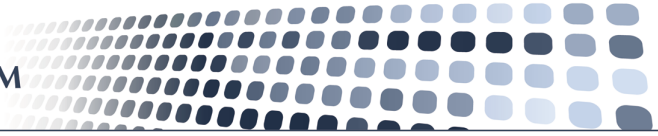


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The Federal Perspective in the Schuman Declaration

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Abstract

This short note aims at providing an analysis of the Schuman Declaration focused on the following points: 1) the genesis of the Schuman Declaration; 2) its federalist content; 3) its topicality.

Key-words:

Schuman Declaration, federalism, European Communities, European Union



The Schuman Declaration (9th May 1950), whose 60th anniversary is celebrated this year, is the founding document of the European unification process. Based on the Franco-German reconciliation, it marked the first step in the actual construction of a united Europe, a process that, despite not yet being completed, has progressed so much that the achievement of the final goal seems possible – though not to be taken for granted. This is explicitly stated in the declaration, which establishes the pooling of coal and steel production, managed by an authority independent from national governments and whose decisions are binding on France, Germany and the other subscribing countries. It represents “a first concrete foundation of a European federation”, which provides a key contribution to the creation of world peace. Precisely because the final goal has not been achieved yet, the declaration is still of topical interest, not only in relation to the rules and purposes it sets but also due to the crucial choice of making a qualitative leap forward without being hindered by national vetoes. That being stated, I shall focus on the analysis of three main points: 1) the genesis of the Schuman Declaration; 2) its federalist content; 3) its topicality.

1. The dynamics of the European unification process were illuminatingly clarified by Altiero Spinelli, in an embryonic way in the Ventotene Manifesto (written in 1941 and representing the founding document of the movements fighting for the federal unification of Europe) and then, more precisely, after the War. According to the founder of the European Federalist Movement, the European unification process is based on a deeply rooted and enduringly powerful historical drive, deriving from the structural and irreversible crisis of the European nation-states. This basically consists in the structural inability to face, by means of absolute national sovereignty, the fundamental problems of economic development, democratic progress and security, which have become supranational issues due to the growing and unrelenting interdependence created by the advancement of the industrial revolution. After the collapse of the European system of states occurred at the end of the World Wars period (when the hegemonic unification of Europe had been attempted), national democratic governments were faced with the unavoidable choice between “joining or dying”, a situation that the French Minister of Foreign Affairs Aristide Briand had already foreseen in September 1929, when he



presented the first proposal for a united Europe put forward by a national government. This led to the establishment of a European unification policy having a sound structural basis but hindered by a major structural obstacle, i.e. the tendency by those who hold national power – deriving from the law of self-preservation of power already explained by Machiavelli – to oppose the actual handing over of most of that power to federal supranational institutions, a prerequisite without which an effective, democratic and irreversible unification of Europe cannot be achieved.

Given this contradictory stance held by the national governments, a strong European unification policy (going beyond mere intergovernmental cooperation based on unanimous resolutions) can assert itself only when the structural crisis of the national States results in a severe crisis of power as well as in complete governmental impasse. The process also requires the presence of bold statesmen and the active participation of authoritative personalities – yet independent from the logic of conquering and preserving national power – and movements working towards the federal unification of Europe and the mobilisation of the general public in support of this objective.

It was such a situation that inspired Schuman's action in 1950. Until then, policies for the unification of Europe had been pursued in Western Europe (the only portion of the continent in which there was a certain freedom of choice). These policies had been stimulated by the failing power of nation-states, the breaking out of the Cold War, and the decision by the U.S., with the Marshall Plan established on 5th June 1947, to link recovery aid to the establishment of intra-European cooperation. However, the international organisations that were created as a direct or indirect consequence of pressures by the U.S. – i.e. the Organisation for European Economic Cooperation (which in 1960 became the Organisation for Economic Cooperation and Development), the Brussels Pact (which in 1955 became the Western European Union), and the Council of Europe – were characterised by an extremely weak confederal structure. This was mostly due to the fact that the United Kingdom (a country in which the historical crisis of the nation-state had manifested itself less evidently), the main founding country of those organisations together with France, was particularly strict in defending national sovereignty and the other partners were unwilling to proceed without the United Kingdom. The qualitative leap from these early, weak forms of European cooperation to a European integration process was strongly facilitated by the evolution of the German question, induced by the American policy.



A fundamental corollary of the American strategy for the containment of the Soviet block (which, starting from the Truman Doctrine of 12th March 1947, had led to the Marshall Plan and then to the establishment of the Atlantic Alliance) was the decision to carry out the economic and political reconstruction of the portion of Germany occupied by the Western powers, rejecting the previous policy which aimed at preserving the division among Western occupation areas and at severely limiting the economic development of Germany. Aware of the fact that, without the full recovery of one of the nations that had always been crucial for the economic development of Europe, Western Europe would have remained fatally weak, the Americans achieved the creation of the Federal Republic of Germany and then included in their agenda the elimination of any obstacle to the full development of the German economy. As a consequence, they enabled the Germans to reclaim their heavy industry, which was under the Ruhr International Authority and hence subject to production limitations. Faced with this decision by the U.S., the French government – whose foreign minister was now Robert Schuman, representative of the “party for the reconciliation with Germany” – was caught between two fires: severe concerns about the future revival of the German power, based on its economic recovery, and the prospect of a heavy diplomatic clash, doomed to failure, with the Americans, determined to accomplish the full economic recovery of West Germany without delay. Nevertheless, France was able to overcome this impasse with the courageous proposal, put forward by Jean Monnet, to place under common European control the coal and steel industry of Germany, France and any other European country willing to undertake this venture. Following immediate positive responses by Adenauer in Germany (Adenauer was the leader of the German party for the reconciliation with France), De Gasperi in Italy, and the Benelux countries, the problem was solved by creating, as suggested by the Schuman Plan, an organisation that was completely new if compared to the Brussels Pact, the OEEC, and the Council of Europe.

What was fundamentally new about the European Coal and Steel Community is the federal perspective it implied. Before proceeding with a detailed analysis of this aspect, I wish to clarify two issues. First of all, the extremely important link between the German question and European integration does not at all mean that integration is a tool to exert control over Germany. The European unification actually originates in the permanent and irreversible crisis of the system of European nation-states, which during the period of the



World Wars and the antifascist Resistance led to a widespread awareness of the “joining or dying” issue. Against this background, without which the European unification process could not have started and developed, the issue of Germany (the last state in modern history aiming at hegemony over Europe, after Spain and France) peacefully living together with the other European countries has played a crucial role, since it has provided the most progressive pro-Europeans – in France, Germany, and other partner countries – with a significant and concrete political resource to overcome any nationalistic oppositions to a deep supranational unification policy.

Secondly, it should be underlined that one of the fundamental reasons for Schuman’s ability to overcome nationalistic opposition in his country lay in the method he adopted to develop his action. He prepared the launch of the ECSC project without involving the personnel of the Ministry for Foreign Affairs, knowing perfectly well that there would have been strong opposition capable of thwarting his initiative right from the start. He instead entrusted Monnet and his collaborators from the Planning Commission with the drafting of the Plan and worked towards raising public support in France and in the other countries, in order to make it harder for the diplomacy or the entrepreneurial world to run the project aground.

2. If by federation we mean the overcoming of absolute national sovereignty through the creation of a federal state (a state of people and states), i.e. of supranational democratic institutions with direct power over the citizens of the federation and with direct participation by the nation-states in the decision-making process, hence ensuring the preservation of their inviolable autonomy, then it is evident that Schuman’s initiative contains a federal perspective. Despite not having led to the establishment of a fully-fledged federation, it achieved the overcoming of simple intergovernmental cooperation and it laid the foundations for the creation of a federal state, since only the brave and dramatic decision of relinquishing exclusive national sovereignty was capable of preventing a prospect, i.e. the full re-establishment of German sovereignty, that was rightly perceived as full of extremely dangerous implications.

More precisely, if we wish to wholly understand the federalist content of Schuman’s proposal, we should refer above all to Monnet’s vision, as he was the main inspirer of the



proposal. The functionalist approach to European integration, which Monnet consistently and practically supported, and the federalist approach, which undoubtedly had in Spinelli its main promoter, share a common objective: the creation of a federal state. Hence, the two approaches belong to the same coalition, in contrast to the party promoting confederalism, whose main representatives were Churchill and De Gaulle. That being stated, Monnet's functionalist approach was characterised by the belief that the best way to overcome any opposition to the overcoming of national sovereignty is to gradually develop integration in limited but increasingly important state sectors or functions, in order to achieve a gradual and almost painless draining of national sovereignty. Monnet, who had devised the specialised supranational organisations created during the two World Wars to pool the economic and military resources of the Allies and make their war efforts more effective, was convinced that the method implemented during the Wars could be applied also in time of peace to pursue the unification of Europe.

In practical terms, the method he proposed in the post-war period consisted in handing over the administration of some public activities to a dedicated European administrative body, which would receive common directives from the nation-states, formulated by means of treaties and intergovernmental resolutions. However, within the scope of these directives, the administrative body would be separated and independent from the national administrations. The national policies to be pooled – destined to create the most serious grounds for rivalry among European States – were those concerning coal and steel, which were considered at that time as the two basic products in the economy of industrialised countries. Placing the production and distribution of coal and steel under common rules, applied by a supranational institution, would generate shared interests and solidarity, so deep and so crucial for the economy that they would lead to the gradual integration of all the other economic aspects and, at a later stage, of any other key state activity, among which foreign policy and defence. The unification accomplished by the various specialised agencies around concrete interests and efficient supranational bureaucracies would in the end lead to the crowning achievement of a federal constitution.

Incidentally, I wish to emphasise that, besides some superficial contrapositions emerging within the context of political debate and a certain amount of verbal animosity from both sides, the fundamental difference between the federalist approach and the functionalist approach can be summarised in two points. The federalist approach is the



constantly reasserted belief that European integration is doomed to remain precarious and reversible until a federal constitution is implemented, which can be achieved not by intergovernmental conferences (unanimous and secret resolutions by government representatives and unanimous ratifications) but only through a democratic constituent method (resolutions by majority approved by representatives of the citizens and ratifications by majority). The second feature is being in contrast with functionalist automatism, being persuaded that achieving a federal state requires the creation of a movement for the European union, which can also pursue intermediate objectives but must be independent from governments and parties as well as capable of mobilising the public opinion pointing out the structural limits of functionalist integration. These limits lie mainly in its precariousness and inefficiency (due to the need for unanimous decisions concerning key issues) and in the so-called democratic deficit (the draining of national sovereignties without the establishment of a fully developed supranational democratic sovereignty). Therefore, the two approaches are different (Monnet's approach was defined as weak federalism versus the strong federalism of Spinelli) but, at the same time, dialectically complementary (i.e. each one having an autonomous and decisive role).

After having clarified this point, let us go back to the relationship between the functionalist approach and Schuman's initiative. The previously mentioned impasse, which the French government had come to, opened for Monnet a window of opportunity that enabled him to realise the revolutionary invention of the European Community system. The ECSC actually had in common with the early European intergovernmental organisation the characteristic that decisional power was ultimately still in the hands of the national governments, which corresponded to the fact that not all the governments were willing to accept the irreversible handing over of their sovereignty to supranational bodies (the treaty's validity was limited to only fifty years!). Nevertheless, it already displayed some important federalist traits: the crucial role given to a body, the High Authority, that was independent from national governments; the direct effectiveness of Community legislative and judicial acts within the member states; the allocation of own resources to the community budget based on a levy and on European bonds; the principle of vote by majority for a part of the resolutions of the Council of Ministers; the possibility to directly elect the common parliamentary Assembly, which also had the power to dismiss the High Authority with a no-confidence vote. It should be underlined that the governments had to



accept these federal characteristics because the achievement of an objective much more advanced than the mere liberalisation of trade actually required stronger and more efficient institutions, which should be, at least in perspective, democratised, in order to avoid a situation in which the competences transferred to a supranational level might not be subject to effective democratic control. The final goal of a federation was not mentioned in the text of the treaty but it was stated in the text of the declaration on the basis of which the negotiations were carried out; since the declaration was accepted by the other governments, it turned into an official commitment towards the final purpose of European integration.

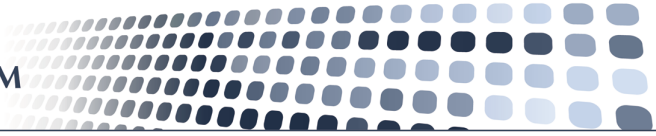
Besides these elements included in the Schuman Declaration and in the treaty deriving from it, the federal perspective can also be detected in the choice of proceeding on the basis of a more limited group of countries in comparison to the states involved in earlier pro-European initiatives. When the ECSC proposal was put forward, the OEEC had existed for over two years and the Council of Europe for one year; they included the Six as well as the United Kingdom and the majority of Western European countries. The crucial procedural choice made by Schuman was precisely to operate outside the juridical framework of these two organisations, within which the United Kingdom and, in its train, the Scandinavian countries and Portugal, would have eliminated the innovative features of the initiative, and to open negotiations only among the governments that were willing to discuss the implementation of a supranational authority. This led to the creation of an advanced core group of states within a wider circle supporting purely intergovernmental cooperation, in the belief that the success of the venture would later result in the involvement of states that had previously been reluctant – which is what actually happened.

This procedural choice asserted itself due to the nature of the problem to be solved (avoiding the full re-establishment of German sovereignty) and thanks to the initiative of the European Federalist Movement and the Union of European Federalists, of which the EFM was a member and the leading vanguard. Immediately after the Council of Europe came into being, the federalists organised a wide campaign throughout Europe to promote the stipulation of a federal pact for the establishment of a supranational political authority, democratically elected and provided with the necessary powers to implement a progressive economic unification, run a common foreign policy, and organise common defence measures. The coming into effect of the federal pact among the ratifying countries – and



this was the key point – would not require unanimous vote by the member countries of the Council of Europe, but its ratification by at least three states reaching a total population of one hundred millions would be sufficient. The federalists basically proposed to apply to the European unification one of the fundamental principles characterising the procedure on the basis of which, in North America, the Philadelphia Convention of 1787 drafted the first federal constitution in history, i.e. the overcoming of the unanimous ratification requirement. This move by the federalists undoubtedly made Schuman and the governments of the Six even more determined to proceed with the strategy of the vanguard group.

3. Sixty years after the Schuman Declaration, it is clear that great progress has been made towards European integration. Within a framework of gradual advancement in a federal and democratic direction of the European Community system (in particular, the direct election and widening of the powers of the European Parliament, and the extension of qualified majority voting in the Council), very relevant integration goals have been achieved. These range from the single market to the historic transition to a monetary union, which would not have been possible without the option in favour of the method of the vanguard group, from the enlargement to most European countries to the Treaty of Lisbon, whose steps forward – though not decisive – are linked to the involvement, through the Convention, of members of the European and national parliaments. These developments testify, with irrefutable factual evidence, the soundness of the choice made in 1950 to overcome mere intergovernmental cooperation and to include the federal perspective in the European unification policy, in relation to both the institutions and the procedures to establish them. In order to have an appropriate, comprehensive view of the process, I wish to draw on what mentioned before and emphasise that pro-European movements supporting federalism have greatly contributed to these steps forward. Through their continuous, systematic, and pervasive actions, they have kept alive the idea of a European federation and of the participation of the people in its creation, based on the democratic constitution method – an idea that would have been erased from the political agenda without their contribution. Moreover, they have played a fundamental role at a number of crucial moments in the creation of today's Europe. In particular, I wish to



mention: the transformation of the project for a European Defence Community into a plan for a military, political, and economic union on a federal basis (the European Political Community), which failed in 1954 but laid the foundations for the later creation of a European Economic Community; the campaign for the direct election of the European Parliament and for the strengthening of its powers; Spinelli's action in favour of the European Union Treaty, approved by the European Parliament in 1984, which strongly contributed to the drafting of the European Single Act and, more generally, to open the process of reform of European treaties, whose most recent achievement is the Treaty of Lisbon; a steady commitment to the implementation of a single European currency, which has been constant since the 1960s (in this regard, I would like to mention that in 1965 the federalists had some symbolic coins named Euro minted in Bologna!).

All this said, it is a fact that the final goal of the European federation has not been achieved yet and we should now wonder whether Schuman's declaration is still relevant in relation to it. This question must be asked because the validity of the distinction between federation and confederation is being challenged by many, thus denying that the European integration process could or should be aimed towards the creation of a federal state. This stance is often linked to the belief that, within the context of globalisation, the state form is not only objectively in crisis but doomed to be replaced by something else, which however those who challenge the integration progress are not able to define clearly.

Conversely, I believe that the federalist discourse is nowadays still fully relevant. This conviction is based on the following remarks:

- The federal state model, reasonably conceivable as the solution to the European unification issue, shall have characteristics that are original and different from those of the federal systems implemented so far. This is because, for the first time in history, it shall bring together into a federation a set of nation-states that are historically consolidated and a continent characterised by cultural, linguistic, religious, economic, and social pluralism with no equals in the world (which is a major asset that should be protected and supported). Therefore, it shall be a strongly decentralised type of federalism (hence, I believe, more authentic) but in which any form of national veto shall be excluded, despite granting space to qualified majorities. The federal monopoly of legitimate force shall be implemented and the principle of democratic responsibility of supranational political bodies shall be fully applied. These are the necessary requirements to fully overcome the shortcomings of



European integration from the point of view of efficiency and democracy, thus making it irreversible.

- The only valid response to the draining of national sovereignties ensuing from the growing international interdependence, of which globalisation is the most recent development, does not lie in resignedly accepting the decline of the state but rather in extending the scope of the democratic state and in strengthening the tools of democratic participation, made possible thanks to the subsidiarity principle typical of a fully developed federal system. Since the state form is the irreplaceable starting point for the pursuit of the common interest, i.e. for pacific cohabitation, for the protection of liberal-democratic rights, for social solidarity and solidarity to future generations (sustainable development), the great design that should be pursued by all those who, in a steadily more interdependent world, wish to commit themselves to progress and to the very survival of humankind is the gradual and coherently sought creation of a worldwide democratic and federal state. In this perspective, the most urgent issue is completing the construction of the European federal state, because only a Europe that is fully capable of action can play an active and crucial role in a world hanging in the balance between setting up institutions and policies indispensable in order to face a common destiny and catastrophic anarchy. As stated in the Schuman Declaration, the mission of a united and pacified Europe is to provide a fundamental contribution to world peace, which consequentially means endorsing, through example and action, the creation of other continental federations and, at the same time, contributing to the federal unification of the entire world, as declared in the Ventotene Manifesto. The only alternative to this form of development is the triumph of a neo-feudal dispersion of sovereignty and, as a result, of generalised anarchy, which those theorising the new Middle Ages seem willing to accept with irresponsible thoughtlessness.

- Thanks to the progress made, the European integration process has reached a point in which postponing its evolution towards federalism is no longer compatible not only with the advancement but with the very preservation of European integration. On one hand, the monetary unification (the most important objective achieved so far) has led to a point in which it is no longer possible to back up the contradiction that has always characterised the functionalist integration model, linked to indefinitely postponing the implementation of supranational democratic sovereignty. If draining the ability to steer the economic process by means of national economic and social policies is not complemented by the creation of



a European democratic government capable of ensuring economic-social cohesion and the competitiveness of the European economy within the framework of globalisation and, more generally, of overcoming the abnormal discrepancy between the dimension, still fundamentally national, of political-democratic responsibility and the dimension of actual decisions, then the democratic system is doomed to plunge into a fatal crisis. An alarming warning sign of this is the fact that populist, Europhobic, micro-nationalistic, and xenophobic tendencies are gaining more and more ground. On the other hand, a rapid transition to a fully federal union is imposed by the international context, characterised by the irreversible decline of the American hegemony and by the creation of a multi-polar world system – and it is of vital importance to make this federal union structurally cooperative. This means that the European Union must become a producer of global security instead of remaining a mere consumer of security in the shadow of the American umbrella. The creation of supranational democratic and efficient institutions is finally indispensable to face the problems linked to the extension (already implemented and still to be completed) of the Union to central, eastern and Balkan Europe and also to Turkey – which represents a great and imperative challenge for Europe but is doomed to result in devastating consequences if not complemented by the complete overcoming of the limits of functionalist integration.

These are the reasons why it is fully and urgently topical to achieve the ultimate goal – a European Federation – stated in the Schuman Declaration, but it is equally topical to keep in mind the strategy of the vanguard group. Nowadays, this implies two things. On the one hand, it is necessary to implement any possible steps forward within the framework of the Treaty of Lisbon (in particular, those concerning the European economic government and the international role of the European Union), by going ahead together with those who agree to those steps and, consequently, by taking advantage of strengthened cooperation and structured cooperation in the field of defence. On the other hand, and simultaneously, it is necessary to initiate, based on initiatives by those countries that are willing, a transition process towards the European federation. This implies a transfer of sovereignty to the European level in the fields of foreign policy, security, and economy (in their general aspects), with the allocation of financial resources and sufficient armed forces to allow for the ability to act and govern independently; the drafting of a



federal Constitution, providing for a government system structured across several coordinated and independent levels, with a federal executive branch responsible to the parliament and a bicameral legislative branch made up of a chamber of the States and a chamber of the people's representatives; the drafting of the Constitution by a democratic constituent convention and its ratification by the citizens, within a framework that is respectful both of the *acquis communautaire* and of the wish to join the project at a later stage by those countries that shall decide to do so.

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