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After The Rome Declaration: A Union – Not A State

by Sergio Fabbrini on 4 April 2017



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As was predictable, the Rome Declaration of 25 March 2017 (for the sixtieth anniversary of the Rome Treaties) ended up in an ambiguous compromise. Even Merkel's wishes to introduce the principle of a multi-speed Europe into the Declaration was scaled down. The Declaration recites: "We will act together, at different paces and intensity where necessary, while moving in the same direction, as we have done in the past, in line with the Treaties and keeping the door open to those who want to join later. Our Union is undivided and indivisible". Indeed, the EU 27 member states are not moving "in the same direction", as it should be clear

after Brexit, and they are all but "undivided", as shown by the euro or the migration crises. Ambiguity was necessary for bringing the 27 member state leaders to sign the Declaration. However, given the nature of the discussion (among the Europeanists) on the future of the EU, it was also inevitable. That discussion continues to be held prisoner to false alternatives. On the one hand, there are those who argue that the show must go on just by muddling through, on the other hand there are those who put forward the need for a genuine big bang. For the former what matters is getting the Union machine to work, generating some public good where possible, adapting the integration process to the needs (or electoral schedules) of one or other country. For the latter, however, the EU

must move towards a new constitutional Convention to relaunch the goal of an ever-closer union among the 27 countries, as the response to the hard-line positions emanating from Washington D.C. and London.

Why are these false alternatives? For the supporters of the first approach (to be found in the various technocratic establishments of Europe), the EU is legitimated through the results of its policies. For those technocracies, legitimisation is a functional and not political facet of the integration process. However, that is not the case. The EU is not an international organisation which is only legitimated through its results (as, for example, NAFTA). Obviously the effectiveness of its policies is important, but it is not enough. Nor is it possible to think of continuing to mask the work of the EU, as Delors suggested, to avoid raising nationalistic hackles. The silent consensus around the integration processes ended some time ago. Marine Le Pen, Geert Wilders, Matteo Salvini, Frauke Petry are all around to remind us of that fact. It is not possible to respond to their political challenge with only functional solutions. For the supporters of the second approach (including individual leaders and exponents of civil society movements), the EU cannot be fully legitimated until it becomes a parliamentary federal state. A state functioning on the basis of competition among the European political parties which aim at winning control of the Commission understood as the sole European government. However, it will not turn out like this. The EU can never become a full-scale parliamentary federal state, such as to reabsorb internally the member states and transform them into *Laender* as in the German experience. The nation states cannot be abolished with the stroke of a pen, nor is it possible to think of transforming their citizenries into a European people divided only by political allegiance (left or right).

To avoid the trap of false alternatives, it is necessary to change both perspective and paradigm. As for the paradigm, it is necessary to recover the idea of the federal union, abandoning both that of the international organisation and that of the parliamentary, although federal, state. Federal union is the answer to the aggregation of previously independent states. The aggregation of demographically asymmetric and national identity's differentiated states is incompatible with the centralization of the federal parliamentary state, but also with the lack of democracy that characterizes international organizations. As for the perspective, it is necessary to identify the policies to be shared in a federal union and clearly separate them from those which must remain (or return to being) at national level. Once those policies have been identified, then it will be possible to see which of them can be pursued within the Treaties and which instead will require

abandoning the Treaties. What are the policies which should be handled by a federal union? The comparative analysis of successful federal unions (the United States and Switzerland) tells us that they are limited but with a general jurisdictional scope (i.e. they do not allow opt-outs). They fall into three broad policy areas. The first is that of security, an area which includes diplomacy, defence, intelligence and border control. Unions are created to defend against external and internal threats. The second area is economic, an area which includes managing the common currency, but also the union's fiscal, budget and social policy. The union must equip itself with a genuine (albeit small) budget, based on autonomous fiscal resources which can be used to support anti-cyclical and social policies, such as European insurance against youth unemployment. The third area is that of development, an area which includes investment policies in the fields of scientific research, infrastructure and innovation. Indeed, the conclusion of the Rome Declaration identifies similar policy areas (security, sustainability, welfare, defence) to better integrate in the next ten years.

These (clear but limited) policies must be part of a single and coherent project. It is not possible to sign up for one policy, but reject another. Such differentiation in policies does not allow citizens to keep accountable the politicians who are taking decisions and replace them as they see fit. At the same time, it must be said that all the other policy areas must remain under the control of the national democracies. It is probable, indeed certain, that some countries will oppose this approach, preferring a Europe *à la carte* which enhances their sovereignty. The response must be the strengthening of the single market, the place where they and the federal union's member states should cooperate. The ambiguity of the Rome Declaration might be dispelled by a group of states deciding to move towards a federal union operating within a strengthened single market.