

# Engineering European Unity The Quest for the Right Solution Across Centuries

Éva Bóka



# The main characteristics of the idea of European union

- Denis de Rougemont: Twenty-eight centuries of Europe
- Pluralist idea on cooperation among persons, states, and unions of states
- Free thinking, discussions, difference of meaning, diversity
- Political essays, peace projects, treaties on defense unions, legal documents on rights and liberty mirroring the development of the system of European liberties
- Double-faced cultural heritage: 1. fight for power, expansion, colonization, war; 2. humanization of power, fight for freedom, and peace; war and peace



“Europa on the bull” (about 370-360 BC) Museum of Sannio (Wikimedia Commons)



Europa in a fresco at Pompeii (Wikimedia Commons)



zween General Tafeln vnd in der neuen Tafel die allein Europam begreiff. Doch wann man anfehen will vnd dartzu rechnen die gressten Landfchafften die gegen Dinnacht gehn solt wol die breite Europe vber treffen die länge. Wie aber Ptolem aus Europam beschriben hat ist sein länge grösser dann die breite. Das ist ein mal gewis das Europa ist ein trefflich fruchtbar vnd wol erba-  
Europa mit  
 fruchtbar ist  
 son.

Europa regina (Europa as a Queen) in Sebastian Münster's "Cosmographia", 1570  
 (Wikimedia Commons)



Heinrich Bünting's map of Europe, 1582 (Wikimedia Commons)



FIDELE OBSERVATEUR DE CES LOIS ADMIRABLES  
QV'VN DIEV LVI MÊME A DAIGNÉ NOVS DICTER  
CHAQVE JOVR A MES YEVX ELLES SONT PLUS AIMABLES  
ET JE MOVVRAIS PLVTOT QVE DE M'EN ECARTER



NO PARKING  
AIRE DE LIVRAISON

AN DE LA LIBERTÉ 1793  
LE 20 FEVRIER  
MONUMENT  
DÉDIÉ A LA MUNICIPALITÉ  
DE LA VILLE  
D'ORIGNY-SUR-LOIRE  
PAR JOSEPH-SEB.



## Monument Joseph Sec

Rare exemple d'architecture Révolutionnaire, ce cénotaphe fut édifié en 1792. Ses statues, ses médaillons et ses nombreuses inscriptions peuvent se lire de différentes manières. Les thèmes la Révolution de 1789, la liberté et l'égalité y dominent. La Loi issue de la Raison et des Lumières est placée au sommet, au dessus de Moïse et des Dix Commandements, dont elle hérite et qu'elle dépasse. L'Europe, à sa gauche, la désigne aux Peuples comme leur unique règle, alors que l'Afrique esclave, à sa droite, demande sa protection pour s'émanciper. Tous jurent de n'user de leur nouvelle liberté que pour respecter la Loi. Joseph Sec le fit construire au terme d'une vie de promotion sociale, car marchand de bois dans sa jeunesse, il devint riche propriétaire foncier à Aix. Ses nombreuses activités civiques dans sa ville lui firent fréquenter aussi bien les confréries de Pénitents que les Francs Maçons



Abraham Ortelius, Map of Europe, 1595 (Wikimedia Commons)

# Six types of peace in inter-state relations

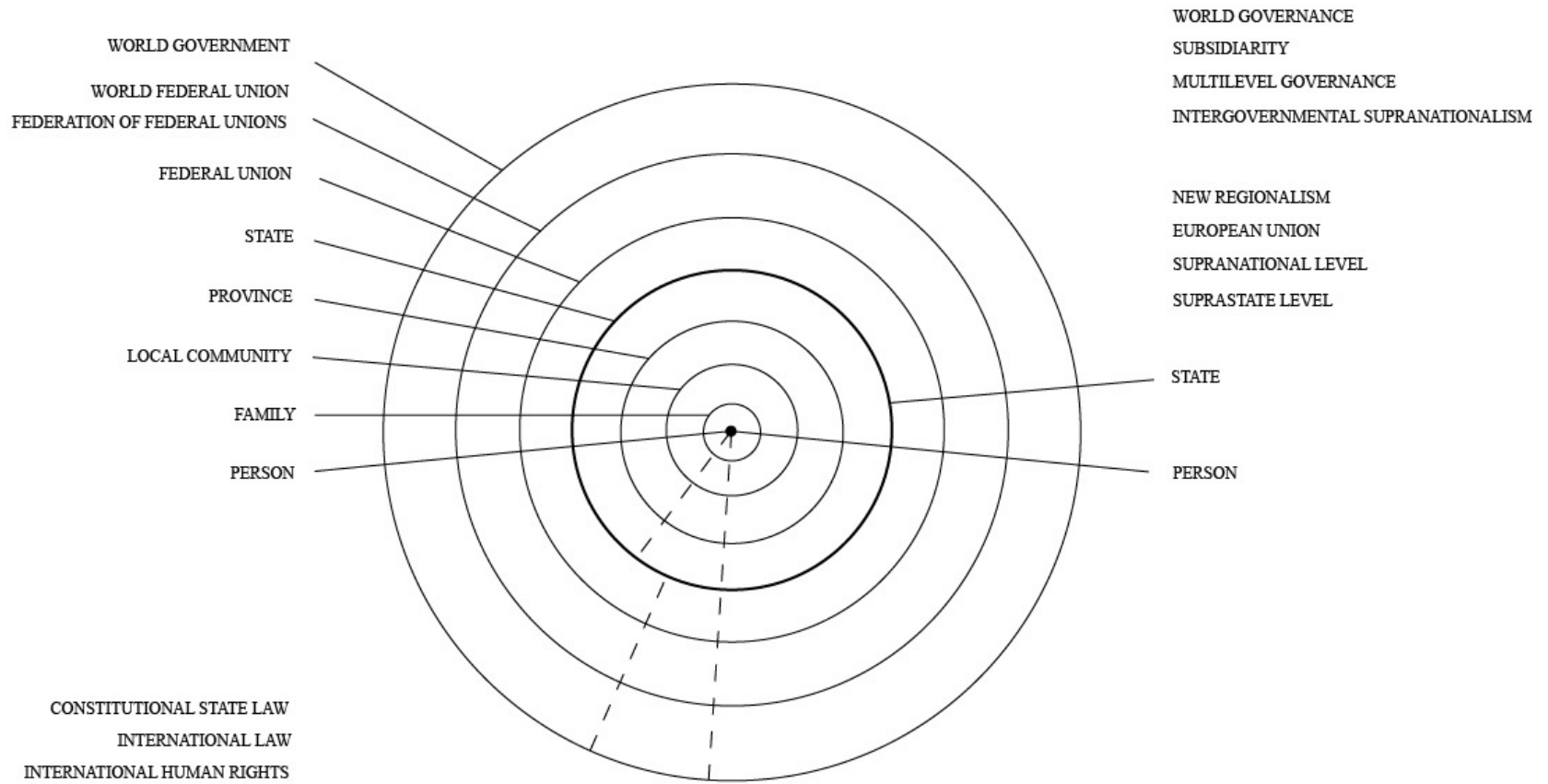
- 1. Hegemonic or hierarchical peace (feudal monarchies)
- 2. Balance of power of sovereign states (Peace of Westphalia (1648); Westphalian sovereignty)
- 3. Political union or federal peace (USA, Switzerland)
- 4. Confederal peace of sovereign states based on international law (Kant)
- 5. Directorial or oligarchic peace (Vienna system (1815))
- 4.-5. Coexistence of 4-5. (Treaty of Versailles (1919) and the League of Nations (1920); Paris Peace Treaties (1947), the UN (1945) and Universal Declaration of Human Rights (1948))
- 6. Supranational functionalist, federalist versus confederalist, EU (3.-4.)

# The idea of European union and the humanization of power

- “Modern civilization has taken as its specific foundation the principle of liberty ... every man must be an autonomous life centre”
- (Spinelli – Rossi: Ventotene Manifesto (1941))
- Call for making a European union, with the participation of everybody, based on the principle of liberty and personal autonomy, as a way toward a new democratic and peaceful future after the Second World War.
- The creation of a European federation while preserving the autonomy of the states



Altiero Spinelli, Ventotene, 1941



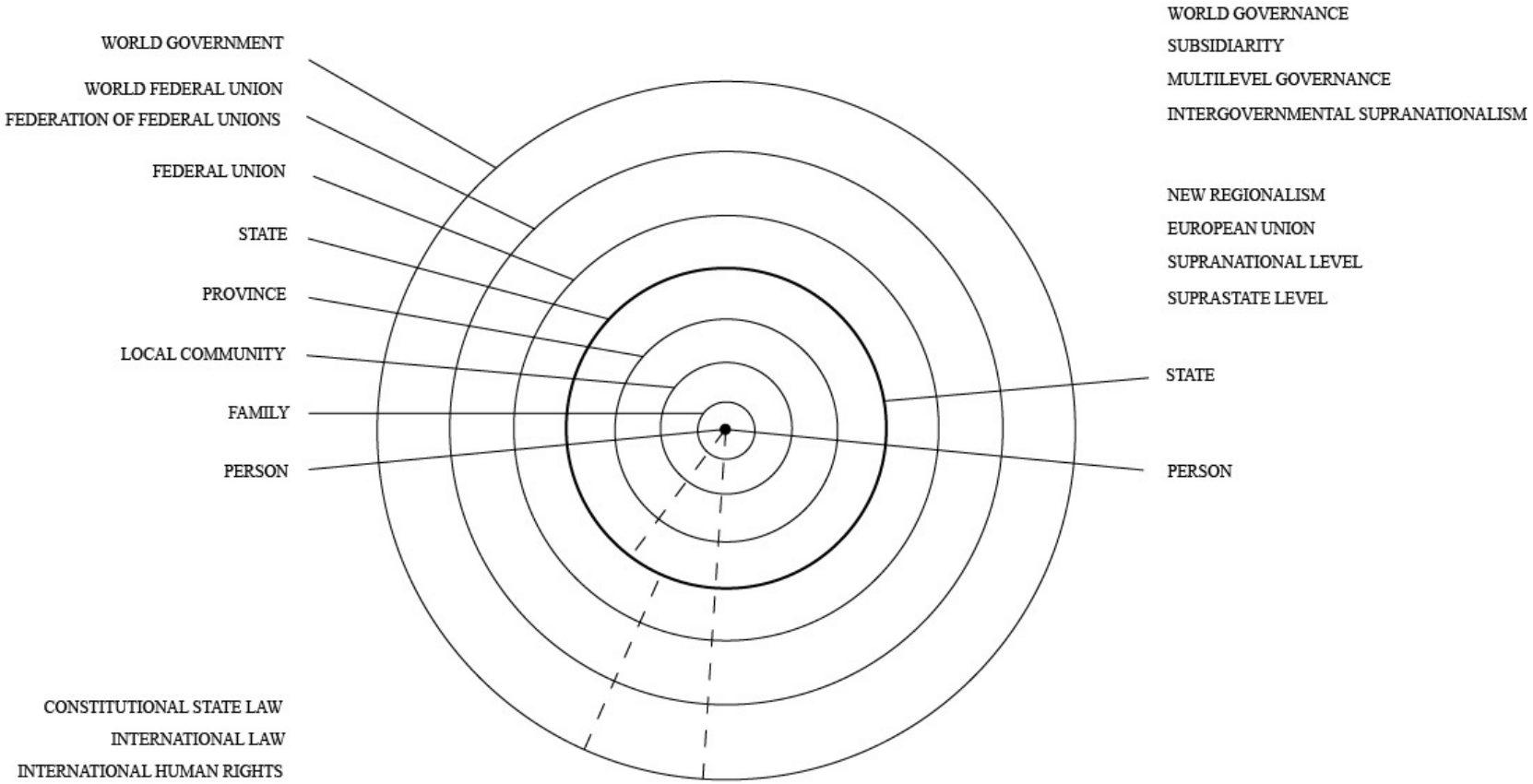
# Personalist federalism

- Model of the peaceful world federation
- Persons are in the centre, they associate to manage common tasks and create larger and larger communities (person, family, local community, provinces, state) while preserving the autonomy of the persons and parts
- States continue to associate in common fields and create unions while preserving the autonomy of the parts

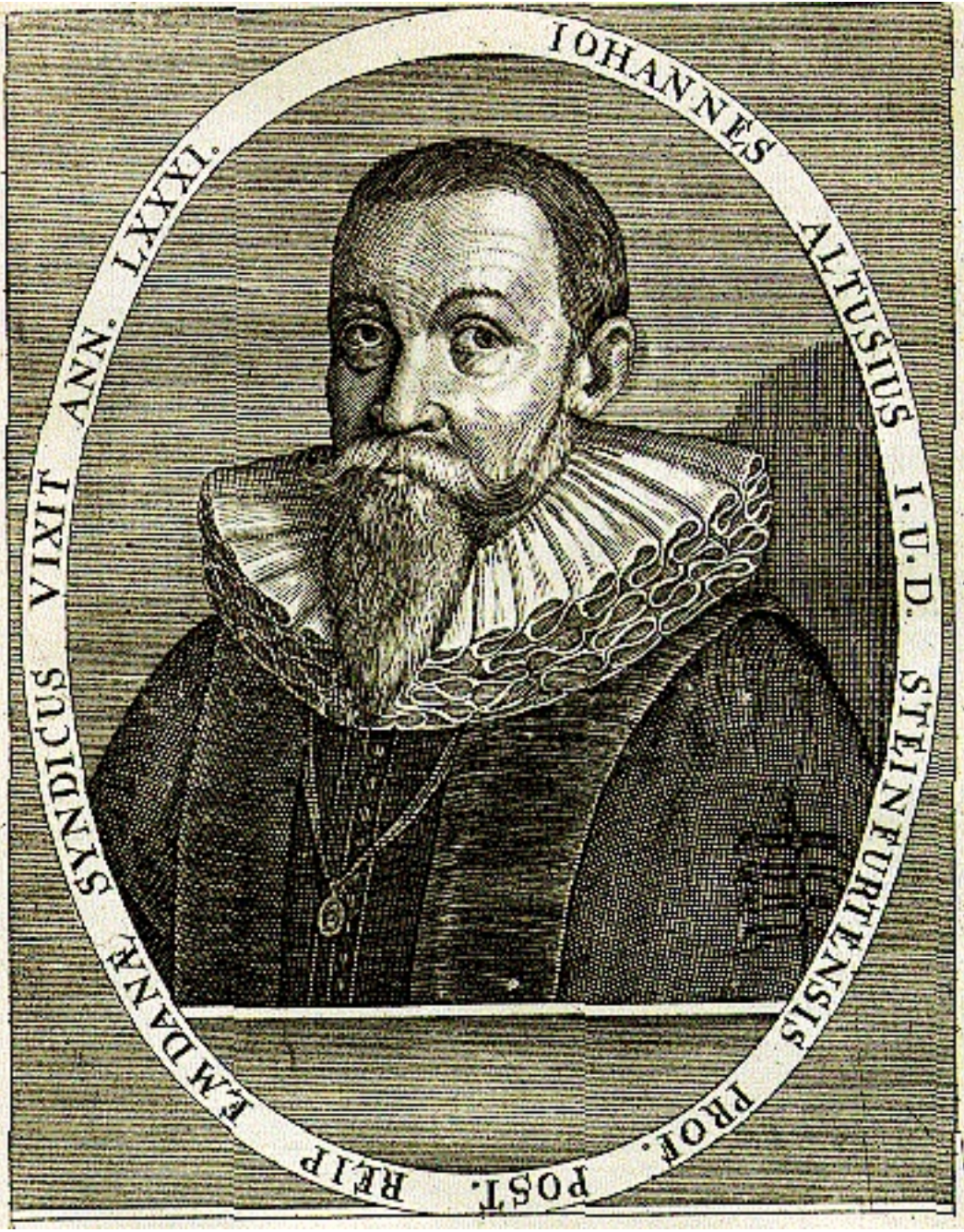


# Development of the idea of European union

- 
- Aristotle (4<sup>th</sup> century BC) – personalist federalism/confederalism
- European feudalism – hegemony, hierarchy, balance of power
- Jean Bodin (1576) – “The Six Books of the Republic” sacred and inviolable sovereignty of the ruler, the indivisibility of sovereignty, aristocratic confederalism
- Althusius – “Politica” (1614); Follower of Aristotle; complete confederation versus partial confederation, personalist federalism, popular sovereignty and democracy
- Swiss Confederation (1291); Union of Utrecht (1579)- aristocratic federalism
- “Westphalian sovereignty” (1648) - balance of power, non-interference, inviolability of borders; Grotius

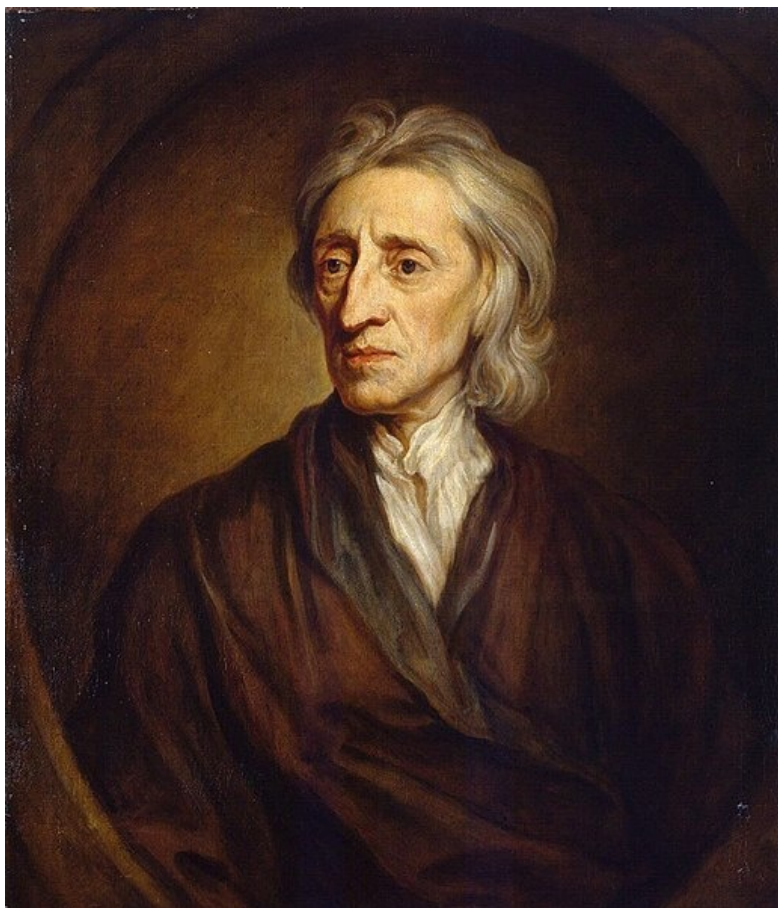






# Development of the idea of European union

- John Locke, 1689, “Civil Government”, representative parliamentary system, constitutional monarchy
- William Penn, 1693, representative parliamentary system above the states
- Abbé de Saint-Pierre, 1713-1715; “Projet de paix perpétuelle”, European Council dealing with the common fields
- Rousseau, 1762 – “The Social Contract”, popular sovereignty, direct democracy, general will, sovereignty indivisible and inalienable
- Montesquieu, 1748, “The Spirit of the Laws” – avoiding one person’s rule by a federal republic

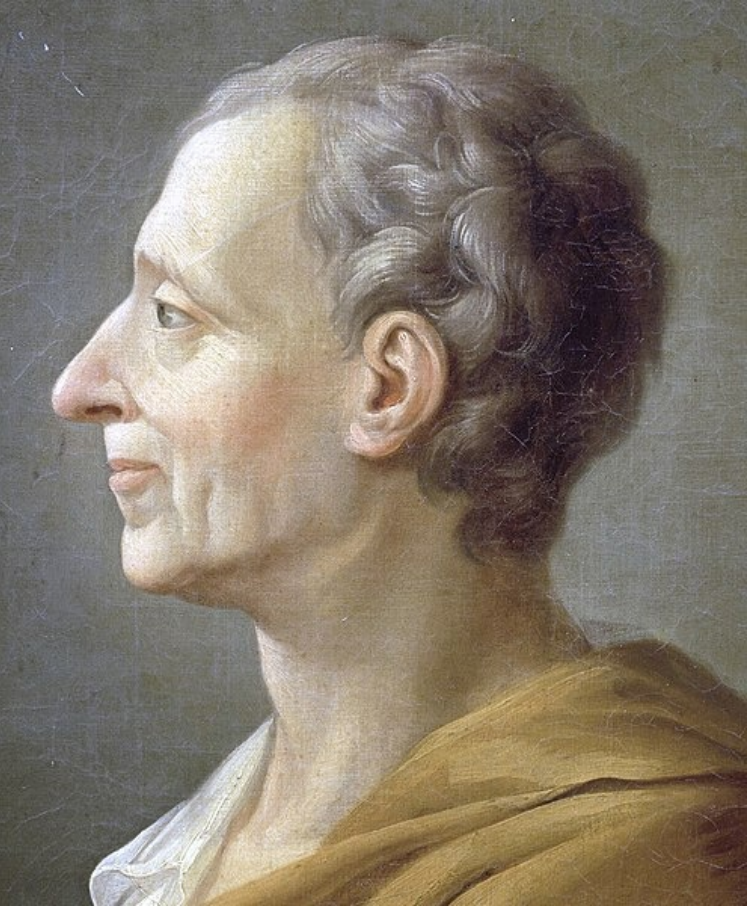




Frederick Lamb's painting of William Penn (1644-1718) (Wikimedia Commons)



Charles Irénée Castel de Saint-Pierre (Abbot Saint-Pierre (1658-1743) (Wikimedia Commons)



# Development of the idea of European union

The first federal republic as an example for the Europeans

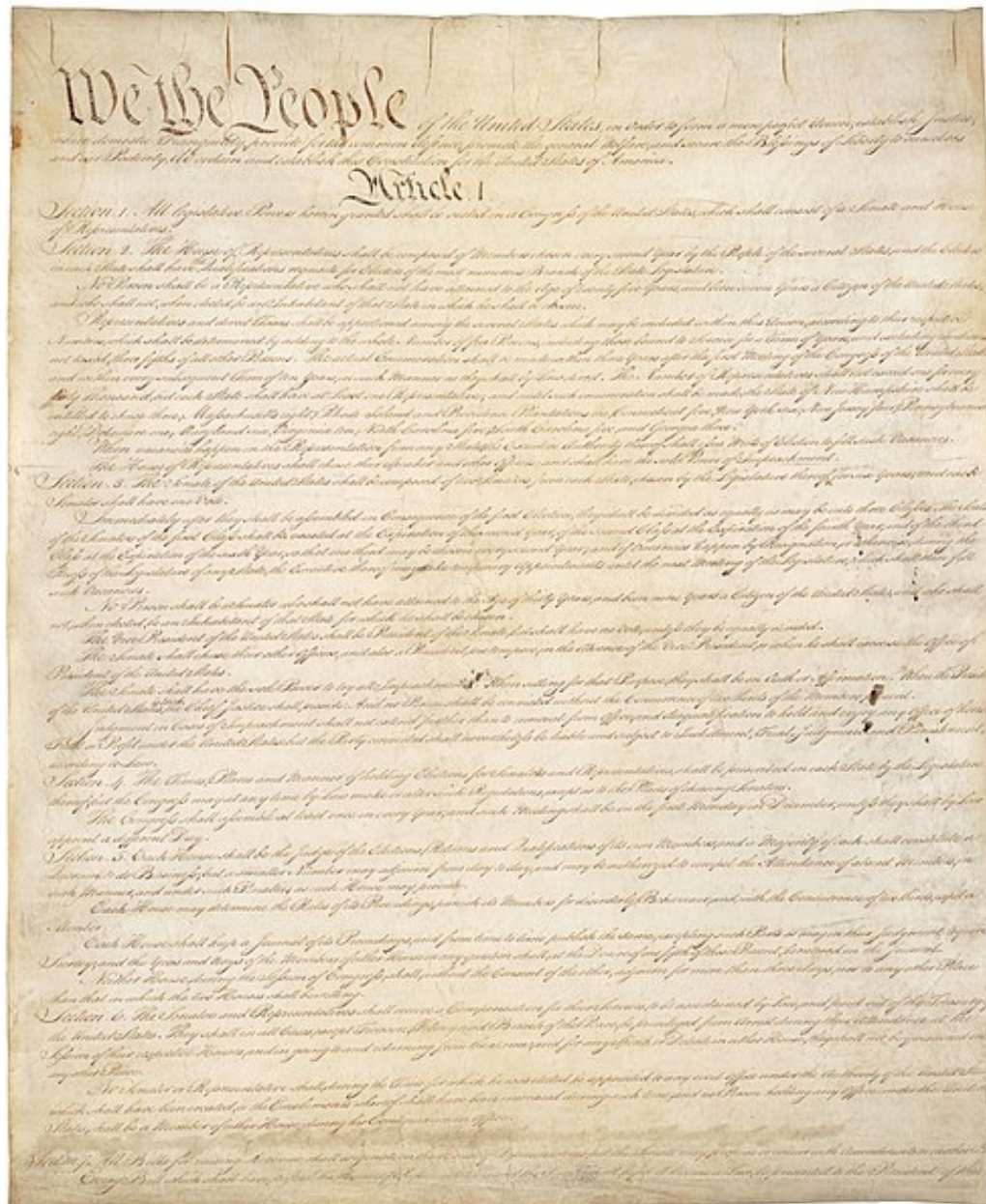
- The American Revolution (1765-1783)
- Declaration of Independence, 1776 (liberty)
- “That all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness”

# Development of the idea of European union

- Constitution of the United States of America, 1787 – federal republic under a president
- Rejection of feudalism; self-determination; popular sovereignty, democracy, federalism
- Bicameral Congress: House of Representatives, (population), Senate (represent the states); separation of powers, federal government, checks and balances. Bill of Rights (subsidiarity)
- No voting rights for women, Amerindians and African Americans



Howard Chandler Christy, Signing of the Constitution (Wikimedia Commons)



Constitution of the United States, U. S. National Archives (Wikimedia Commons)



Alexis de Tocqueville (1805-1859) (Wikimedia Commons)

# Tocqueville

- “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 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”. (Democracy in America)

# Development of the idea of European union

- Declaration of the Rights of Man and of the Citizens, 1789 (DRMC)
- Article 1. “Men are born and remain free and equal in rights”.
- Article 3. “The principle of all sovereignty resides essentially in the nation”.
- Human civil rights document
- ([https://avalon.law.yale.edu/18th\\_century/rightsof.asp](https://avalon.law.yale.edu/18th_century/rightsof.asp))



Declaration of the Rights of Man and of the Citizen, 1789 (Wikimedia Commons)



# Declaration, 1789

- Abolition of feudal privileges
- Liberty limited by law (everything is free which does not harm others)
- Law is the public will created by the citizens personally or through their representatives
- Freedom of thought and expression limited by the public order
- Equality of rights, equal legal defense, public taxation, public safety, accountability, property rights
- Separation of powers



# The principles of European (Western) system of liberties

- The separation of powers
- Representative Parliament created by general elections
- Executive branch that is either responsible to the Parliament elected by the people for a specific length of time, or subject to popular recall
- Judiciary independent of the executive branch
- Free press
- Freedom of thinking, assembly and other civic rights
- Extensive local autonomy
- (István Bibó: Reflections on the Social development of Europe, 1971-1972. In: Democracy, Revolution, Self-determination, New York, 1991, 467.)
- International relations: Democracy among states based on the same democratic internal and external principles

# Development of the idea of European union

- French Revolution (1789-1799)
- Abolishing absolutism and feudalism
- Self-determination, popular sovereignty, democracy
- Plebiscite, unitary nation state, no federal republic, no Westminster system, no minority protection
- Constitutions: Constitution, 1791 (constitutional monarchy); 1793 (republican, direct popular participation, plebiscite), left wing, reign of terror (1793-1794); 1795 (Directory, bicameral); 1799 (Consulate); 1804 Napoleon emperor
- Colonization and the centralization policy inherited from the ancient regime continued; struggle between the old and the new order
-

# Development of the idea of European union

- Edmund Burke (1790) – “Reflections on the Revolution in France”, no revolution, gradual constitutional reform, conservatism
- Kant (1795) – “Perpetual Peace”, confederation of similar republican states with equal rights based on international law, foedus pacificum, (different from US federalism)
- Friedrich Gentz (1815) (opposition to Kant) – “Perpetual Peace” (1800), replacing the federal government with a directorial, a joint body of the great powers over the states
- Vienna-system (1815) “Concert of Europe” - directorial or oligarchic confederation (hegemony of great powers); UN
- Saint-Simon and Thierry (1815) – bicameral European Parliament (House of Commons and House of Peers)

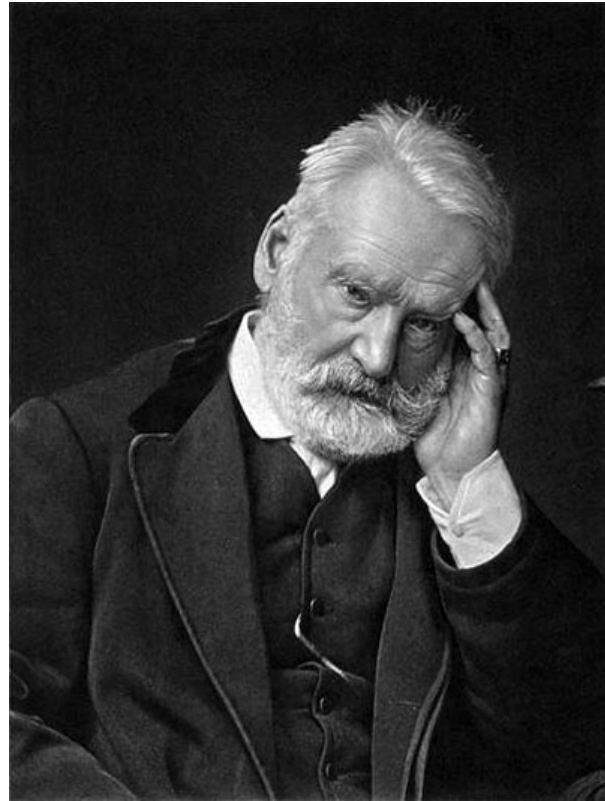
# Development of the idea of European union

- Constitution of the Swiss Confederation, 1848
- Federal republic under the Federal Council
- Bicameral Federal Assembly composed of the Council of the States (citizens of the cantons) and the National Council (citizens of the federation); Federal Council (government) under President (1 year, no power)
- Federal council was the collective head of the state

# Victor Hugo

- International Peace Congress, Paris, 1849
- “A day will come when France, you Russia, you Italy, you England, you Germany, you all nations of the continent, without losing your distinct qualities and your glorious individuality, you will merge into a superior unity and you will constitute European fraternity”

(Denis de Rougemont: Vingt huit siècles d'Europe, Payot, Paris, 255.)



Victor Hugo (1802-1885) (Wikimedia Commons)

# Development of the idea of European union

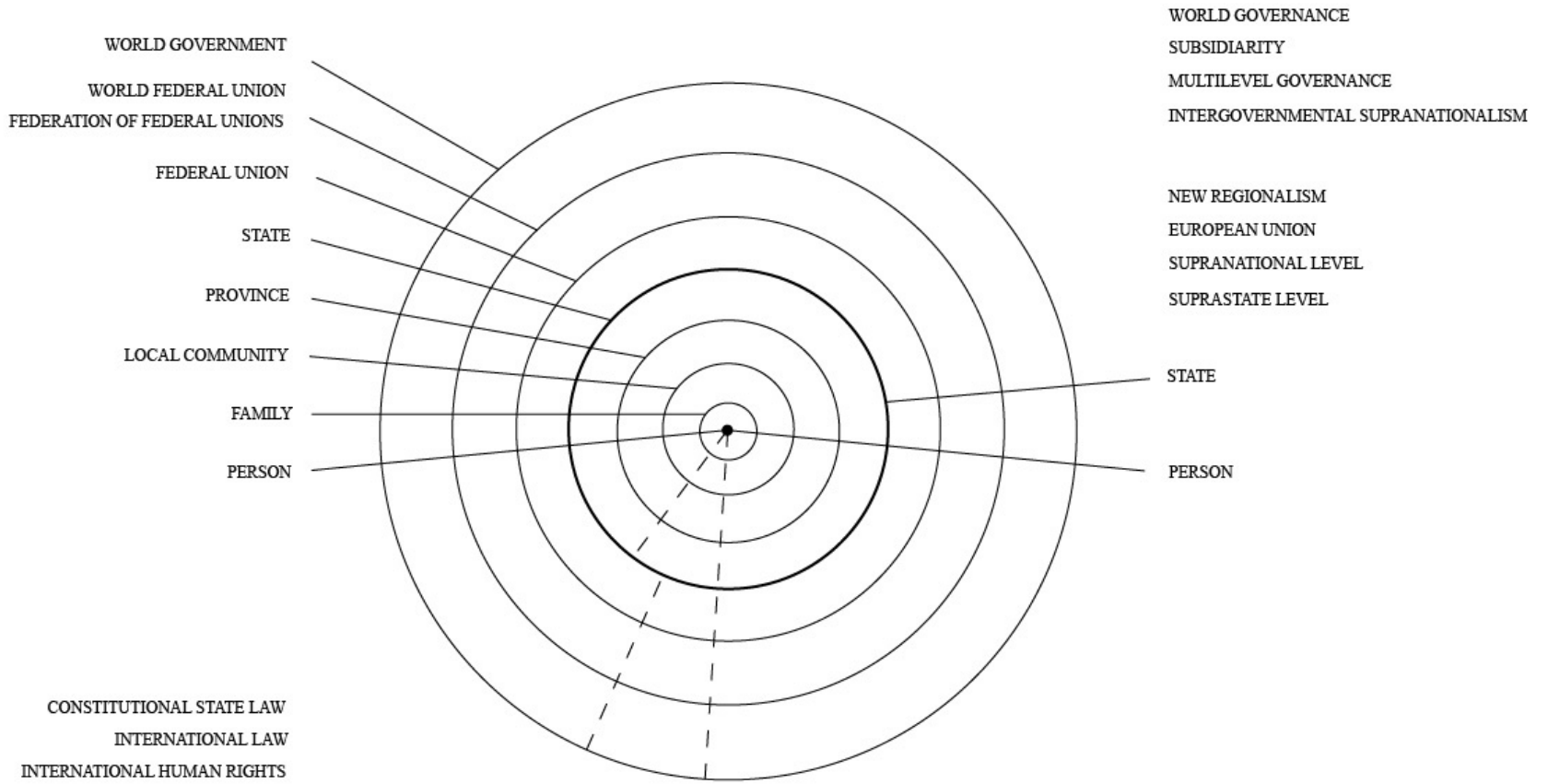
- Tocqueville: Democracy in America (1835-1840)
- “The noble has gone down the social ladder, and the commoner has gone up; the one descends as the other rises. Every half century brings them nearer to each other, and they will soon meet”
- The old regime was in losing power, and gradual participation of more and more social classes and persons in the shaping of the states and the international relations
- The Old regime and the Revolution (1856); the controversial implementation of democratic reforms

# Pierre-Joseph Proudhon (1809-1865)

- Personalist federalist (follower of Althusius), federation of small states
- Opposition to centralized and authoritarian nation-states and national empires (Mazzini, Bismarck, Marx)
- No nation state, no central authority, non-conformism; local associations governed by contractual law serving people's livelihood
- Founder of the personalist or integral federalism

# Personalist federalism, democracy, popular sovereignty

- Personalist federalism: to democracy and popular sovereignty corresponding basic idea; placing autonomous persons and their associations in the centre of world organization
- Bottom-up association policy of free and autonomous persons, and by them created communities in all those fields of life which demanded common organization
- Transfer of common fields toward larger – provincial, state, and regional – units directed by the principle of multilevelism and subsidiarity





# How could Europeans realize the ideas of the system of liberties?

- Contradictory, inconsistently
- Strong retrograde power of the old authoritarian and centralizing past; the fusion of the old noble society and the new bourgeois; directorial Vienna peace system (1815)
- French republican nation state versus restoration; unification of the Italian peninsula, and Germany – no federalism
- Authoritarian, nationalist nation states and national empires
- New wave of colonization, laissez-faire free market expansion, imperialism; centre-periphery system of rich and poor countries; exploitation of the world; corrupt business mentality




# How could Europeans realize the Western system of liberties

- First World War (1914-1918); Wilson contra Lenin; Clemenceau
- League of Nations (1919) – union based on international law (Kant); collective security, national self-determination (Wilson); Council permanent members, directorial type; Assembly equality of states, one vote
- Peace of Versailles – a contradictory mix of old and new
- World economic crisis (The Great Depression, 1929-1939)
- New Deal in the USA (1933-1936)
- Hopeless misery in Europe – people did not know what to do, how to continue democratization; Ortega y Gasset: *The Revolt of the Masses*
- Totalitarian states (fascism, national socialism, communist dictatorship)



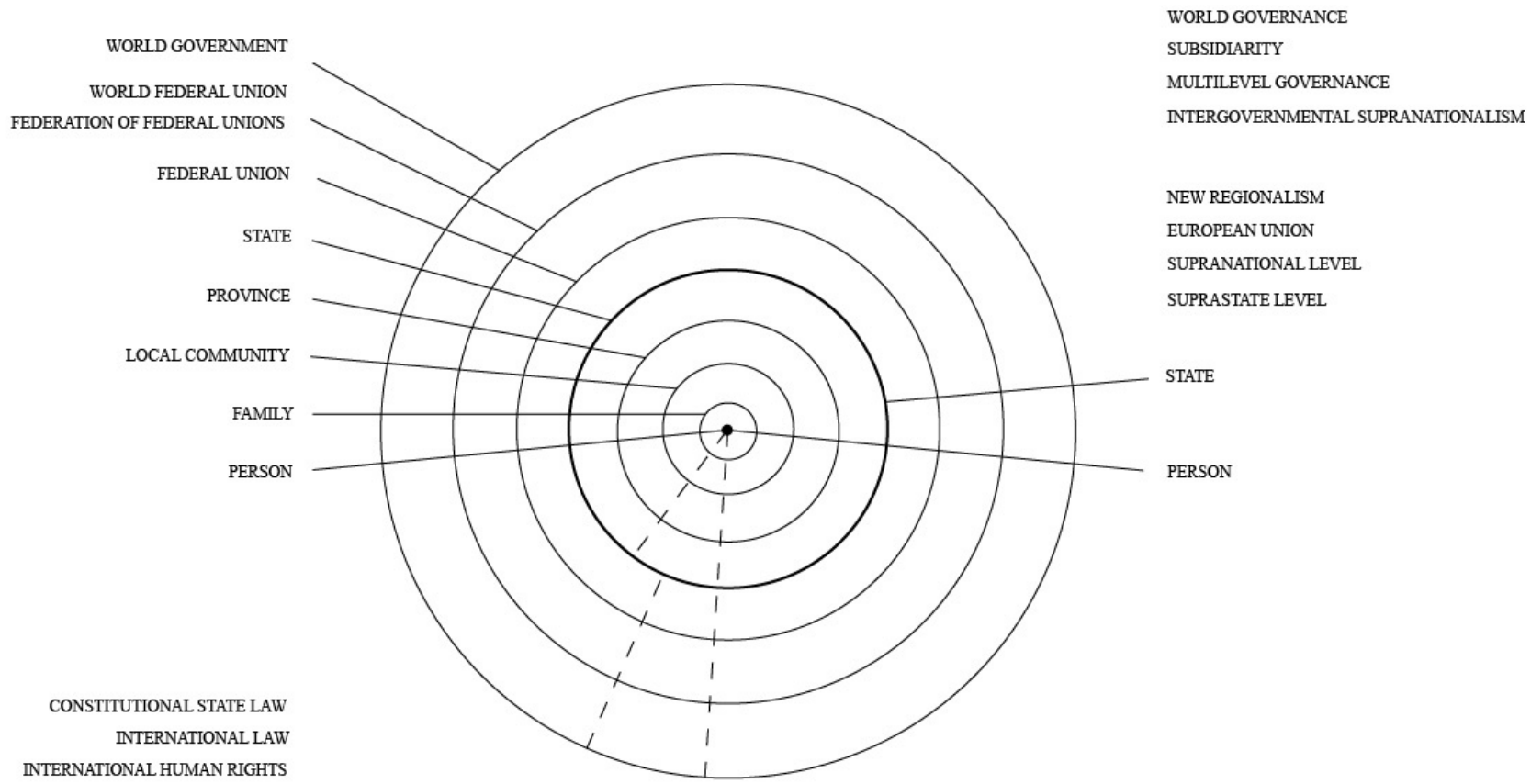
# The idea of a democratic European union opposing nationalism

- Defense of the system of liberties – functionalism; the idea of a democratic federalist European union
- Keynes: “The end of laissez-faire”, 1926; functionalist (con)federalism
- Functionalist economic cooperation (International Steel Carter, 1926)
- Paneuropean Movement, Coudenhove-Kalergi, USE
- Briand plan, 1929-1930
- Integral (personal) federalists, L’Ordre Nouveau



# The idea of a democratic European union

- Resistance Movement, Spinelli, Ventotene Manifesto (1941), federalism
- New-Enlightenment: reviving the idea of peaceful world federation and a European union as part of it
- United Nations (1945); Universal Declaration of Human Rights (1948); confederalism, directorial-type Security Council, equality of the states in the General Assembly, functionalist agencies
- New Europe - reform of social organization, “federalist revolution” versus functionalist confederalism





Congress of Europe, Ridderzaal, The Hague, 9 May 1948  
(National Archives – Wiki Sources)

# The Hague Congress, May 1948, and the scenarios for Europe's future

Reconstruction of Europe with the Marshall Plan (1948)

Ending colonization

Federalist reform, federalist directions: 1. constitutional federalist, 2. personal or integral federalist

- Scenario 1. Constitutional federalist (European constitutional parliamentary federation)
- Scenario 2. Personalist (integral) federalist – gradual federalist reform
- Scenario 3. Intergovernmentalist functionalist Europe (council-type)
- Scenario 4. Federalist functionalist economic sectoral cooperation
- The Council of Europe, 1949 (intergovernmentalist, transnational Parliamentary Assembly, no sharing of sovereignty)



# Functionalism

- Cooperation in the field of different functions of the persons and of the states
- Linking authority to a specific activity (function), and breaking it away from the cooperating states' sovereignty, and organizing these functions in the framework of supranational institutions
- Intergovernmentalist functionalism (A. Moravcsik)
- Federalist functionalism (J. Monnet)



# Subsidiarity

- To entrust common institutions only with those powers which “they may carry out more satisfactorily than the states acting independently”. (Draft Treaty Establishing the European Union (Spinelli draft), 1984.)



# Constitutional federalism

- European United States
- US or Swiss-style bicameral parliamentary  
European union directed by a federal  
government on the basis of the European  
Constitution (constitutionally defined rights)
- Constitutional assembly establishes it



# Personalist or integral (incremental) federalist

- Opposition to simply extending the parliamentary state model to the supranational constitutional level through a constituent assembly.
- Gradual social reform process that could force national political establishments to cede powers to the corporate or local communities, and start an economic and social organization serving the real needs and livelihood of the people.



# Regionalism

- Dismantling the nation-states and replacing them with bottom-up personalist federalist regions
- Division and the precise definition of the local, regional and union competences based on subsidiarity
- EU-like institutional system



# Intergovernmentalist functionalism

- States and national governments are in the centre, and they are the actors
- Recognition of the importance of supranational institutionalization (parliament, commission, council, court) based on the level of the lowest common denominator, and under governmental control; continuation of the national policy in supranational institutions
- Intergovernmental negotiated decisions in supranational independent institutions (treaties) in the field of common community and state competences (parliament, commission, council, court)
- Subsidiarity, multilevelism (nationalist interpretation)



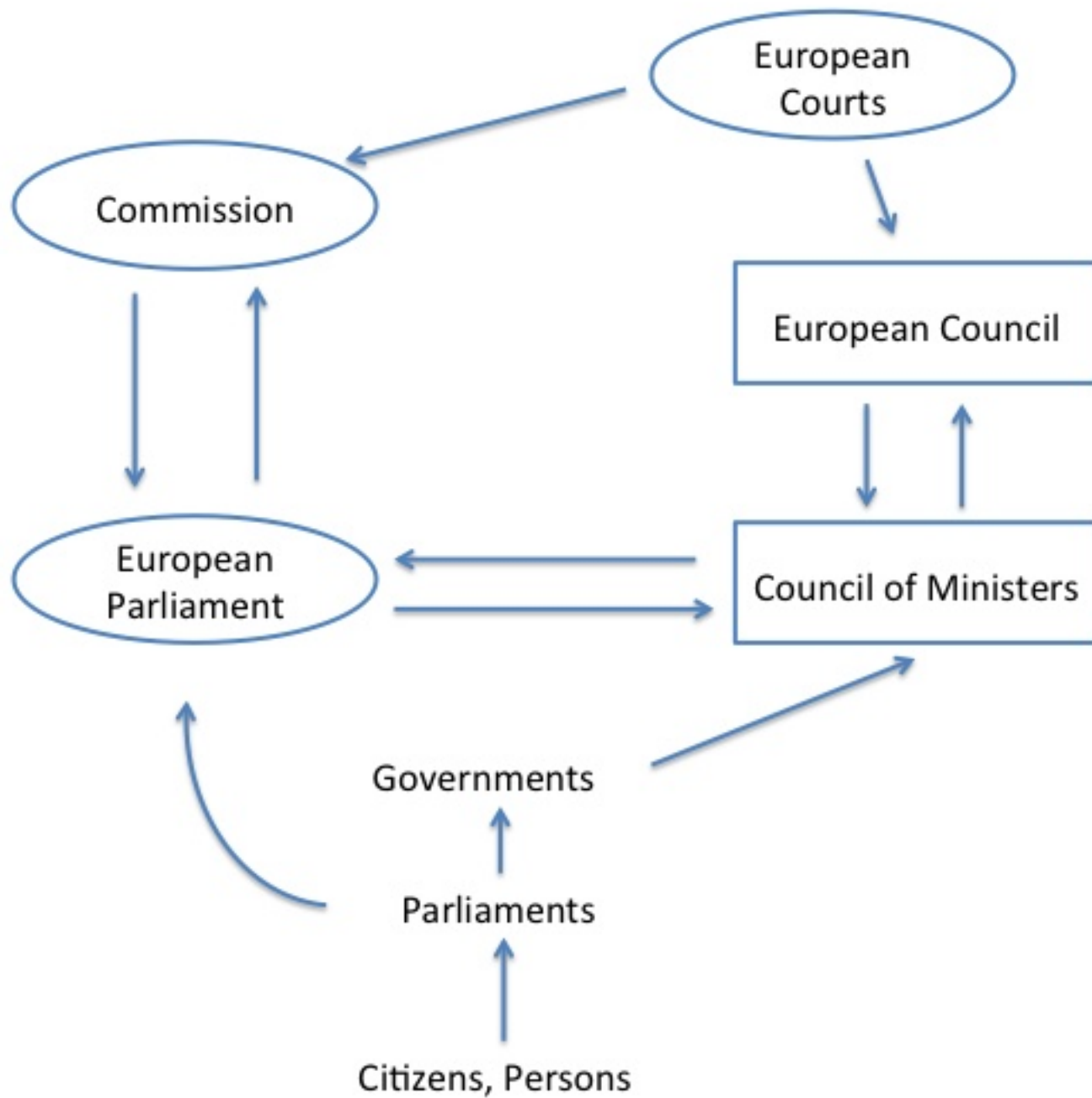
# Federalist functionalism

- Democratic social organization philosophy and method
- Persons are in the center, they are the actors, personal principle (popular sovereignty); persons associate to do common tasks and create larger and larger communities (local community, provinces, states, federations)
- Bottom-up internal and external democracy in the framework of the Western system of liberties (parliamentary union with government or open democratic institutions)
- Division of the community competences and the state competences based on subsidiarity and multilevelism and direct them by a supranational parliament, commission, council and court in one institutional structure.
- Subsidiarity (federalist interpretation); Multilevelism (federalist interpretation)



# Conservative Intergovernmentalism

- Nationalism
- Euroscepticism
- Criticism of the EU (too elitist, bureaucratic, undermines the nation state)
- “European Family of Nations” (M. Thatcher)
- Intergovernmental agreements and bargaining
- Denial of the importance of supranational institutions



# History of the European Integration Theories

- Scenario 1 – constitutional federalism
- Scenario 2 – personal federalism
- Scenario 3 Intergovernmental functionalism
- Scenario 4 – federalist functionalism
- Council of Europe 3
- ECSC 4
- EDC 4 (1,3)
- EPC 4 (1,3)
- EEC 3
- De Gaulle, 3
- Spinelli, 1,2,4
- Maastricht, 3, (4 ?)
- Lisbon 3, (4 ?)

# The history of the European integration

- 1. Scenario 3. Council of Europe, 1949 – intergovernmentalist functionalist
- 2. Scenario 4. ECSC, 1951 – Federalist functionalist (sectoral)
- 3. Scenario 4., 1-3. EDC, 1952, EPC, 1953 – Federalist functionalist
- EPC – Bicameral EP, European Executive Council (European Ministers) and Council of National Ministers (harmonizing function)
- 4. Scenario 3. EEC (1957), and scenario 4. Euratom
- 5. Scenario 3. De Gaulle, Luxembourg Compromise, 1966
- 6. Scenario 1., 2., 4. Spinelli, federalist reform (1984), subsidiarity
- 7. Scenario 3. and 4. – Treaty of Maastricht, 1992 (EMU, Single Market);
- Treaty of Lisbon, 2007 – Common, shared and supported competences



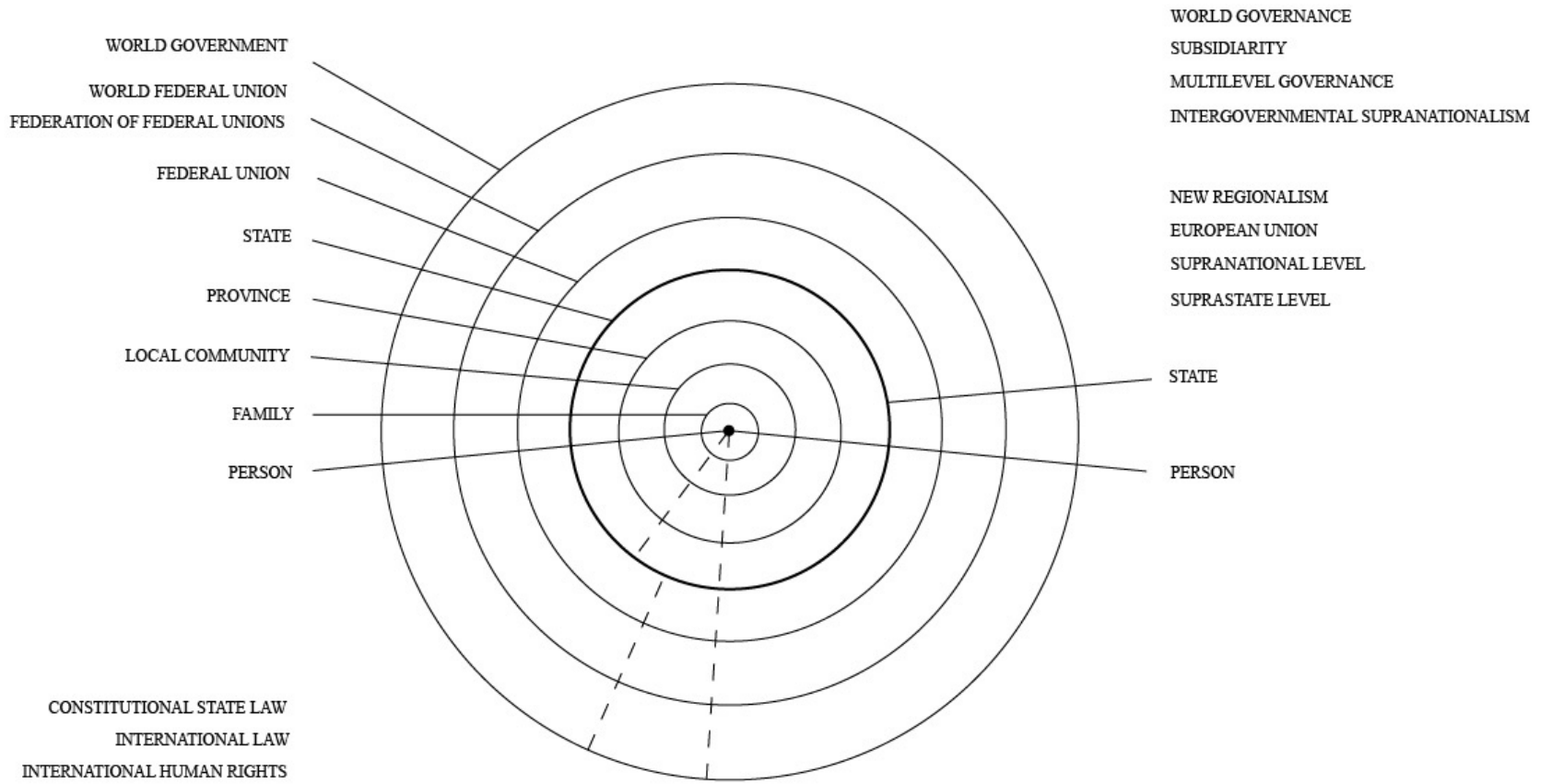
# European Union

- The Treaty of Lisbon, 2007 represents a transnational multilevel democracy based on subsidiarity and multilevelism, and the dichotomy of intergovernmentalism versus federalism. (Intergovernmentalist functionalist)
- EU is an intergovernmentalist functionalist and federalist functionalist supranational union of nation states based on subsidiarity and multilevelism with a democratic deficit. Governments use supranational institutions. The EU is open to further personalist federalist functionalist reform.
- As a peace-system it could transcend “Westphalian sovereignty”; reframed the nation-state and nation-based citizenship



# Self-determination

- Self-determination as a European
- Nationalist
- Intergovernmentalist functionalist
- Federalist functionalist
- Constitutional federalist
- Personalist federalist
- European parliamentary federalist
- Regionalist
- Other



# Recommended literature

- The presentation slides, the text of the lecture and recommended on-line literature can be found on my website:
- <http://www.eva-boka.name>
- The figure of the peaceful world federation:  
[https://www.eva-boka.name/test/Boka\\_Eva\\_abra.jpg](https://www.eva-boka.name/test/Boka_Eva_abra.jpg)



Thank you for your attention!



# The EU model and the World

- Yes and no
- Yes – EU's transnational multilevel democracy based on subsidiarity and multilevelism and the dichotomy of intergovernmentalism versus federalism
- No – cultural differences; differences in modernization
- Yes – the states world-wide adopted the elements of the European democracy (system of liberties, nation state, federalism)
- No – differences in modernity, democratization, human rights



# EU-model and the United Nations

- New regionalism (continental) – functionalism, multilevelism and subsidiarity
- In the UN structure multilevelism and subsidiarity should be realized
- Economy, finances, trade, communication, environmental protection, protection against epidemics (pandemics), and migration should be organized following the principle of multilevel governance and subsidiarity in the framework of the Economic and Social Council of the UN.

# EU-model and the ASEAN

- New regionalism – sovereign states voluntarily create functionalist associations with the aim of strengthening their statehood; interstate functionalist coordinating agencies; no supranational representative parliamentary, council and court structure
- ASEAN Summit; pillar structure of the ASEAN Community Council (Security, Economic and Socio-Cultural Community Councils), the relevant ASEAN sectoral ministerial bodies; ASEAN Secretariat
- Intergovernmentalist functionalist network-type integration
- Indonesia, Malaysia, Philippines, Singapore, Thailand, Brunei, Cambodia, Laos, Myanmar, Vietnam + China, Japan and South Korea