

## **Éva Bóka: Engineering European Unity (Lecture outline)**

### **Abstract**

How could Europeans humanize power and achieve peace and union among the European countries? Which historical achievements contributed to the development of the Western system of liberties and the raising democracy between the European states? How did the idea of European union influence this development? Or rather, which pursuits led to deadlocks in the cooperation between states? The lecture searches the answers to these questions in a world historical context by looking at the ideas on a European union from the early modern period to the establishment of the supranational and intergovernmental union of states based on subsidiarity, multilevelism, and European law, as established by the Treaty of Maastricht, in 1992. It examines also whether the European Union can serve as a political and economic organizational model for other parts of the world.

The lecture revives and organizes important historical documents into a theoretical unity from the point of view of the theory and practice of international relations in a world historical perspective. It deals, among others, with the famous historical projects, political essays, and memorandums supporting the idea of European union (Aristotle, Althusius, Vattel, Locke, Montesquieu, Kant, Tocqueville, Proudhon, Keynes, Coudenhove-Kalergi, Briand, Rougemont, Brugmans, Spinelli, Schuman, Monnet, and Delors); the famous treaties or constitutions of defense unions against conquest and colonization (the Swiss Confederation 1291, the Treaty of Utrecht, 1579; the American Declaration of Independence, 1776; the Constitution of the United States of America, 1787); the most important documents of the development of a Western system of liberties and the international law (the French Declaration of the Rights of Man and of the Citizen, 1789; the Swiss Constitution, 1848; The Covenant of the League of Nations, 1918; the Charter of the United Nations Organization, 1945; the Universal Declaration of Human Rights, 1948) and the basic treaties of the European integration. It deals also with the answers of famous African, Indian, Japanese and Chinese thinkers (modernizers) on European modernity.

### **Introduction: The main characteristics of the idea of European unity**

“Modern civilization has taken as its specific foundation the principle of liberty which says that man is not a mere instrument to be used by others but that every man must be an autonomous life centre.”<sup>1</sup>

With these words of the Ventotene Manifesto started the call for a new democratic federalist Europe. It was written in 1941 by Altiero Spinelli and Ernesto Rossi, anti-Fascists activists. The Manifesto called for the creation of a steady federal state with the participation of everybody. It called for a democratic reform of social organization based on the principle of liberty and autonomy of persons and states. It emphasized that, in the future, the dividing line would be the fight for national power or for a solid international state, i.e. between intergovernmentalists and federalists. The authors warned that the fight for national power helped the reactionary forces.

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<sup>1</sup> Ernesto Rossi – Altiero Spinelli. *The Ventotene Manifesto*. Ventotene, 1941. The Altiero Spinelli Institute for Federalist Studies. 2. URL: [www.cvce.eu](http://www.cvce.eu), [https://www.cvce.eu/content/publication/1997/10/13/316aa96c-e7ff-4b9e-b43a-958e96afbecc/publishable\\_en.pdf](https://www.cvce.eu/content/publication/1997/10/13/316aa96c-e7ff-4b9e-b43a-958e96afbecc/publishable_en.pdf) (Retrieved: 15.04.2023)

The questions raise: where did this belief in the idea of European union come from? What historical achievements justify it? Why to protect the idea of European union?

The idea of European union has a long history. The famous anthology of Denis de Rougemont, Swiss personal federalist political thinker, refers to about 28 centuries (since Hesiod, 8<sup>th</sup> century B.C.) of Europe which were rich of projects on European unity.<sup>2</sup>

The idea of European union has ancient Greek mythological foundations represented by Europa, the Phoenician princess. According to the founder legend, European civilization is the product of the love of Europa and Zeus, who kidnapped her. This mythological story became the symbol of European unity, and the favorite theme for artists, painters, sculptors, writers, and thinkers. Europa appeared as a queen in the 16<sup>th</sup> century's maps and, later, as a symbol of liberty in the period of Europe's revolutions.

The idea of European union was a pluralist idea, with different political interpretations on how to cooperate among states and people. It was characterized by the dichotomy federalism versus intergovernmentalism.

In European international practice the organization of the World and Europe was strongly connected due to the European expansion worldwide.<sup>3</sup> The European principles were considered as universal.

European civilization has a double-faced cultural heritage, which was thriving for power, was expansive and violent, but was also lawful and peaceful. The antagonism of these two opposing facets contributed to the complex nature of European social history.

Supporters of a European union were usually part of the tradition of a law abiding and peaceful confederal or federal state organization. The idea of European union strongly connected to the peace policy, humanization of power, and the fight for liberty. However, power policy also used it for protecting authoritarian and domineering purposes.

The idea of European union was represented in political essays, peace projects, treaties on defense unions against conquests, and in legal documents on rights and liberty. They mirrored the development of the European system of liberties, as a fight of people for participation in state organization. All these played an important role in the gradual development of union among European states. European civilization was able to produce this historical achievement because Europe was characterized by diversity (different state forms, different cultures, languages), pluralism, discussions, differences in meaning, and the fight for liberty.<sup>4</sup>

## **1. Shaping the theory and practice of European unity during history**

### *The roots of personal federalism*

European civilization, and the idea of European union, has ancient Greek political, Roman legal, and Christian religious moral bases.

Ancient Greeks organized the institution of Amphietyonic Council (about the 7<sup>th</sup> century B.C.), the assembly of the confederated Greek states. It functioned as a court of

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<sup>2</sup> Denis de Rougemont. *Vingt huit siècles d'Europe. La conscience européenne à travers les textes, d'Hésiode à nos jours*. Paris: Payot, 1961.

<sup>3</sup> Charles Zorgbibe. *Histoire de l'Union Européenne*. Fondation Robert Schuman, Paris: Albin Michel, 2005, 9.

<sup>4</sup> Yukichi Fukuzawa. The Origins of the Western Civilization. In: *An Outline of a Theory of Civilization*. New York: Columbia University Press, 2008, 161.

arbitration above the states.

The famous Greek philosopher, Aristotle, who is regarded as the father of the European political culture, was in favor of personal federalism in the polis organization. In his view, social organization started from bottom-up, from the persons and families. As a result of their association policy larger and larger communities were created. At the top of these associations the polis was self-sufficient, and sovereign.<sup>5</sup> (Direct democracy in the framework of a slave-holder society).

In the Middle Ages (around the 11<sup>th</sup> -13<sup>th</sup> centuries) the idea of European union appeared as the idea of a *Respublica Christiana* (or Christian Commonwealth). The community organizing principles of the Christian Church represented the autonomy principle (local autonomy and autonomy of peoples), and created a spiritual, cognitive and cultural unity in diversity.

With the separation of church and state, the secular states became sovereign. As a result of rivalry among princes Europe disintegrated into a collection of feudal, monarchical sovereign national states and national empires. They pursued bellicose territorial incorporation policies and colonization both inside and outside Europe. As an opposition to these policies different ideas came to the fore on how to humanize power, and mutually influenced each other which were the followings:

*European council and a court of arbitration*

Pierre Dubois, French jurist, advocated to the rulers of Europe, in 1306, to renew the idea of the Greek Amphictyonic Council, and organize a European council and a court of arbitration instead of wars.<sup>6</sup>

*Defense unions: federalism versus confederalism*

The old Swiss cantons, in 1291, organized their confederal defense union (old Swiss Confederation) against the conquering ambitions of the Habsburg ruler.

George Podiebrad, the King of Bohemia, suggested in 1462-64 to establish a federal council of European rulers and a court dealing with the common military and financial matters and conflict solving. In all other areas the cooperating countries would have remained sovereign.<sup>7</sup> He believed that, through this, they could defend themselves better against the Ottoman Empire.

However, the plan for a European defense union did not materialize. In the meantime, the Ottoman Empire became part of the European balance of power policy. European great powers were in expansion and in a position of power world wide. As a consequence, they did not have to organize a European defense union till the end of the Second World War.

The Dutch provinces, fighting for independence against the Spanish Habsburg invaders, elaborated the principles of an aristocratic federal defense union among the

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<sup>5</sup> Aristotle. *Politics*. New York: Dover Publications, Inc., 2000, Book I. 7.

<sup>6</sup> Pierre Dubois. *De Recuperatione Terre Sancte*. Paris: Picard, 1891. URL: <https://archive.org/details/derecuperationet00dubouoft/page/iii> (Retrieved: 10.09.2019)

<sup>7</sup> George Podiebrad. Tractatus pacis toti Christianitati fiendae. In: *The Universal Peace Organization of King George of Bohemia. A Fifteenth Century Plan for World Peace, 1462-1464*. Ed. by V. Vanacek. Prague: Publishing House of the Czechoslovak Academy of Sciences, 1964, 71-82.

seven cooperating provinces in the *Treaty of the Union of Utrecht, 1579*<sup>8</sup>. The union was based on the sharing of their sovereignty in the field of defense and the necessary economic and financial cooperation. In all other fields the provinces remained sovereign. The Union of Utrecht made steps in the direction of the unification of the economic policy: the provinces had common financial policy, they had to agree in the exchange rate of their currencies, and they could not levy arbitrarily tax. The Union of Utrecht was not only a defense union but it was also an economic union representing the concept of a custom and financial union. The union established, in The Hague, the assembly of the union, as central institution, with legislative function. It was composed of the representatives of the participating provinces, and headed by the stadhouder ("state holder") with executive function. The draft laws were sent to the participating provinces for approval. The assembly of the union dealt with the foreign policy, warfare and related finances. The provinces delegated unequal number of representatives to the assembly, but each province had one vote. The decisions were unanimous in the most important questions, otherwise the majority vote was used. The treaty on the union could be amended with the consent of the allies.<sup>9</sup> The creators of the Union of Utrecht used the words union, confederation or alliance. This showed that they were uncertain how to name the union.

The institutional structure of the Dutch aristocratic federal union started the discussions about the close (complete) or loose (partial) union among states.

#### *Differentiation between partial confederation and complete confederation*

In the feudal Europe, and the Europe of authoritarian nation states and national empires, not Aristotle was followed. Jean Bodin's idea was the dominant, according to which the authority of the state should be absolute, centralized and indivisible. The ruler's sovereignty was sacred and inviolable, so the sovereignty was indivisible.

The Bodian concept was opposed by Althusius (1614), German Calvinist thinker, who continuing in the footsteps of Aristotle, and influenced by the Union of Utrecht (1579) discovered the concept of popular sovereignty, democracy, and a federal union. In his essay *Politica*, published in 1614, he placed the persons in the center of the community organization who associated in all common fields based on contracts, and created larger and larger communities by safeguarding liberty and autonomy. He proved that the sharing of sovereignty was possible in bottom-up personalist federalist states.<sup>10</sup> He differentiated between partial confederation and complete confederation, depending on the sharing of sovereignty: In the case of a complete confederation the contracting states shared the sovereignty in contract, and in the case of a partial confederation the contracting states did not share it.

So, he could transcend the ruling idea of Jean Bodin on the indivisibility of the sovereignty of the monarch in centralized authoritarian states, and discovered democracy

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<sup>8</sup> The Treaty of the Union, Eternal Alliance and Confederation Made in the Town of Utrecht by Countries and Their Towns and Members, 29 January 1579. In: E. H. Kossman (ed.). *Texts Concerning the Revolt of the Netherlands*. Cambridge: Cambridge University Press, 1974, 165-173.

<sup>9</sup> The provinces had their own provincial assembly where citizens, merchants, bankers, the delegates of the cities and religious communities assembled. It was led by the provincial stadhouder.

<sup>10</sup> Johannes Althusius. *Politica*. Liberty Fund Inc: Indianapolis, Indiana, 1995, 89-90. URL: <https://oll.libertyfund.org/titles/althusius-politica> (Retrieved: 15.04.2023)

based on bottom-up personal federalism and the sharing and conferring common competences to the federal state by safeguarding the autonomy of the composing parts.

However, in European history, till the *Schuman Declaration*, 1950, the Bodinian concept of an authoritarian sovereign state, and the indivisibility of sovereignty dominated over the ideas of Althusius, except for the Swiss Confederation.

#### *Fight for rights and liberty*

The fight for rights and liberty started with the English barons, who received rights from the English king in the Magna Carta, in 1215. The English Glorious Revolution, in 1688, was a parliamentary fight for rights. Its achievements included the abolition of the absolute power of the king, and the establishment of a constitutional representative monarchy with a bicameral system (House of Commons and House of Lords). The monarch was subordinated to the law established by the Parliament.

It was John Locke, who opposing the absolute rule of the king, elaborated the principles of a parliamentary representative civil government for a constitutional monarchy. He represented the direction of gradual enlarging the rights of the individuals.

#### *Peace projects*

Erasmus, with his *Complaint of Peace* published in 1517, started the concept of peace policy.<sup>11</sup> In his essay, the Christian humanist philosopher of the Renaissance argued against war. His appeal for peace was continued by European peace projects, among them the most famous were written by William Penn and Abbé de Saint-Pierre.

William Penn, English nobleman, writer, Quaker, and the founder of Pennsylvania, proposed a modern solution in his political essay, in 1693.<sup>12</sup> He suggested to adopt the principles of civil government (as described by Locke) in the organization of interstate relations above the states. His proposition was to create constitutional states (law states), to establish a European council, parliament, court of justice, and to draft the law of European federation; to secure the equality of the participating states by the voting system (one vote to each states). He rejected territorial conquest as unlawful, and proposed disarmament.

At the time of the war of the Spanish Succession and the peace negotiations in Utrecht (1713-1715) Abbé de Saint-Pierre, French abbot, proposed the European rulers to convene a congress, in The Hague<sup>13</sup> with the aim to conclude a basic treaty on alliance and to establish a European council. The council was to deal with matters within its competences, and the member states should remain sovereign in all other matters. Sanctions would be used against the violators of the agreement. He also suggested the creation of an economic and trade union. He was also in favor of a disarmament.

Montesquieu, the famous French thinker of Enlightenment, elaborated the theory of

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11 Erasmus. *The Complaint of Peace*, 1517. URL: <https://oll.libertyfund.org/titles/erasmus-the-complaint-of-peace> (Retrieved: 15.04.2023)

12 William Penn. *An Essay Towards the Present and Future Peace of Europe by the Establishment of a European Diet, Parliament or Estates*. United Nations Library, Geneva. Series F. Sources on the History of International Organization. Hildesheim: G. Olms Publishers, 1983. URL: <https://archive.org/details/jstor-25750949/page/n3/mode/2up> ; <https://ia803209.us.archive.org/20/items/jstor-25750949/25750949.pdf> (Retrieved: 15.04.2023)

13 Abbé de Saint-Pierre. *Projet de Paix Perpetuelle*, Utrecht, 1713. URL: <https://gallica.bnf.fr/ark:/12148/bpt6k105087z> (Retrieved: 15.04.2023)

federal republic based on sharing of sovereignty.<sup>14</sup> His model can be explained as a voluntary association of sovereign states, which, through the treaty among themselves, renounced their sovereignty in certain fields for the benefice of common institutions.<sup>15</sup>

The Treaty of Utrecht, William Penn, Abbé de Saint-Pierre and Montesquieu had a great influence on the American founding fathers, on Kant's eternal peace project, and on the founding fathers of the European Union.

*Democratic federal republic as the first democratic state*

United States as a *federal republic under a president* (a democratic defense union against British colonization)

Based on all the aforementioned ideas and legal documents, the American founding fathers, fighting for independence and liberty against the British colonization, rejected feudalism and created a new state, a federal republic under a president. They have chosen liberty as the basic principle for the organization of the state. The famous *Declaration of Independence, 1776* (written by Jefferson) expressed it as follows:

“That all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness.”<sup>16</sup>

On the Philadelphia Constitutional Convention, the 55 delegates of the 13 states drafted the *Constitution of the United States of America* of 1787. It rejected feudalism and feudal privileges, established a federal republic under president based on democracy, popular sovereignty and federalism. What they created could transcend and reform both, the aristocratic Union of Utrecht, and the English Parliament. The key idea was popular sovereignty through the establishment of a bicameral representative parliamentary federal republic. They used the model of the English bicameral parliament, but the House of Lords was changed for the Senate, representing the interests of the states. The House of Representatives represented the interests of the citizens having voting right. The most important historical achievements toward a democratic union of states were the followings: Federal government; bicameral Congress (Parliament) composed of the House of Representatives and the Senate, representing the American people as citizens of the federation and of the states; precise description of the rights and responsibilities of the states and the federal government; separation of legislative, executive and judiciary powers; checks and balances through co-decision procedures. The Constitution was enlarged by the *Bill of Rights* (the first 10 amendments) protecting individual liberty, justice and restricting the power of the federal government, with the aim to safeguard the autonomy of the states.<sup>17</sup> However, it was a democracy of those having voting rights based on wealth. Women, Native Americans, and the African Americans were excluded. Racism and slavery remained alive in the social organization. The U.S. also pursued an

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14 Montesquieu. *De l'esprit des lois*. Vol. I., Livre IX., Chapitre I, Paris: GF Flammarion, 1979. 265.

15 Maurice Croisat. *Le fédéralisme en Europe*. Paris: Montchrestien, 2010, 13.

16 Declaration of Independence, 1776. *The Avalon Project, Yale University* URL: [http://avalon.law.yale.edu/18th\\_century/declare.asp](http://avalon.law.yale.edu/18th_century/declare.asp) (Retrieved: 15.04.2023)

17 U. S. Constitution. *The Avalon Project, Yale University* URL: [https://avalon.law.yale.edu/18th\\_century/usconst.asp](https://avalon.law.yale.edu/18th_century/usconst.asp) (Retrieved: 15.04.2023)

expansive policy.

This new democratic state, i.e., the United States of America representing liberty and federalism, had a strong influence in Europe. The idea of a United States of Europe became a watchword inspiring European federalist history. It meant a challenge for the believers in the idea of European union, including the founding fathers of the EU.

In Europe, only the citizens of the Swiss cantons could create a similar federal union under a federal government, in 1848, against the nationalists, who were the supporters of the French-type unifying nation-state created by the French Revolution.

#### *Federal republic under a federal government*

The *Swiss Constitution of 1848* declared the Swiss Confederation (Schweizerische Eidgenossenschaft) a parliamentary federation composed of the Bundesversammlung (Federal Assembly) and the Bundesrat (Federal Council). The Federal Assembly was the legislative organ. It was bicameral, composed of the Ständerat (Council of the States) and the Nationalrat (National Council). In the Ständerat the interests of the citizens, as the citizens of their own cantons, were represented, and in the Nationalrat the interests of the citizens, as the citizens of the Swiss Confederation (Nationalrat). At the head of the Swiss Confederation stood the Bundesrat (Federal Council) under the leadership of the Bundespräsident. The Federal Council had seven members and represented the executive branch of the country. The President of the Swiss Confederation was elected for one year and had no power. The Federal Council was the collective head of the state. The Swiss cantons conferred competences to the federal power (Bundesgewalt) but they remained sovereign in all other things.<sup>18</sup> To the federal government belonged, for example, foreign policy, alliances, custom duties and commercial policy.

It was Alexis de Tocqueville (1805-1859), French liberal thinker, who – believing that the history of European civilization represented a progressive democratization process – proposed Europeans to continue the example of the US Constitution (1787), and he explained the essence of the federalist government to the Europeans.<sup>19</sup> In his view the new federal republic was a state in which several states were fused into one with regard to certain common interests (functionalism) but remained autonomous with regard to all other matters (subsidiarity). The central power governed as a national government but in a limited circle. It was an incomplete national government.

In his words:

“Another form of society is afterwards discovered in which several states are fused into one with regard to certain common interests, although they remain distinct, or only confederate, with regard to all other concerns. In this case the central power acts directly upon the governed, whom it rules and judges

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<sup>18</sup> „Bundesverfassung der schweizerischen Eidgenossenschaft vom 12. Herbstmonat 1848“ [Bundesverfassung vom 12. September 1848]. In *Geschichte und Texte der Bundesverfassungen der schweizerischen Eidgenossenschaft von der helvetischen Staatsumwälzung bis zur Gegenwart*, bearbeitet von Simon Kaiser und Johannes Strickler, Bern: Verlag van K. J. Wyss, 1901.

<sup>19</sup> “The noble has gone down the social ladder, and the commoner has gone up; the one descends as the other rises. Every half-century brings them nearer to each other, and they will soon meet.” Alexis de Tocqueville. *Democracy in America*. The Henry Reeve text as revisited by Francis Bowen, now further corrected and edited with introduction, editorial notes, and bibliographies by Phillips Bradley. Vol. I. New York: Vintage Books Edition, A Division of Random House INC., 1990, 6; URL: <https://oll.libertyfund.org/titles/tocqueville-democracy-in-america-historical-critical-edition-4-vols-1f-ed-2010> (Retrieved: 15.04.2023)

in the same manner as a national government, but in a more limited circle. Evidently this is no longer a federal government, but an incomplete national government, which is neither exactly national nor exactly federal; but the new word which ought to express this novel thing does not yet exist.”<sup>20</sup>

#### *Unitary nation state*

Under the influence of the American Revolution the French Revolutionaries started the fight against the absolute rule of the king in the name of liberty. They drafted the *Declaration of the Rights of Man and of the Citizen* of 1789. It declared

“Men are born and remain free and equal in rights (Art. 1.). ... The principle of all sovereignty resides essentially in the nation. (Art. 3.)” <sup>21</sup>

It was a human rights document, ensuring the right for protection against discrimination, right to legal defense; right to safety; individual rights, like privacy, freedom of thought, speech, press, assembly, movement, and religion. It is regarded as a major achievement of European history.

The French Revolution (1789-1799) established, through plebiscite, a unitary nation state with a unicameral national assembly as legislator. Despite the enthusiasm about American democracy, it did not create a federal republic. Colonization and the centralization policy of the ancient regime continued. The Revolution could not realize the planned social revolution based on the principles of the *Declaration of the Rights of Man and of the Citizen*. But the new principles of democracy and popular sovereignty were present in social organization as an opposition to the centralized authoritarian state.

#### *Critic of the unitary nation state in the name of a democratic federal republic*

In the period of the French Revolution, Immanuel Kant, in his essay on *Perpetual Peace*, 1795 proposed the idea of a permanent world federal union among sovereign states (*foedus pacificum*), based on international law and legal harmonization among similar republican states, without sharing state sovereignty.<sup>22</sup> In his view this international organization would be in harmony with the principles of the Declaration of 1789.

Pierre-Joseph Proudhon (1809–1865), French political thinker, in the name of the idea of a democratic Europe, opposed the system of centralized authoritarian nation states and national empires, and colonization. He called for a personalist federalist social revolution and the establishment of a French federal union following the American or the Swiss example instead of the unitary nation state. He opposed Mazzini's nationalist New Europe concept based on unitary nation states. He also rejected the monarchist solution to Italian unity; the authoritarian militarist confederalism of Bismarck who defeated the German federalists, and the centralized Marxist proletarian state based on state property. He was convinced that the centralized-type state continued the authoritarian policy of the old regime, and that the expansive European national monarchies and empires, seeking power world-wide, were not able to establish federations.

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<sup>20</sup> Alexis de Tocqueville (1990): *Democracy in America*, 158-159.

<sup>21</sup> *Declaration of the Rights of Man and of the Citizen*, 1789. The Avalon Project, Yale Law School, URL: [https://avalon.law.yale.edu/18th\\_century/rightsof.asp](https://avalon.law.yale.edu/18th_century/rightsof.asp) (Retrieved: 15.04.2023)

<sup>22</sup> Immanuel Kant. *Perpetual Peace*. A Philosophical Essay, 1795. URL: [http://www.gutenberg.org/ebooks/50922?msg=welcome\\_stranger](http://www.gutenberg.org/ebooks/50922?msg=welcome_stranger) (Retrieved: 15.04.2023)



Proudhon believed that democracy and federalism were the only solutions to modernize European international (inter-state) policy. Like Althusius, he was for a federalist Europe composed of small political entities which were created as bottom-up free associations of people (persons) concentrating on their security and livelihood. In his view a European union should be based on federalism. It meant a bottom-up association policy of persons based on contracts in all common fields of life by transferring competences towards larger common levels of organization in the fields of common interest.

His model of state and international organization was composed of autonomous persons and communities: persons and their associations federated on the basis of contracts freely entered into based on subsidiarity. He believed that power should be divided in order to be as close as possible to the level of the problems to be solved. This is why he was for a Europe composed of small states as political entities. 23

Central European federalist thinkers fighting against cultural and political nationalism followed Proudhon's personalist ideas. Searching the legal means against nationalism after the bloody nationalist fight in 1849, they elaborated important federalist ideas opposing the idea of a sovereign nation state not suitable for multinational states (like the Habsburg Monarchy, for example). Personal principle and subsidiarity played a significant role in this. The most important among these thinkers were Eötvös, Palacky, Naumann, Renner, and Coudenhove-Kalergi. Their contributions to the development of a democratic federal European idea and of human rights are indeed very important, primarily in the area of national minority rights. They elaborated also the model of a democratic multinational and multidimensional personalist federalist state.

The Federalist Papers, the US Constitution, the Swiss Confederation (1848), the Declaration of the Rights of Man and of the Citizens (1789), Tocqueville and Proudhon influenced the constitutional federalist Founding Fathers of the European Union (Coudenhove-Kalergi, Spinelli), and Proudhon the integral or personalist federalists, among them Rougemont, Brugmans and Marc, who were for a deep and gradual social reform.

*The European (Western) system of liberties corresponding to the democratic state and international organization*

The development of the European (Western) system of liberties, i.e. the basic principles of democracy, popular sovereignty, and federalism, was the most important historical achievement of all these above mentioned struggles for peace, liberty and the humanization of power. This historical achievement highly contributed to the union among European states in the direction of democracy between states.

The most important internal and external principles of the European (Western) system of liberties corresponding to state and international organization were the followings:

Representative parliament created by general elections, elected by the people for a specific length of time; separation of powers; executive branch that is either responsible to the parliament, or subject to popular recall; judiciary power independent of the executive branch; free press; freedom of conscience, assembly and other civic rights;

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23 Pierre-Joseph Proudhon. «Du principe fédératif». In *Du principe fédératif et oeuvres diverses sur les problèmes politiques européens. Oeuvres complètes de P.-J. Proudhon*. Introductions et notes par J.-L. Puech et Th. Ruysen, vol. 15, Paris : Librairie Marcel Rivière, 1959.

extensive local autonomy.<sup>24</sup>

In the field of international policy the idea was to establish democracy among the states, based on a supranational (i.e., “above” the state) parliamentary representative system following the principles of the system of liberties. These principles were valid in the case of the democratic union of states, too.

The idea of personal federalism, in opposition to the authoritarian centralized states, corresponded to the concepts of democracy and popular sovereignty. It meant a bottom up contractual association policy of free and autonomous persons, and (by the persons created) states in all those fields of life which demanded common organization. This association policy was based on the transfer of common fields toward larger - provincial, state, and regional - units directed by the principle of subsidiarity and multilevelism.

The diagram below shows the idea of personal federalism, corresponding to democracy and popular sovereignty, on the figure of peaceful world federation.

*How were the new principles of the system of liberties realized in Europe?*

Controversially and inconsistently.

Authoritarian nation states and national empires emerged, which used the democratic ideas in the name of authoritarian states and colonial empires. Laissez-faire liberal market expansion and colonization resulted in a center-periphery world system of rich and poor countries. Totalitarian states, Fascism, National Socialism, Communist dictatorship emerged, and promised a better future and livelihood to the frustrated and desperate masses. They embraced the idea of a European United States. Stalin, for example, also

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<sup>24</sup> István Bibó. Reflections on the Social Development of Europe (1971-1972). In: *Democracy, Revolution, Self-determination. Selected Writings*. Edited by Károly Nagy. Translation by András Boros-Kazai. New York: Atlantic Research and Publications, Highland Lakes, Distributed by Columbia University Press, 1991, 467.

used the figure of world federation to present his rule as democratic, but the totalitarian dictatorship turned it into a top-down pyramid system, within the framework of the all-powerful state.

The reasons of the failure of democratic modernization:

- Strong retrograde power of the old authoritarian and centralizing past
- No colonization policy according to the Western system of liberties
- New wave of colonization, imperialism, nationalism; center-periphery system of rich and poor countries; fictive world economy; corrupt business mentality

All this led directly to the First World War, the world economic crisis, and the Second World War.

Proudhon, personal federalist thinker, realized that the development of the Western system of liberties slowed down in the second half of the 19<sup>th</sup> century. He criticized the business men who, after an energetic and, in ideas far-reaching period, lost their democratization creativity. In the circumstances of laissez-faire capitalism they started to concentrate on safeguarding money and power. In his view this was a serious problem because large masses of people had no idea what to do, how to continue the democratization process in the name of popular sovereignty.<sup>25</sup>

Fascism, National socialism, and Stalinism (Communism) was the revolt of the masses, how Ortega y Gasset, (1883-1955), Spanish philosopher, expressed it in his essay, under the title, *The Revolt of the Masses* (1930) because of the dead lock of democratic reforms. He explained the rejection of the parliamentary democracy by the masses as follows:

“Europe had created a system of standards whose efficacy and productiveness the centuries have proved. Those standards are not the best possible; far from it. But they are, without a doubt, definite standards as long as no others exist or are visualized. Before supplanting them, it is essential to produce others. Now, the mass-peoples have decided to consider as bankrupt that system of standards which European civilization implies, but as they are incapable of creating others, they do not know what to do.”<sup>26</sup>

So, in his explanation, people did not know what to do during the world economic crisis. They embraced Fascism and National Socialism instead of starting a rational democratic contractual association policy leading toward a European federation. The question arises why? Why could the masses believe in dictators creating totalitarian systems? And why did not they choose to support the creation of a democratic European federation?

*The democratic opposition to centralized authoritarian nation states and national empires aiming of a democratic European union*

Four political directions were competing in a struggle for a European United States between the two World Wars: Democracy, Communism, Fascism and National Socialism. The Communists as well as the National Socialists did embrace the idea of the United States of Europe. Communists were for a European United States of Workers and

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<sup>25</sup> Pierre-Joseph Proudhon. *General Idea of the Revolution in the Nineteenth Century*. Mineola, New York: Dover Publications, Inc., 2003, 5-6.

<sup>26</sup> José Ortega y Gasset. *The Revolt of the Masses*. New York, London: W. W. Norton and Company, 1933, Chapter 14.2, 134.

Peasants, continuing the revolutionary fight for participation of people in the state.<sup>27</sup> National Socialists wanted to unite Europe under Hitler's racial nationalist rule.<sup>28</sup>

The democratic opposition continued the fight, in the name of the idea of democratic European union to safeguard the principles of the system of liberties, against the laissez-faire liberal economic expansion and colonization, Fascism, National Socialism and Communism. The most important among them were the Paneuropean Movement, led by Coudenhove-Kalergi, the Briand Memorandum, the personal federalist L'Ordre Nouveau and Esprit group, the Resistance Movement, and the aforementioned Ventotene Manifesto of 1941. All of them believed in personal federalism and the idea of a peaceful world federation. All of them were in favor of a European federal union inspired by the American or the Swiss constitutional federalist examples, or the proudhonian personal federalism. Economists emphasized the necessity to end the laissez-faire liberal capitalism (Keynes), and start functional, sectoral cooperation. It is in this spirit that Emile Mayrisch, the Luxembourgian industrialist and businessman, established the International Steel Cartel in 1926, in which Germany, France, Belgium and Luxembourg cooperated. It was regarded as the example for the European Coal and Steel Community which started the supranational European economic integration process, in 1951, based on the idea of functional federalism.

#### *United Nations Organization and the Universal Declaration of Human Rights*

After the Second World War the idea of peaceful world federation revived. The United Nations was established, in 1945, replacing the League of Nations that had failed to function as a conflict solving international organization. The Universal Declaration of Human Rights was declared in 1948 continuing the idea of liberty. It rejected colonization, slavery and nationalism. The UN was an intergovernmental organization but represented the idea of supranational coordinating agencies. A European union was imagined as regional part of it.

## **2. What could the European integration process achieve in the field of democracy among states?**

### *The Hague Congress, 1948*

There was a federalist enthusiasm in Europe after the Second World War, based on the idea of a peaceful world federation, and the necessity to establish democracy between states. At the Hague Congress, in 1948, which dealt with the future of Europe, the following scenarios were outlined:

1. Constitutional federalist: European bicameral parliamentary federation (European United States) established immediately after the war, through a constitutional assembly, elected by the people. This is what the constitutional federalists, led by Spinelli, wanted.

The same was the goal of Coudenhove-Kalergi's European Parliamentary Union.

2. Integral or personal federalist: Gradual establishment of a democratic European federation based on the bottom-up association policy of the 'living forces' (people) in the framework of a deep social reform. This was the aim of the integral or personal

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<sup>27</sup> Trotsky, Leon. *Is the Time Ripe for the Slogan: 'The United States of Europe'?* A Discussion Article, June, 1923. URL: <https://www.marxists.org/archive/trotsky/1923/06/europe.htm> (Retrieved: 15.04.2023)

<sup>28</sup> Joachim von Ribbentrop: European confederation. 21 March 1943. In: Walter Lipgens . *Documents on the History of European Integration*. Vol. I. Continental Plans for European Union 1939-1945. Berlin, New York: Walter de Gruyter, 1985, 122-127.

federalists (Rougemont, Brugmans).

3. Intergovernmentalist functionalist: rejection of a democratic federalist social, state and international organization reform, but cooperation in the framework of a European assembly. Intergovernmental Europe coordinated by functional supranational agencies (Churchill, Ramadier).

4. Federalist functionalist cooperation: gradual shaping of the union through economic sectoral cooperation above the states.

These different scenarios, under discussions and mutually influencing one another shaped the history of the European integration. But intergovernmentalist economic functionalism prevailed.

Spinelli was in a reserved position, waiting for better times for federalism.

Coudenhove-Kalergi tried to explain that the federalist and intergovernmentalist positions are different, and mean different institutional systems.

The personal federalists (Brugmans) saw the congress as a defeat, because their ideas were considered confusing, and because the principle of gradualism and the establishment of a European Assembly were accepted by the intergovernmentalists, too. It seemed that a compromise had been reached, that led to a dead end for the federalist driving force.

All of this was proven by the creation of the intergovernmental Council of Europe, which set up the first transnational assembly (the consultative Parliamentary Assembly). But the Council of Europe did not break the dogma of the inviolability of national sovereignty.

#### *Personalist federalist functionalism (Monnet-method)*

It was Jean Monnet (1888-1979) who was able to move the personalist federalists out of the impasse. He used sectoral federalist functionalism, which could initiate supranational integration in a federalist and intergovernmentalist joint institutional structure. The *Schuman Declaration* (1950) established the ECSC, whose governing body, the High Authority, was the first federalist institution in Europe based on the division of one function from the national sovereignty of the member states. So breaking the dogma of the indivisibility of national sovereignty the Monnet-method started the European integration.

The ECSC was followed by the EDC, based on the same principle (federalist functionalism).

Spinelli also gained momentum and drafted the first bicameral parliamentary European federalist and intergovernmentalist constitutional draft (*Draft Treaty Embodying the Statute of the European Community* (Strasbourg, 11 March 1953)). It was not completely federalist, due to the role given to the Council.

All of this was followed by the intergovernmentalist rejection of the federalist plans, and the strengthening of the intergovernmentalists. So the federalist achievements were defeated.

However, the integration did not stop, it was possible to build further the union on the basis of the institutional structure created by Jean Monnet, as evidenced by the Treaties of Rome.

#### *Intergovernmentalist functionalism (Charles de Gaulle)*

The struggle over the institutional structure of the EEC was finally decided by De Gaulle in an intergovernmentalist functionalist form. The Luxembourg Compromise gave the governments the opportunity to politicize in the supranational institutions, to control them, and to protect the national interest through the right of veto.

### *Rougemont's personalist federalist regionalism*

Dismantling of the nation states by a bottom-up personal federalist association policy based on subsidiarity and multilevelism, and creating regions and their personalist federal union.

### *Strengthening the European Parliament*

Meanwhile, the European Parliament was strengthened and its members were directly elected from 1979. And then the time has come for the federalists to fight for strengthening the role of the Parliament in European politics, and push back the control of the intergovernmental functionalist governments, and heads of state or government.

### *Federalist functionalism*

Spinelli recognized the achievements of the federalist functionalist Monnet-method, and started the fight for the strengthening of the European Parliament against the intergovernmentalist functionalists governments. (The aim was the gradual establishment of a bicameral European parliamentary union.) The *Draft Treaty Establishing the European Union* ('Spinelli draft'), in 1984, started a new federalist elan fighting for the democratization of the co-decision procedure between the Council and the Parliament, and for the division of the federal and intergovernmental competences based on multilevelism and subsidiarity.

Spinelli believed that the federalists had to continue the political struggle for the democratization of the institutions of the European Community. He therefore proposed three political strategies:

1. The democratization of the co-decision procedure between the European Parliament and the Council
2. The enlargement of the fields of supranational cooperation, to gradually transfer more and more fields from the national level to the supranational level by using the principle of subsidiarity
3. A clear division of competences between the union and the member states (multilevelism and subsidiarity).

Then the fight for the democratization of the relations and cooperation between the member states took place within the framework of the European Parliament, in which the federalists played the leading role and the driving force. The most important aim was the democratization of the co-decision procedure between the Council and the Parliament, to continue to transfer common competences to the Union level, and the division of the federal and intergovernmental competences based on multilevelism and subsidiarity.

Finally, the *Treaty of Lisbon* (2007) amended the Treaty on the European Union and the Treaty Establishing the European Economic Community. It made the Union's bill of rights, the Charter of the Fundamental Rights of the European Union, legally binding. The treaty established a supranational and intergovernmental union of states based on subsidiarity and multilevelism. According to multilevelism the European Union had exclusive, shared, and supported competences based on the principle of subsidiarity: exclusive competences (customs union, internal market, monetary policy of the euro countries, common fisheries policy, and common commercial policy); shared competences (social policy, economic, social and territorial cohesion, agriculture, environment, consumer protection, transport, trans-European networks, energy, areas of freedom, security, and justice, common safety concerns in public health matters); and supported, coordinated, or supplemented competences (protection and improvement of human health, industry, culture, tourism, education, vocational training, youth and sport,

civil protection, administrative cooperation).

The *Treaty of Lisbon* (2007) recognized the legal personality of the EU. It strengthened the European Parliament and represented a move toward a bicameral system. Parliament's powers were expanded with important new elements on EU legislation and budget. Measures were taken in the co-decision procedure (ordinary legislative procedure) between the Parliament and the Council to put the Parliament in an equal status with the Council. The Commission was accountable to the Parliament. The European Council submitted a report to Parliament after each meeting.

#### *Conclusion*

In conclusion, the Treaty of Lisbon, which created a transnational multilevel democracy based on subsidiarity, left the door open for further democratization of the EU toward personal federalism in the framework of the system of liberties (a new type bicameral parliamentary federation of European people and their federalist-type states).

The EU reflects the centuries old fight for humanization of power and peace in the European civilization. But, in essence it can be regarded as a historical product of compromises between the federalists and the intergovernmentalists on the aim of a federalist Europe (a United States of Europe) for the benefit of the intergovernmentalists. It is a federal and intergovernmental union of states based on subsidiarity and multilevelism in the framework of the Western system of liberties with a democratic deficit. In this sense, the message of *The Ventotene Manifesto* remained valid. The fight should be fought for the participation of the European people in the shaping of the European democracy as the citizens of the European Union and of their own states.

“Modern civilization has taken as its specific foundation the principle of liberty which says that man is not a mere instrument to be used by others but that every man must be an autonomous life centre.”<sup>29</sup>

### **3. The EU-model and the other countries belonging to other civilizations**

In a world characterized by a regional integration process (and not globalization) the question arises: Whether the EU-model is suitable to other countries in the world?

The answer is yes and no.

Yes, because the EU could create a transnational multilevel democracy, a federal and intergovernmental union of states based on subsidiarity and multilevelism as an answer to the challenges of modernization/democratization and globalization. And the EU integration process is open to democratization through the strengthening of the European Parliament.

No, due to the historical and cultural differences among the states around the globe. The EU-model is the product of the European history, with federalism as a driving force. The other regional unions are intergovernmentalist, and the UN is also intergovernmentalist.

The states world-wide integrated in the global capitalist world system, adopted the European nation state concept and appreciated federalism, adopted the representative parliamentary system, elections and voting right.

India is a federalist state

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<sup>29</sup> Ernesto Rossi – Altiero Spinelli, *The Ventotene Manifesto*. Ventotene, 1941. The Altiero Spinelli Institute for Federalist Studies. 2. URL: [www.cvce.eu](http://www.cvce.eu), [https://www.cvce.eu/content/publication/1997/10/13/316aa96c-e7ff-4b9e-b43a-958e96afbecc/publishable\\_en.pdf](https://www.cvce.eu/content/publication/1997/10/13/316aa96c-e7ff-4b9e-b43a-958e96afbecc/publishable_en.pdf) (Retrieved: 15.04.2023)

African states are nation states and aim to unite in an African federation.

Japan is a nation state type state. It modernized and democratized the country following European patterns but safeguarded the Japanese culture.

China – has a centralized nation state type development. It modernized the country using Western patterns but rejected Western liberalism. It is a socialist country with Chinese characteristics.

#### *Answers to the challenge of European modernity and colonialism*

Mahatma Gandhi – anti-colonialism, rejection of industrial capitalism and protection of self-sufficient residential community

Nehru – anti-colonialist nationalism, knowledge based modernization following the Western example, pluralist multi-party democracy, Non-Aligned Movement

Nkrumah (Ghana) – anti-colonialist fight for national independence from Britain, modernization, industrialization, learning Western knowledge, but safeguarding national independence, sharing sovereignty only in an African federation, Pan-Africanism, founding member of the Organization of African Unity.

Nyerere – anti-colonialist; African nationalism and socialism based on his political philosophy known as Ujamaa. Ujamaa represented socialism in a cooperative economic form aiming to protect people's livelihood, and to create business and profit on this basis.

Fukuzawa Yukichi – anti-colonialist; knowledge based modernization and democratization following the European example but safeguarding Japanese culture and national independence; encouraging learning

K'ang Yu-wei – anti-colonialist; knowledge based modernization following the Japanese and the European example; Chinese titular constitutional monarchy

Sun Yat-sen – anti-colonialist; knowledge based modernization, and democratization serving the livelihood of the people; the concept of the three principles of the people: nationalism, democracy and livelihood

Mao Zedong – anti-colonialist; one-party communist rule and personal cult as the leader of the Chinese Communist Party

Deng Xiaoping – liberal reform serving “socialism with Chinese characteristics” – no Western liberalism

#### **EU-model and the United Nations**

Regionalism needs an appropriate international organization. Therefore the question arises whether the EU-model is suitable to modernize/democratize the UN.

Inside the institutional structure of the UN the principle of multilevelism and subsidiarity should be realized. So, the governance of those fields which were most affected by globalization – economy, finances, trade, communication, environmental protection, protection against epidemics (pandemics), migration – should be organized following the principle of multilevel governance. It means that all these fields representing global interest should be transferred to the higher interregional level institution of the UN which is the Economic and Social Council. The special agencies (IMF, World Bank, UNESCO) should be reorganized according to multilevelism (according to a multilevel world organization). For example, they should be part of the common/exclusive competences of the Economic and Social Council. In such a multilevel system the member regions (regional federations) (Europe, Asia, Africa, Latin-America) should play a coordinative and intermediary role towards the Economic



and Social Council and the member states.

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