applied the ideology of the unique and indivisible republic “*Republique une et indivisible*”, Italian wouldn’t be speaking in Lugano and French would be tolerated only as “*folkloric*” dialect at Geneva and Lausanne, with scarce radio programmes broadcast as a token of generosity⁹. The European culture has always had both unity and diversity.

If we see federalism as the ideological projection of an ideal society and not as a product of will but as a realistic orientation, it is legitimate to say that some of the major problems of the world will never find themselves adequate solutions without a federalist approach.

⁸ Alexandre Marc, *Guaranteed social minimum (MSG) pour l’Europe*, L’Europe en formation, No. 268, p. 3-19, Nice -1987.

⁹ Guy Heraud, *L’Europe des ethnics*, Paris - 1963.

But, despite some progresses as federalist solutions, federalism as manner of global approach of the world's problems remains a utopia. The reality is different. The first step towards federalization should be the acknowledgement of the difference between the current situation and the model. They will always be in terms of dialectic and conflict relations. It seems that our world will never be perfectly federalist. Still, we believe that the federal solutions, whether they are partial or global, are the best way to replace violence and oppression with freedom and responsibility, manipulation through participation. At the same time, realism means to partially accept pre-federalist solutions without losing the global objective out of sight. It also means to admit that partial solutions will never be enough. Realism cannot mean the simple acknowledgement of the *status-quo* and the naïve belief in its permanent continuation.

It is also good to know that federalists often contradicted themselves concerning the paths to follow. Some of them believe that administrations, parliaments and governments should be convinced, acting as a group of pressure – strategy generally known as *lobby*. Others want to create a mass move. A third group emphasizes on writing and speaking, meaning education.

Last but not least, one wonders if this concept about federalism will not complicate one of the simple ways for a united Europe and a united world. The answer could be that transnational unification cannot be a purpose itself. It is desirable if it protects diversity and if it contributes to solving transnational issues. Only then will people perceive the true transnational identity.

The reformation of the E.U. institutions is in current performance, but it is necessary that it continues until there will be found solutions so as to harmonize the structure and international mechanisms with the new E.U. formula extended to 27 states. There were and still exist a lot of issues that must be solved in the context of broadening and it was firstly necessary to considerably raise the E.U. budget so as to honour the additional obligations appeared as consequence of the countries in Central and East Europe adherence.

Thus, as it is described in the speciality doctrine, along the years many citizens in the member states have had a feeling of frustration not being able to understand or influence the procedure to adopt decisions within the E. U. the „*Democratic deficit*” seems to result mainly but not exclusively from the fact that the Council's decisional procedure is not made public. In the matter of decisional procedure, opinions were and still are different. European federalists generally accept an increase of the power of co-decision for the European Parliament, aim supported by Germany. The French and the British are in favour of a greater involvement of the national parliaments but some experts believe that this would complicate the procedures and it can be considered as a rebound of the current integration state.

The reformation of the E.U. states is a sine – qua – non condition regarding its broadening to 27 states and depending on “*open doors*” politics that seems to remain, even if not for the near future. This is why the debates about the political and juridical solutions that will be adopted for the complete integration of the E.U. member countries continue. Will federalisation be a solution?

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