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## The EU route to federalism

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### Abstract

With the massive expansion in 2004 and 2007, one of the pressing problems that have started to make a more definite in theoretical disputes pan-European on the destiny Union is about to change in a future more or less distant, institutional form of the European community; highlighted so that the current structure of risk over time, mainly due to the growing number of states to prove unviable, inoperable.

I propose in these paper to present the way that the European Union had yet its birth to federalism. Radically different from the situation but US European federalism is facing a latent but more difficult opponent: extremely complex heterogeneity that characterizes our continent; if converting a union initially in a federation strong managed abundant success in the case of former colonies had a common language, a brief history and its own culture virtually nonexistent, things can be, but more complicated in the case of 27 entities that counts from several hundred thousand to 80 million people who have different languages and cultures and a common history not only long, but also marked by events quite often bloody.

**Keywords:** European Union, federalism

### Introduction

The European Union is the most important pan-European project and the most advanced example of institutional cooperation between countries in the current period. European integration is a long one, especially when compared to that of creating the United States of Europe. About European Union tried to overcome way of intergovernmental collaboration tends to head towards federalist tendencies.

Unify European Union into a federation based on a European Constitution is an extremely important issue which involves many compromises in the European states, being discussed both at governmental level and at conferences and seminars.

First, in order to present the progress of the European Union to trends to define the concept of federalism. Defining federalism was the first challenge for specialists.

Federalism is defined as a form of political organization in which government activities are divided between regional governments and the central government in such a way that the government of each type have the possibility to make the final decision in some areas.<sup>1</sup>

In other words, it is a territorial division of power and component units are outlined in purely geographical terms, called the states, provinces, provinces, cantons or regions according to countries where it is applied to this type of government.

Regarding federalism, the access is placed on fundamental distribution of power between multiple different centers, rather than devolution of power from a single center or towards the base of a pyramid.<sup>2</sup>

Federalism is intended to emphasize individualism enter as it starts from the man himself, from the fact that it characterizes<sup>3</sup> and based on universal human rights. Such can be said that the European Union is still not prepared psychologically and institutional federalism, the simple fact that the European Union is composed in countries belonging to the former Soviet bloc. These countries have experienced federalism, but it failed and they were separated from

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<sup>1</sup> Riker, William H., HANDBOOK OF POLITICAL SCIENCE- Governmental Institution ans Processes, Reading, Mass, 1975, p.101

<sup>2</sup> Elazar, Daniel J., INTERNATIONAL POLITICAL SCIENCE REVIEW- Contrasting Unitary and Federal Systems, 18, nr.3, 1997, p.239.

<sup>3</sup> Rops, Daniel M. NATION OU FEDERALISM- Principe federatif et realites humaine, Plan, p.270.

the central government, Moscow, becoming independent states. There is also a risk that minorities try to show aggressive nationalism, to separate, to undermine the system<sup>4</sup>. What shows up on these countries is that federalism is a contract, a partnership that can be imposed<sup>5</sup>.

In the history of European integration, the name of Altiero Spinelli is well defined and "Manifesto for a free and united Europe" will inspire action European Federalist Movement, created by Spinelli in 1944. Promoter of European unity, he wanted a federal Europe.

At European level unit idea evolved with disputes between the Soviet Union on the one hand and allies in the Second World War between United States and Britain on the other. The strongest expression of this idea is formulated by Winston Churchill in September 1946 during an address at the University of Zurich, occasion highlighted once again the dangers threatening Europe at the time and proposed restoring the European family and the establishment of a regional organization suggestively entitled "United States of Europe".<sup>6</sup> This regional building is just limit the border drawn around Western Europe and Churchill's vision of an eventual union was in France and Germany representing the center of the federation, while the UK only supervise project constructor. It is considered in the literature as the point of departure of conception union of Europe through a federalist character. So, European federalism is a minority movement, but that it based on important personalities of politically and intellectually. In 1947, within the movement federalist, will set up a committee to promote the first congress of Europe Congress of Europe in The Hague, which takes place on May 7 to 11, 1948 and gathers in a single movement all groups aimed "United Europe".

Proclaiming the need to create an economic and political union to guarantee security and social progress pushed Hague meeting to convene a European Assembly, composed of delegations of national parliaments.

But despite support this initiative by the French and Belgian register and distance English Labor government, committed to start diplomatic process that was to bring the Atlantic Pact. Berlin crisis demonstrated that East-West confrontation was placed on the second row federalist solution, subject to political and military integration in Western block, that American.

Spring 1949 brings therefore a new view: Pact Atlantic on April 4 extends tract in Brussels signed the year before (by France, UK, Belgium, Netherlands and Luxembourg) and other European countries important point strategically (Italy, Norway, Denmark, Iceland, Portugal) and also North American democracies (USA and Canada).

With the end of the German crisis, on May 5, 1949, updated provisions Hague Congress by establishing the Council of Europe, whose powers are limited. Preveza birth is also a consultant Assembly (composed of members appointed by national governments) and the Committee of Ministers (composed of Ministers of Foreign Affairs of the

member countries), which decides two times a year unanimously.

The Council is also more of a forum for international debate than the first nucleus of European government, but marks a first for European federalism. In the early 1950s, Union of European Federalists launched the European campaign for European Assembly directly elected by citizens. Behind this campaign there were important federalist names: Altiero Spinelli (Secretary General of the European Federalist Movement), Paul - Henri Spaak (Chairman of Europe Movement), Alcide De Gasperi, etc. Twenty years later the European Parliament became the institution directly elected. ECSC establishment of Jean Monnet in 1951, will mark the end of the Franco-German conflict and increase the cooperation between European countries but a narrow pathway sector.

Jean Monnet said that "ECSC marks the direction in which the future of Europe will need to find its way to a community federal pacifist larger, more prosperous in the breast that European nations will share resources and capacities and can thus freely and diversity, to live in the rhythm of the modern world"<sup>7</sup>.

The Maastricht Treaty brought other changes to the functioning of European supranational institutions. British insistence, the principle was included in the Treaty.

Subsidiarity is usual in European terminology, a difficult word for a simple and useful principle. It really means that decisions that matter to citizens should be taken at the level closest to them. This requires a clear stratification of powers and skills, so that, for example, those problems can be solved at the community level should not be taken at regional level, and the problems that can be solved regionally should not be taken at national or European level.

Subsidiarity is one of the major principles of European federalist thinking. He has also been included in the draft European Constitution.

European Constitutional Treaty was prepared by the European Convention for the Future of Europe and was considered by activists advocating a Federal European Union as an opportunity to reenergizing the campaign for a political Europe that began with the creation of the European Union.

So far, the European political order was based on the fundamental principle of state sovereignty and national self - principle derived from the fact that Europe is a continent made up of different peoples with cultures, languages and histories own.

In this regard, the main opponent of the success of European federalism seems to be one insurmountable just because you essence and characteristics of Europe: diversity and heterogeneity - not a few are those who believe that this diversity is a reality in the not You can go and who disregard can be extremely dangerous.

People from different cultures can live together under the same umbrella economical even if they have a common history bloody, but that does not necessarily involve living together as good and modified form of a true federation covering and decide in all areas of importance vital for the nation's components.

In 2001, the Heads of State and Government of the EU

<sup>4</sup> Idem 14, pp.145-151.

<sup>5</sup> Barmeo, Nancy, JOURNAL OF BARMEO,NANCY, JOURNAL OF DEMOCRACY- The import of institution, vol.13, nr.2, 2002, p.107.

<sup>6</sup> Ivan, Liviu Adrian, STATELE UNITE ALE EUROPEI – Uniunea Europeană între interguvernamentalism și supranaționalism, ed Institutul European, 2007, p.15.

<sup>7</sup> Jean Monnet, LES ETATS-UNIS D'EUROPE ONT COMMENCÉ, Robert Laffont, Paris, 1955, p.17

Member States decided that a European Convention be agreed to draft a new 'rule book' for the better functioning of the Extended European Union. They made this decision because the enlargement from 15 to 25 Member States meant that some of the existing rules needed adjustment to ensure reliable operation Efficient Union and Amenities citizens understand how the EU operates.

European federalists welcomed this process, which involved a high degree of citizen involvement and representation. Following the model of the Philadelphia Convention before the creation of the United States, European federalists initiated a series of 'Federalist Letters' "European Constitutional Convention addressed the vision and courage demanded by implementing ambitious reforms necessary for the future European Union.

They proposed a "Federalist Plan for the Convention"<sup>8</sup>, calling on the Convention to produce a draft or the European Federalist Constitution.

It reminded me of "Virginia Plan" that transformed the United States from a confederation to a federation. "Federalist plan for the Convention" address all areas where the EU is not democratic enough, transparent or effective.

Also addressing those institutions which proved to be too dark and lacking in accountability to citizens or their representation on European Parliament.

'Federalist Plan' proposed European Convention on the following points: the final text of the document is a single document incorporating all previous treaties and to incorporate the European Charter of Fundamental Rights; European Commission to be transformed into a European government called the European Parliament (and not by the Member States as actual now decision) and have the political color of the European Parliament; co-decision between the European Parliament and the Council of Ministers should become the norm in all fields; all decisions of the Council of Ministers are taken by majority and debates to be public. Finally, after too powerful opposition to federalism, the "federation" did not remain in the final document.

Continue the EU enlargement turned it into a continental-sized confederation able to act effectively in economic and world trade questions but which lacks real political power.

To correct this weakness, a former European Commission president Jacques Delors, he suggested that a small 'avant-garde of European states' could together take the first important steps towards integration deepened.

The idea has responded quickly and was adopted by the former German Minister of Foreign Affairs, Joschka Fischer, who in a speech at the University of Humboldt spoke about a 'vanguard' of states that would allow some European countries, the advanced to advance in some areas, while the rest could follow gradually transforming the present confederation as a European federation of continental dimensions.

No matter how important the linking word "federalism" of the European Union, it is more important to ensure that the practical application of federal principles is seen as a net benefit of European citizens.

In the Convention the federalist campaign had a certain success, as the European Charter of Fundamental Rights was included in the draft constitutional text; policy areas co-decisions between citizens' elected representatives in

the European Parliament and the Council of Ministers to be increased; citizens can make a complaint directly to the European Court of Justice will have the right to initiate laws by collecting at least one million signatures in support of the proposal. If you look long term, there are obviously many other issues to be resolved to ensure a fully democratic process of decision making in the EU and to make institutions more transparent and efficient.

Slept for an actual European federation is still long, but small steps in the federal direction constitute progress, how slow it is. This constitutional document is the most important and tangible result of the federalist campaign and a sign that it will continue.

Regardless of the difficulties that some Member States have to ratify the draft Constitutional Treaty, the European Union's proposals for reforming are now part of the European debate.

At EU level: a system of treaties and laws directly applicable throughout the European Union, interpreted uniformly and defended by the European Court of Justice, there are areas, policies, Member States have transfer authority to the Union, such as trade environment, agriculture, competition, but there are areas where national law continue to prevail, there is a European Parliament, directly elected by citizens and, as its power increases, the powers of national legislatures fall, there is a budget of the Union confers European institutions financial independence, the Union has its own currency, which replaced the national currencies.

The most enthusiastic supporters of European integration believes that the EU should move towards a federation of "United States of Europe", but in order to achieve such a state, the EU will first have to "fight" against the reluctance of Member States transfer of sovereignty to create a political union and stronger as imagined "its founding fathers."

However each evolution of the European Union has been a gradual move towards a more democratic entity, more efficient and more transparent, therefore nearest federalist vision. Introducing the Charter of Fundamental Human Rights in the new Reform Treaty, mark-European Parliament by extending co-decision in most areas of legislation, transforming Central Bank in a European institution, several possibilities of expression for citizens extended to the possibility initially a new law, the collection of one million signatures, are just some of the impressive federalist integrated into the new treaty.

There are many other issues to be resolved to ensure a fully democratic decision-making in the Union and to make institutions more transparent and efficient way to a European federation is still long, but small steps in the federal direction constitute progress.

The first test of federalism is the existence of the will or desire to be manifested by federal political body involved. Adopting or maintaining a federal constitution is the main way to express this will. However Observe the European population that is not entirely agree with the federal system, which was marked by the failure of the European Constitutional Treaty.

## Conclusion

In conclusion there are several changes that may be made to the current organization of the European Union. First, if the European Union as a federal Member States would retain foreign ministers.

<sup>8</sup> Thomas Paine, THE RIGHTS OF MAN, 1791

They were minister's federal units constituting the European federation. The difference would be that their mandate would be limited since their country will delegate specific duties in foreign affairs European Minister of Foreign Affairs. This assumes that another document be created at European level to make clear how distributed prerogatives between the foreign ministers of the Member States and the European Foreign Affairs Minister.

Second in a federal state is now a government. This role should be taken by the European Commission, which would have the power of legislative initiative in all areas specified in the Constitution, would you have an bicameral Parliament consists of the current Parliament and of the Council of Ministers where decisions would be taken by majority vote, thus ensuring both decisional efficiency, transparency as well as open discussions Europeans.

European Court of Justice which already functions as a court of a federal state, would judge cases brought by European citizens itself.

Third European Parliament in a federal state would have two chambers: the current Parliament as the House of Representatives and the Council of Ministers as a chamber of the states or Senate. Decisions on EU external relations would require the support of both chambers.

These are some of the changes to come to becoming the European Union as a federal state, but we must bear in mind that the European Union is a complex mechanism. To try to identify and enumerate the internal and external challenges is a challenge in itself. Some of the internal challenges facing the European Union today are: fiscal instability, unemployment, immigration, intolerance, etc.

Some of the external challenges which European Union Member States cannot meet alone are: increasing threat of terrorist networks, the proliferation and climate change.

The European Union has the capacity to positively influence things but lacks the power to do so. An EU organized as a federal state would have much more power in this regard and should be able to practice and a democratically.

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